SENATE—*Tuesday, July 17, 2012*

The Senate met at 10 a.m., and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

God of grace and glory, You have already blessed us this day. We pause now to acknowledge that we borrow our heartbeats from You and that because of You we live and breathe and move and have our being.

Continue to nourish and sustain this Nation during these difficult and dangerous days. Thank You for the brave men and women in our Armed Forces and the members of their families who daily sacrifice to keep freedom's flame burning.

Lord, surround our lawmakers this day with Your spirit of reconciliation that they may put aside that which brings division and embrace that which engenders unity. May Your blessing and benediction enable our Senators to work together in harmony and peace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 17, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

DISCLOSE ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 446, S. 3369.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to S. 3369, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements of corporations, labor organizations, super PACs, and other entities, and for other purposes.

SCHEDULE

Mr. REID. For the information of all Senators, the time until 12:30 p.m. today will be divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority the second 30 minutes.

We will recess from 12:30 p.m. until 2:15 p.m. today to allow for our weekly caucus meetings.

Additionally, the time from 2:15 p.m. until 3 p.m. will be equally divided and controlled. At 3 p.m. there will be a cloture vote on the motion to proceed to the DISCLOSE Act, which was debated last night and will be debated again this morning.

THE DISCLOSE ACT

Mr. President, the corrosive effect of money on American politics isn't a product of the 21st century. More than 100 years ago, moneyed special interests had already tested the integrity of this country's political system.

In 1899, copper billionaire William Clark was elected to the U.S. Senate by the Montana State legislature. The contest was considered so blatantly swayed by bribery the Senate refused to seat him. Here is how Clark famously responded:

I never bought a man who wasn't for sale.

We in Nevada have some connection with that name because Las Vegas is in Clark County. Clark County was formed in the early part of the 20th century. The largest county in America was Lincoln County and that was divided between Lincoln and Clark Counties, and this character, William Clark, is who that county was named after.

But after Clark made this remark, and people realized he had blatantly swayed the State legislature by bribery, the U.S. Senate refused to seat him. He became a Senator anyway—not for long, but he became a Senator. As I have learned from people who know a lot about Montana history, Clark was very clever. The Governor of the State of Montana went to San Francisco, to the acting governor—the lieutenant governor—after he was denied his seat, and he reappointed him to the Senate. So he got to the U.S. Senate by virtue of the shenanigans that took place. Incensed Montana voters went on to pass the Corrupt Practices Act via a referendum. They voted for it. Less than a decade later, Republican President Theodore Roosevelt reined in unlimited corporate giving to political candidates at the Federal level as well—not only in Montana but at the Federal level.

This Nation has a long history of curtailing the corrupt influence of money in politics. But with the Citizens United decision, the Supreme Court of our country erased a century of effort to protect the fairness and integrity of American elections. That disastrous decision opened the door for corporations, anonymous billionaires, and foreign interests to spend hundreds of millions of dollars influencing voters.

For anyone who dismisses this change as politics as usual, they should think again. During this year's election, outside spending by GOP shell groups is expected to top $1 billion—that is billion with a ''B.'' The names of these new front groups contain words that are warm and fuzzy, such as ''freedom'' and ''prosperity.'' But make no mistake, there is nothing free about an election purchased by a handful of billionaires for their own self-interest.

Just one of those outside groups—just one of them—backed by wealthy oil interests, has promised to spend $400 million on negative ads filled with half truths and distortions of President Obama's record. By comparison, during the 2008 election—less than 4 years ago—Senator JOHN MCCAIN's Presidential campaign spent $370 million total. That was a huge amount of money in that day, but it is being dwarfed by these outside groups this year. So this year one group's special interest money will dwarf the entire budget of the Republican nominee JOHN MCCAIN in the last Presidential election.

Democrats and the majority of Americans believe these unlimited corporate special interest contributions should be outlawed. But in the post-Citizens United world, the least we should do is require groups spending millions on political attack ads to disclose the donors. We owe it to the voters to let them judge for themselves the attacks and the motivation behind them. But they can only do that if they know who is doing it. The DISCLOSE Act would require political organizations of all stripes, liberal and conservatives alike, to disclose donations in excess of $10,000 if they will be used for campaign purposes.

Safeguarding fair and transparent elections used to be an arena where Democrats and Republicans could find common ground. As far back as 1997, the Republican leader, our friend Senator MCCONNELL, said, ''Disclosure is the best disinfectant.'' In fact, 14 Republicans now serving in the Senate voted to support stronger disclosure laws in the year 2000. Yet last night, those same 14 Republicans did an about-face, and every one of my Republican colleagues voted to block the DISCLOSE Act.

It is obvious the Republican priority is to protect a handful of anonymous billionaires—billionaires willing to contribute hundreds of millions of dollars to change the outcome of elections. But today, again, they will have an opportunity to consider that backwards priority. We are doing that with the motion to reconsider which I announced last night. They will have the opportunity to stand for the average voter instead of these billionaires.

I hope they join Democrats as we work to ensure all Americans—not just the wealthy few—have an equal voice in the political process.

RECOGNITION OF THE MINORITY LEADER

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

TAX INCREASES

Mr. MCCONNELL. Mr. President, last week, in response to another disappointing month of job growth, President Obama issued a truly bizarre ultimatum—a truly bizarre ultimatum: Let me raise taxes on a million businesses or I will raise taxes on everybody. Let me raise taxes on a million businesses or I will raise taxes on everybody.

Yesterday, Democratic leaders in Congress took this strange new economic theory—whereby politicians purport to help job creation by hurting job creators—to dizzying new heights. Yesterday, Senate Democratic leaders said they would actually prefer—prefer—to see America go off the so-called fiscal cliff this coming January—along with the trauma that would unleash on our economy—than let businesses maintain their existing tax rates. That was the position of Democratic leaders yesterday: They would rather see America go off the fiscal cliff in January than let a million businesses maintain their current tax rates.

It is an astonishing admission—an astonishing admission. Democrats in Congress are now saying they would rather see taxes go up on every American at the end of the year than let about a million businesses keep what they earn now. They would rather let taxes go up on everybody in the country rather than allow a million businesses to keep the money they earn now.

This isn't an economic agenda—it is not an economic agenda—it is an ideological crusade. This morning, Ernst & Young is releasing a study which shows that President Obama's plan to raise taxes on these businesses will result in 710,000 fewer jobs. What a great idea: Let's raise taxes on a million of our most successful small businesses and eliminate 700,000 jobs in the middle of the most tepid recovery in anybody's memory. What a terrific idea. For those who manage to keep their jobs, real aftertax wages would fall by an estimated 1.8 percent, meaning living standards would decline as government sucks more capital out of the economy.

The President's proposal, in other words, is a recipe for economic stagnation and decline—a recipe for economic stagnation and decline. But the Murray proposal—the idea we should raise taxes on everybody—is even worse. Not only would it trigger another recession, it would put the global economy at risk. Here is the Democratic theory: that a massive income tax increase on 140 million American taxpayers wouldn't be so bad because the effects wouldn't be felt right away. It wouldn't be so bad because the effects wouldn't be felt right away.

This bizarre conclusion can only be reached by politicians and budget analysts who have never worked a day in the private sector, who don't understand what goes into cutting a paycheck for employees, and who don't have a concept of the planning—the planning—that is necessary to operate a business on thin margins in a tough economy.

This shows how out of touch these people are, to rely on the analysis of Ivy Tower liberals instead of listening to the jobs groups that have been pleading with us to fix this problem sooner rather than later and end the uncertainty that is acting like a big wet blanket over our entire economy.

Today another nonpartisan group, the Business Roundtable, urged Congress to adopt the Republican plan to extend current tax law for a year and make a bridge to tax reform. In a letter to Congress, the group's chairman, Boeing CEO Jim McNerney, warned:

> Without effective action soon, this uncertainty will spawn a dangerous crisis, threatening our economy, businesses and workers.

What Republicans have been saying is that we should eliminate this uncertainty right now. We should eliminate the uncertainty that Boeing employees—nearly 85,000 of whom work in Washington State—and so many others are facing right now. We should tackle these problems now rather than waiting until the end of the year.

Let me just boil it down. Faced with the slowest economic recovery in modern times, chronic joblessness, and the lowest percentage of able-bodied Americans actually participating in the workforce in literally decades, Democrats' one-point plan to revive the economy is this: You earn, we take. You earn, we take is apparently the only thing they have.

Surely we can do better. I know we can, and so do the American people.

Mr. President, I yield the floor.

RESERVATION OF LEADERSHIP TIME

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

ORDER OF BUSINESS

Under the previous order, the time until 12:30 will be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

The Senator from Alabama.

THE ECONOMY

Mr. SESSIONS. Mr. President, I would like to thank Senator MCCONNELL for his remarks and the fundamental truth of those remarks that this administration and the majority in this Senate want to raise taxes. They think that raising taxes and spending more through the government will somehow lift the economy. We have been shown that is not so.

Our Democratic colleagues stayed here last night talking about an issue that doesn't have the support to pass, and they should have been talking about the fundamental threat to our economy: not having a budget. Why aren't we moving forward with a budget? Why aren't we moving forward with the appropriations bills that are necessary to fund the government come October 1? The majority leader, Senator REID, has announced he has no intention to pass a single one, not even to bring them up.

So we will end up, in late September, passing a continuing resolution to fund the government—there is no telling what else will be tied up in that—which will create instability and uncertainty because this Democratic-led Senate has refused to pass a budget, refused to lay out a plan for the future, and refused to move the appropriations bills.

I have been here 15 years. This is the first time I have ever seen us not move a single appropriations bill. When I first came here, we would move almost every 1 of the appropriations bills before September 30. It is hard work. We have to bring up the bill, decide how much we want for the Department of Defense, or the Department of Agriculture, or the Department of Education, and members offer amendments and debate and do their work. That is what we are supposed to be doing, but we are not.

Today I want to talk about and call attention to another serious—scandalous, really—development in the way the Democratic leadership in this Senate is systemically dismantling the statutorily required budget process. It is a tale of how we are going broke.

Let me begin with a review of the situation. Last summer, Congress and the

President faced a serious crisis as a result of the fact that surging government spending had driven our debt to the highest level allowed—the debt ceiling. We were hitting the debt ceiling. Do you remember that? A deal was struck then to raise the debt ceiling.

That is what the President wanted. He didn't want to cut spending 40 percent. We were borrowing—and we still borrow—almost 40 cents of every dollar we spend. All government programs would have had to have been cut 40 percent if we didn't raise the debt ceiling. Amazing as that sounds, this is undisputable.

Republicans prevailed in their insistence that spending should be reduced over 10 years by an amount equal to the increase in the debt ceiling last August. The legislation this deal produced, the Budget Control Act, set certain spending limits in the absence of a budget resolution that we should have passed in the Senate as required by law. So these spending limits came into effect when the chairman of the Budget Committee, Senator CONRAD, filed the allocation numbers into the CONGRESSIONAL RECORD, telling every Senate committee how much it was allowed to spend. That is the power given to the Budget Committee chairman. I am the ranking Republican on the Budget Committee, and Senator CONRAD chairs the Budget Committee.

So the Budget Control Act plainly dictates that beginning on October 1 of this year, spending limits would be derived from the Congressional Budget Office's baseline. This is crucial because the CBO baseline contains the $2.1 trillion in spending cuts over 10 years—really, reductions in spending growth, and not so much cuts—that the deal was supposed to implement in exchange for the immediate $2.1 trillion raising of the debt ceiling.

Herein lies the scandal. Although it was buried in the spending allocation that Senator CONRAD sent out, my staff on the Senate Budget Committee discovered that Senator CONRAD did not file an outlay limit based on the CBO baseline. Instead, the outlay total he filed was $14 billion higher—curiously matching exactly the spending levels that President Obama had requested in the budget he submitted to Congress in February.

Although this discovery was not readily apparent, Chairman CONRAD, to his credit—he is an honorable man—does not dispute it. He simply asserts that it is within his discretion to unilaterally set a higher total.

Again, because the CBO baseline reflects the spending reductions passed by Congress and signed into law, an increase above the baseline—as the allocation that he submitted allows—is an abrogation of the bipartisan agreement we reached last August.

We told the American people: OK, we raised the debt ceiling. A lot of people didn't want to do it. A lot of Americans were hot about it. We said: But we are going to cut spending by that amount over 10 years.

As reported by the publication, CQ:

> Conrad did not counter Sessions' claim that the elevated outlay limit would allow higher spending in fiscal year 2013.

But let me emphasize, this is not just the fault of Senator CONRAD. This large violation of the Budget Control Act is without doubt the decision of Senator REID, the Democratic leader, his leadership team, and the members of the Democratic caucus who support him.

Remember, outlays are the spending figures which directly register on the debt. Mr. President, $14 billion in higher outlays in 2013 means $14 billion added to the debt. It is just that simple. In fact, the higher debt that will accrue next year as a result of the higher spending level means the amount of interest we pay on the debt we accrue will be greater and will also exceed CBO baseline limits.

As a result, the chairman had to also boost spending authority for the Finance Committee by $79 million to compensate for the higher interest payments on the $14 billion added to the debt. This shows that the debt deal legislation has been violated not only in spirit but in letter. Why? Because if we increase discretionary outlays, we increase the debt, and therefore increase the interest needed to service the debt.

It is crystal clear that the legislation provides no flexibility whatsoever to inflate spending authority for this interest payment. It is a direct violation of the Budget Control Act, but he had to do that to justify and account for the $14 billion increase over the level that was agreed to last August.

I sent two letters to Chairman CONRAD urging him to correct and re-file the proper numbers, but it is evident that the chairman does not intend to do so. So we will be looking for an alternative course. This is a matter that ought to be considered by the full Senate, so I plan to pursue a vote on the inflated spending levels. Each Senator will therefore have to examine their own conscience and consider their duty to their constituents, to the Nation, and to the financial future of our country.

Plainly, this action violates the spirit and the terms of the 10-year Budget Control Act agreement that was made last August, just 11 months ago. At that time, Congress declared that we would exercise some spending restraint. And $2.1 trillion in reduced spending is really a reduction in the growth of spending and not an elimination of all growth in spending. We would go from something like $37 trillion being spent over 10 years to $35 trillion. It is not going to break America. But to hear the wails that come about, you would think it would.

So the test will be, in this first year since the passage of the debt deal will we adhere to its modest restrictions or will we blink?

We have Members of Congress—and I have raised this issue over the years—who seem to take it as a personal challenge to see how they can spend more money than they are allocated. It happens every year. This is how a country goes broke. The consequences of the annual manipulations and gimmicks have great impact over time. These are not small matters. Think about it.

This is a chart I put together. This year we are adding $14 billion more to the baseline spending in our country than agreed to, and this gimmick adds $14 billion to the baseline next year. One may think: It is only $14 billion, JEFF. Calm down.

Alabama's general fund budget, not including education, is less than $2 billion. To us $14 billion is a lot of money, and we are an average-sized State. This is how we need to think about these manipulations because it is very significant as time goes by.

If we violate the baseline next year, in 2013, by $14 billion, that goes into the spending level for the next year. Then if next year we violate it again, it is not just $14 billion, we are adding $14 billion on top of the $14 billion gimmick in the spending level this year. It is $28 billion next year. Added to the $14 billion we ripped off the taxpayers the previous year, it is $42 billion.

Do you see how that goes up? Each year is adding to it, and we have been doing this kind of thing consistently.

If we gimmick the budget $14 billion a year—and I remember doing a chart similar to this about 10 years ago, and we gimmicked the budget $18 billion that year and there are probably other gimmicks we are not including—this $14 billion gimmick puts us on a track to add $770 billion to the debt of the United States over 10 years.

We have to adhere to the agreements we make. If we do not stand with those agreements, then we make a mockery of law, we make a mockery of the Senate, we undermine the respect and trust the American people have in us. If we run up $770 billion more, we pay interest on that, estimated at $112 billion, that $14 billion gimmicked-up spending adds $900 billion to the debt.

Remember, we are in debt today. Every $1 we spend more than what we agree to is borrowed. Any more spending is borrowed because we are in debt now—nearly 40 percent of the money we spend is borrowed. We spend about $3.7 trillion and we take in about $2.4 trillion and we borrow the rest. It is unsustainable.

Meanwhile, the President continues his call for higher taxes, saying that taxing more will reduce the deficit. But his plan for the new taxes he has proposed is to fund more spending, more gimmicks and more fraud and waste in government. I know you think that is not so—surely, that is not so.

That is not what the President is proposing. But, unlike the Democratic Senate, the President did comply with the law and submitted a budget as every President has done since the Congressional Budget Act was passed. He submitted a budget. What did his budget call for? It called for new taxes all right. It called for $1.8 trillion in new taxes over 10 years. But it also increased spending by $1.6 trillion. Do you see what is happening there? The President's proposal calls for $1.6 trillion in new spending, above the Budget Control Act level we agreed to in August. He proposes to wipe out the cuts. He proposes to spend $1.6 trillion more than we agreed to in August, and he pays for it with $1.8 trillion in new taxes.

He didn't use his new taxes to pay down the debt. He used the new taxes to fund more government, more spending. That is not what we need to be doing at this point in history. We should have stayed here last night talking about the debt threat to America and not some controversial issue on campaign finance.

For 3 consecutive years, this Senate Democratic majority has refused to bring forth a budget plan as required by common sense and law. They refuse even to write a budget and bring it to the floor for consideration. They have no financial plan for the future of America.

Senator REID, what is your plan? He blocked Senator CONRAD, who was willing and prepared to lay out a budget plan for the Democrats. He called on him not to do so. For 3 years they have not had a budget. We did not even bring one up this year.

They treat any effort to rein in waste and abuse as evidencing a hatred for those who are suffering and truly in need. We want to help people in need. But anybody who knows these programs, such as some of the stuff that is coming out now on food stamps, knows there is waste, fraud and abuse and we can clean them up and save money and not hurt people truly in need. From the IRS checks sent to illegal aliens that the inspector general of the U.S. Treasury Department said has to end, to lavish GSA parties in Las Vegas, reckless abuse in the food stamp program, and now this surreptitious 14 billion debt increase, there is no financial accountability in Washington.

I will be working to erase this $14 billion spending increase. It is important. I urge my colleagues to join me so our actions will be consistent with our promises to the American people made last August; otherwise we are breaching this agreement the first year. It is always a gimmick and a danger to spend today and promise to pay for it in the future—spend more today than the agreement called for, but we are going to pay for it in the future. It is the first year in our agreement and it has already been breached.

The best avenue may be to raise a point of order, and we will look at that to see how to bring this matter before the Senate. I will be looking for that opportunity. But I truly believe it is a defining moment for us if we cannot adhere 1 full year to the agreement we reached last August and that we told the American people we would abide by. I think the distrust and lack of confidence by the American people, already felt in Congress, will continue to further erode.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

END PAKISTAN AID

Mr. PAUL. Mr. President, the question remains should taxpayers be forced to send money overseas to countries that disrespect us or, more precisely, should we borrow money from China to send it to countries that disrespect us. Should we borrow money from China to send to Pakistan? Should we borrow money from China to send to the Muslim Brotherhood in Egypt? Should we send good money after bad?

For a decade we searched for bin Laden. We spent hundreds of billions of dollars searching for him. Where did we find him? Not in the remote mountains; we found him living comfortably in a city in Pakistan. We found him living in the middle of the city not far from a military academy. We were helped in this search by a doctor, a brave doctor in Pakistan by the name of Dr. Shakil Afridi, who helped us find bin Laden, helped us with ultimately getting bin Laden. How was he rewarded for this heroism? Where is Dr. Shakil Afridi now? He has been imprisoned by the Pakistani Government for 33 years.

For 10 years we searched for bin Laden high and low throughout Afghanistan, throughout the world, throughout the mountains. We found him living comfortably in a city only miles from a military academy, and then the doctor who helped us Pakistan has now imprisoned for 33 years.

How did the President respond to this? How did President Obama's administration respond to the imprisoning of this doctor, the doctor who helped us get bin Laden? President Obama sent them another $1 billion last week. We already sent Pakistan $2 billion, and they disrespect us, so what did we do? We sent them another $1 billion. People around this town are bemoaning there is not enough money for our military. Yet we took $1 billion out of the Defense Department, an extra $1 billion, and sent it to Pakistan last week. Where is Dr. Afridi? In jail for 33 years.

I have obtained the signatures necessary to have a vote on this. The leadership does not want to allow a vote on this, but I will, one way or another, get a vote on ending aid to Pakistan if they continue to imprison this doctor. He has an appeal that will be heard this Thursday. If he is not successful in his appeal, if he is still imprisoned for life, we will have a vote in the Senate on ending all aid to Pakistan—not a small portion of their aid, every penny of their aid, including the $1 billion they got last week. We will attempt to stop all aid to Pakistan.

I ask any of the Senators to step forward if they think it is a good idea and tell the American people why they are sending their money to Pakistan. We have bridges crumbling, we have roads crumbling, we have schools crumbling, and we are sending money to Pakistan, which disrespected us. We spent billions, if not maybe trillions of dollars, on the wars in Pakistan and Afghanistan trying to get bin Laden and then the doctor who helps us is now in jail for 33 years.

Everywhere I go across our country—in my State in Kentucky we have two bridges that need to be replaced. We have one in the middle of one of our major cities that was closed down for 6 months last year for repairs. We don't have the money to repair our infrastructure. We are $1 trillion short of money, period. We are borrowing over $1 trillion a year. We now have a $16 trillion debt that equals our entire economy. Yet they are still sending taxpayer money to dictators overseas who disrespect us. Eighty percent of the public thinks this should come to an end. If we ask this question: Should we be sending this money overseas when we have difficulty and needs and wants at home, 80 percent of the public would say it should end. Yet when we force this body to vote, 80 percent of your Representatives are for sending more aid overseas. They were all clamoring and clapping their hands last week when President Obama said he sent another $1 billion overseas—they all stand and clap.

I don't think the American taxpayer is clapping. I don't think the American taxpayer is happy we are $1 trillion in the hole and still sending this money overseas to countries that disrespect us.

What I say to Pakistan is if they want to be our ally, act like it. If they want to be our ally, respect us. If they want to be our ally, work with us on the war on terrorism. But if they want to be our ally, don't hold Dr. Afridi, don't hold political prisoners, don't hold people who are actually working with us to get bin Laden.

I will do everything in my power to get this vote. They don't want to have this vote. They like foreign aid over here. They all love sending taxpayer money overseas, but they don't want to vote on it so they have been blocking this vote and they will attempt to block my vote. I have the signatures necessary and you will see me on the floor next week.

If Dr. Afridi is still in jail next week, I will make them vote on this. It is the least taxpayers deserve. The taxpayers deserve to know why their Senators are voting to send their money overseas when we are $1 trillion in the hole. Why are their Senators voting to send trillions of dollars to Pakistan when they imprison the guy who helped us get bin Laden. It is unconscionable. It has to stop. The debt is a threat to taxpayers, our country, a threat to the Republic, and I will do everything I can to force a vote on this and then the American people can decide. They can decide whether they want to keep sending these people back to Washington who are sending their money overseas to people who have no respect for us.

I will do everything in my power to have this vote and we will record the Senate. Your representatives will be recorded on whether they want to continue sending your money to Pakistan while Pakistan imprisons this doctor who helped us get bin Laden.

I yield the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

WIND PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Mr. President, for several weeks now I have spoken on the Senate floor, urging my colleagues of both parties to extend the wind production tax credit or, as it is known, the PTC. The Presiding Officer has had an opportunity to listen to me on a number of occasions. I thank him for his interest and support. I am here again this morning to continue my work because I do not want to lose one more American job because of our failure, Congress's failure, to act. I also want to assure, as I know the Presiding Officer does, that we, the United States, remain competitive in the global clean energy economy.

Today, I wish to talk specifically about the PTC's impact on the State of Utah, one of America's fastest growing wind energy producers. Similar to other Western States, including my home State of Colorado, Utah's geography and climate make it an ideal location for wind production. It is estimated that if fully utilized, Utah's wind resources could provide up to 132 percent of the current electricity needs. Think about that, the entire State's electricity needs could be met by wind power alone. If we look at the map of Utah that is displayed here, we will see that the largest wind projects are located in Beaver and Millard Counties, which are in western Utah. In those two counties, the first wind corporation has constructed the Milford Wind Project. That project produces enough electricity to power over 64,000 homes, avoids 300,000 tons of CO_2 emissions and provides good-paying jobs to hundreds of hard-working Utahns.

Beyond the obvious and enormously positive effect the Milford Wind Project has had on the Utah environment, it has also been an economic boon to the surrounding rural communities. Beaver County's tax base increased so much that it allowed for a new elementary school to be built without any tax increases to local residents. In effect, those tax receipts replaced a school that had fallen into disrepair.

This project has brought more than $50 million in economic benefits to Utah as a whole. It has created over 300 onsite jobs during construction and engaged more than 60 local Utah businesses throughout construction and development. That is a win-win-win situation no matter how we calculate it.

Only if we extend the wind PTC will we continue to see the investment, job creation, and economic growth Utah has seen in recent years. Now is the time for us to act to preserve and create thousands of jobs and to usher in a clean energy future for the American people. Without our support, the growth of the wind energy industry will slow, and, in fact, wind energy producers likely will shed jobs and halt projects.

Mr. President, I ask unanimous consent that the article that was published in the Wall Street Journal this week be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 8, 2012]

WIND POWER FACES TAXING HEADWIND

(By Mark Peters and Keith Johnson)

WEST BRANCH, IOWA.—Acciona Windpower's generator-assembly plant here in the heart of the corn belt is down to its last domestic order as the U.S. wind energy industry faces a sharp slowdown.

Demand for the school bus-size pods it assembles to house the guts of a wind turbine is drying up as a key federal tax credit nears expiration. Acciona is now banking on foreign orders to keep the plant going next year, while hoping the credit will be extended.

The debate over renewing the credit is dividing Republicans, with conservative lawmakers from wind states joining Democrats to push for an extension even as the presumptive GOP presidential nominee, Mitt Romney, has made attacks on government support for clean energy, including wind, a centerpiece of his fight against President Barack Obama.

After several years of domestic growth, the U.S. wind industry faces possible layoffs and shutdowns as a key federal tax credit is set to expire. Mark Peters reports from West Branch, Iowa.

The tax policy, initiated two decades ago, currently gives operators of wind farms a credit of about two cents per kilowatt-hour of electricity they generate. Without the credits, wind power generally can't compete on price with electricity produced by coal- or natural gas-fired plants. Analysts predict that if the tax credit expires on Dec. 31, as it is scheduled to, installations of new equipment could fall by as much as 90% next year, after what is expected to be a record increase in capacity in 2012.

Democrats generally support federal backing for wind power and other clean energy, arguing that it needs help to compete with entrenched fuel sources whose environmental and health impacts often aren't included in their costs. Mr. Obama has made several campaign trips to Iowa, where he argued for wind energy's tax credits to be extended. Most Republicans are less bullish on clean energy's prospects, and say the government shouldn't support technologies that aren't commercially viable on their own.

Still wind power has vigorous support from some of the reddest districts in the country, with Republican congressmen in wind-power heavy states like Texas, Iowa, and Colorado backing the industry tax credit.

Mr. Romney has criticized the Obama administration's support for clean-energy subsidies. ''Solar and wind is fine except it's very expensive and you can't drive a car with a windmill on it,'' Mr. Romney said at a campaign event in March in Youngstown, Ohio. His economic plan says wind and solar power are ''sharply uncompetitive'' forms of energy, whose jobs amount to a ''minuscule fraction'' of the U.S. labor force. A campaign spokeswoman said Mr. Romney supports ''the development of affordable and reliable energy from all sources, including wind.'' He hasn't publicly called for the renewal of the tax credit for wind.

''That's a conversation I need to have with Gov. Romney,'' said Rep. Steve King, an Iowa Republican and a member of the House Tea Party Caucus who says 5,000 wind-industry jobs statewide and locally-produced clean energy are proof of the benefits of federal policies that support wind power. Iowa has gained several wind-power manufacturing facilities in recent years and ranks second among U.S. states in number of wind farms, after Texas. Terry Branstad, the state's Republican governor, also backs a renewal of the credit.

The production tax credit has spurred huge growth since it was signed into law by President George H.W. Bush in 1992, but it has kept the industry's future tied to the vagaries of Congress. The credit now is caught in the congressional gridlock of an election year, and a vote on renewal isn't likely until after November. Even if renewed then, the pipeline of projects next year is already crimped.

''In some way, it's too late to save 2013 build,'' said Matthew Kaplan of consultancy IHS Emerging Energy Research.

The credits for wind have expired three times before, most recently in 2004, with new construction slowing sharply each time before the credit was later renewed.

Now the stakes are higher, because the wind industry has established a manufacturing base in the U.S. to build many of the 8,000 parts that go in a typical turbine. Industry data show manufacturing facilities in the U.S. have more than doubled since 2009 to around 470 in 2011. Meanwhile, wind's share of U.S. electricity output has grown to 2.9% last year, from about 1.3% in 2008, according to the Energy Information Administration.

''There is a lot more skin in the game,'' said Joe Baker, chief executive of the North American wind power subsidiary of Acciona SA, a Spanish company. Its Iowa plant gets 80% of its components from North America, mostly made in the U.S. Almost no components came from the U.S. when the plant opened in 2008.

Many Republicans argue that any benefits from wind power don't justify government investment. ''What do we get in return for these billions of dollars of subsidies?'' Sen. Lamar Alexander, a Tennessee Republican

who has long criticized the tax credit for the wind industry, said in a speech earlier this year. ''We get a puny amount of unreliable electricity.''

Local communities are now fearing layoffs in the industry, which employs an estimated 75,000 people nationwide. A Siemens AG turbine-blade factory is the largest employer in Fort Madison, Iowa, which has struggled with one of the state's highest unemployment rates. Mayor Brad Randolph said getting the plant ''really was a corner turner,'' but with industry's current outlook ''you could see a large number of employees getting laid off. That could be a game changer the other way.''

Vestas, a Danish company that is the biggest manufacturer of wind turbines in the world, employs about 1,700 people at four factories in Colorado, a relatively energy-rich state that has also benefited from wind's growth. Uncertainty over the tax credit ''requires us to have a flexible plan for the future that allows us to add, adjust or eliminate positions in 2012,'' a Vestas spokesman said.

That uncertainty trickles down the supply chain. Walker Components, a privately held company in Denver, expanded operations more than two years ago to supply gear for Vestas turbines. Now, like others that supply the wind industry, the company is contemplating layoffs in its wind division if the credit expires.

Acciona's Mr. Baker said a few employees recently left for other jobs, telling him they wanted to be in industries with more stable outlooks. ''It became an employment issue for them. They're not sure. They don't like the seesaw effect,'' he said.

Mr. UDALL of Colorado. Mr. President, that article says if Congress does not promote PTC, my State could lose hundreds, if not thousands, of jobs. Naturally the numbers are higher with suggestions and estimates that we could lose 30,000 jobs.

The PTC is a perfect example of how Congress can play a positive, productive role in encouraging economic growth and supporting American manufacturing. The American people expect us to do everything we can to create jobs and economic growth. They expect us to work across the political aisle and produce results. They deserve results, and we should not disappoint them by succumbing to election-year gridlock. We have a solid base of bipartisan support for wind energy and for the passage of the wind PTC. That is why I have been urging my colleagues to work with me to pass it as soon as possible.

From Colorado and Utah to Rhode Island and beyond, the PTC has helped American families and businesses prosper in a time when other industries have faltered. The wind industry has been one of the few industries of real growth in recent years, and it has so much more potential. Americans have said again and again that they want Congress to extend the wind PTC. Let's not let them down. Our economy and our future depend on it. Let's pass the PTC as soon as possible. It equals jobs.

I will be back on the floor tomorrow to keep fighting for this commonsense policy. Coloradans expect no less. Let's pass the production tax credit as soon as possible and protect American jobs.

Mr. President, if I might, I wish to turn to another topic that is on everybody's minds, and that is the efforts here in the U.S. Senate to reform the way in which our campaigns are financed and the way in which that information is shared with the public.

Many of my colleagues took to the Senate floor last night to discuss the importance of the DISCLOSE Act and to draw attention to the enormous volume of undisclosed money that is now flowing into this campaign season and into those campaigns. Democracy is Strengthened by Casting Light on Spending in Elections Act or, as it is known in its shorter form, the DISCLOSE Act, is an important step forward.

It was conceived as a response to the U.S. Supreme Court's 2010 Citizens United decision. Many of us have watched with deep concern as the consequences of that decision played out this election season. Unlimited and often secret contributions to organizations known as super PACs are pouring into our election system and literally drowning out the voices of ordinary Americans who don't happen to be millionaires or billionaires.

Instead of a system where candidates exchange ideas and share their vision for a more prosperous country, the Citizens United decision has released a relentless display of attack ads, and the American people have no idea where they are coming from or who is footing the bill. This sort of unlimited and secret influx of cash is raising the specter of corruption in our elections. Frankly, I am worried we are entering an era of politics that we haven't seen since the Watergate scandal of some 40 years ago.

However, there is hope. Despite what I thought was a misguided decision tied to Citizens United, the Supreme Court did uphold Congress's power to require transparency when it comes to those unlimited campaign dollars, and so the DISCLOSE Act was born.

Let me share with the viewers what the DISCLOSE Act would do. It would require that super PACs, corporations, labor unions, and other independent groups file a public disclosure with the Federal Election Commission for any campaign-related disbursement of over $10,000 or more within 24 hours of the expenditure.

This basic requirement is designed to bring the exchange of these secret campaign dollars out of the shadows so Coloradans and all the American people know who is trying to influence our elections. That is it. It is simple and it makes sense. We are only asking that political spending and funding be disclosed and held to the same standard as political action committees and candidate expenditures. This sensible requirement will not create burdensome regulations or be in conflict with any of the holdings of the Supreme Court. It is the kind of commonsense transparency that Coloradans are calling for.

It might sound cliched, but sunlight is truly the best disinfectant. In fact, I heard the Republican leader, Senator MCCONNELL, use that same concept: Sunlight is truly the best disinfectant. We literally step on the basic principles of democracy when we allow tens of millions of dollars to be secretly spent on our elections.

I want to emphasize that this should not be a partisan issue. Despite last night's vote, you would think we could all truly agree on transparency. For example, our colleague Senator MCCAIN has lamented that without the reform of transparency, the Citizens United decision could lead to a major campaign finance scandal. And, of course, that is not healthy for our democracy.

The Supreme Court affirmed Congress's authority to require disclosure, so let's do our job to protect democracy and bring sunlight to our elections. Let's bring the DISCLOSE Act forward and pass it right away.

I also know many Americans would like to see us overturn the effects of Citizens United altogether, and there are efforts to do exactly that. For example, Senator TOM UDALL of New Mexico has introduced a constitutional amendment that would give Congress the power to regulate political spending. I support that effort. I also support an effort to change the way in which we fund the Presidential elections.

I have introduced legislation in the Presidential Funding Act that will reform the currently outdated Presidential public finance system. It is a bill that is aimed at preserving the voices of average Americans.

In 1974 the Presidential public campaign finance system was developed in an effort to restore public faith in elected officials after the Watergate scandal, and it has been used in nearly every Presidential election since. By establishing public financing, we allow candidates to compete based on their ideas instead of competing on who has the most support from special interests and deep-pocket donors.

In fact, my father, Congressman Morris Udall, who served in the House representing the second district in Arizona for some 30 years, was actually one of the first to use the public financing system, which he had helped craft 2 years prior when he ran for the Democratic nomination in 1976. My father was a big believer in running for office on behalf of his constituents instead of on behalf of big money. I believe strongly that ethos ought to apply to today's elected officials more than ever.

The public financing system funded candidates for 30 years and has enriched the political discourse for the

country by ensuring that the American people have more say than connected insiders, special interests, or wealthy donors. Unfortunately, the current system's ability to keep up with the enormous spending required in Presidential campaigns has rendered it less effective. Thanks to Citizens United, public financing is no longer a viable option to compete against unlimited special interest dollars.

My legislation would strengthen the public financing system and incentivize candidates to obtain support from actual citizens, not special interest super PACs or secret financiers. It would ensure that our proven public financing system will be available for future elections, and that corporate and special-interest money doesn't drown out genuine ideas and debates in our Presidential elections.

For those of us who are committed to fixing our campaign finance system in the wake of Citizens United, there is a lot of challenging work ahead. I know Coloradans agree with me that reform could be the single most important issue to fix the way our democracy functions. As I have suggested, and as we know, unfortunately Federal elections are increasingly about who can secretly appeal more to wealthy and special interests instead of working to improve the lives of average and hard-working Americans. This sows corruption, dysfunction, and a government that is less responsive to the needs of the people.

Today we have an opportunity to start with a sensible requirement that we should all be able to agree on. Disclosure is nothing to be afraid of. I urge my colleagues to reconsider their vote and to allow the Senate to at least debate the DISCLOSE Act. We cannot afford to let another filibuster stand in the way of fair and open campaigns. Let's pass the DISCLOSE Act and take a big step toward turning the power of our government back over to the American people.

I note that the leader of this important effort, the DISCLOSE Act, Senator WHITEHOUSE of Rhode Island, is on the floor. I thank the Senator for his leadership and his commitment to ensuring that it is the American people who determine our future, not special interests, super PACs, millionaires, billionaires, and financiers who leave no track and no trace of where their money is going and where it is coming from.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I thank the distinguished Senator from Colorado for his impassioned and eloquent support. I think we recognize that through the course of our country's history, men and women have shed their blood, have laid down their lives in order to protect this experiment in liberty that is the ongoing gift of our country to the rest of the world. When we take that experiment of liberty and turn it over to the special interests, it is a grave occasion.

I yield the floor.

THE PRESIDING OFFICER. The majority leader is recognized.

HELPING EXPEDITE AND ADVANCE RESPONSIBLE TRIBAL HOME OWNERSHIP ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent the Committee on Indian Affairs be discharged from further consideration of H.R. 205, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 205) to amend the Act titled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this matter be printed in the RECORD.

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

The bill (H.R. 205) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senator from Rhode Island.

DISCLOSE ACT OF 2012—MOTION TO PROCEED—Continued

Mr. WHITEHOUSE. Mr. President, I believe Chairman LEAHY will shortly be joining us to discuss the DISCLOSE Act.

I ask unanimous consent that an oped piece authored by former Senator Warren Rudman and former Senator Chuck Hagel—two former Republican Senators who distinguished themselves in this body and have gotten together to write an article about the DISCLOSE Act—be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 16, 2012]

FOR POLITICAL CLOSURE, WE NEED DISCLOSURE

(By Warren Rudman and Chuck Hagel)

Since the beginning of the current election cycle, extremely wealthy individuals, corporations and trade unions—all of them determined to influence who is in the White House next year—have spent more than $160 million (excluding party expenditures). That's an incredible amount of money.

To put it in perspective, at this point in 2008, about $36 million had been spent on independent expenditures (independent meaning independent of a candidate's campaign). In all of 2008, in fact, only $156 million was spent this way. In other words, we've already surpassed 2008, and it's July.

In the near term, there's nothing we can do to reverse this dramatic increase in independent expenditures.

Yet what really alarms us about this situation is that we can't find out who is behind these blatant attempts to control the outcome of our elections. We are inundated with extraordinarily negative advertising on television every evening and have no way to know who is paying for it and what their agenda might be. In fact, it's conceivable that we have created such a glaring loophole in our election process that foreign interests could directly influence the outcome of our elections. And we might not even know it had happened until after the election, if at all.

This is because unions, corporations, ''super PACs'' and other organizations are able to make unlimited independent expenditures on our elections without readily and openly disclosing where the money they are spending is coming from. As a result, we are unable to get the information we need to decide who should represent us and take on our country's challenges.

Unlike the unlimited amount of campaign spending, the lack of transparency in campaign spending is something we can fix and fix right now—without opening the door to more scrutiny by the Supreme Court.

A bill being debated this week in the Senate, called the Disclose Act of 2012, is a well-researched, well-conceived solution to this insufferable situation. Unfortunately, on Monday, the Senate voted, mostly along party lines, to block the bill from going forward. But the Disclose Act is not dead. As of now, it is 9 short of the 60 votes it needs.

The bill was introduced by Senator Sheldon Whitehouse, Democrat of Rhode Island, who deserves tremendous credit for crafting such comprehensive legislation, listening to his critics and amending his bill to address their concerns in a bold display of compromise. At its core, Whitehouse's bill would require any ''covered organization'' which spends $10,000 or more on a ''campaign-related disbursement'' to file a disclosure report with the Federal Election Commission within 24 hours of the expenditure, and to file a new report for each additional $10,000 or more that is spent. The F.E.C. must post the report on its Web site within 24 hours of receiving it.

A ''covered organization'' includes any corporation, labor organization, section 501(c) organization, super PAC or section 527 organization.

This is a huge improvement over the status quo, where super PACS currently have months to disclose their donors (often withholding this information until after an election) and 501(c) organizations have no requirement to disclose their donors at all.

The report must include the name of the covered organization, the name of the candidate, the election to which the spending pertains, the amount of each disbursement of more than $1,000, and a certification by the head of the organization that the disbursement was not coordinated. The report must

also reveal the identity of all donors who have given more than $10,000 to the organization.

We have no doubt that the Disclose Act will be spared any credible constitutional challenges if it were to pass the Senate and the House. In its Citizens United decision, the Supreme Court, by an 8–1 majority, upheld the provisions of federal law that require outside spending groups to disclose their expenditures on electioneering communications, including the donors financing those expenditures. Justice Anthony Kennedy, writing for the Court, noted that these provisions ''impose no ceiling on campaign-related activities'' and ''do not prevent anyone from speaking.''

We believe that every senator should embrace the Disclose Act of 2012. This legislation treats trade unions and corporations equally and gives neither party an advantage. It is good for Republicans and it is good for Democrats. Most important, it is good for the American people.

What's more, every senator considering reelection faces the possibility of being blindsided by a well-funded, anonymous campaign challenging his or her record, integrity or both. The act under consideration would prevent this from happening to anyone running for Congress.

Without the transparency offered by the Disclose Act of 2012, we fear long-term consequences that will hurt our democracy profoundly. We're already seeing too many of our former colleagues leaving public office because the partisanship has become stifling and toxic. If campaigning for office continues to be so heavily affected by anonymous out-of-district influences running negative advertising, we fear even more incumbents will decline to run and many of our most capable potential leaders will shy away from elective office.

No thinking person can deny that the current situation is unacceptable and intolerable. We urge all senators to engage in a bipartisan effort to enact this critically needed legislation. The Disclose Act of 2012 is a prudent and important first step in restoring some sanity to our democratic process.

Mr. WHITEHOUSE. I think what I would like to do is actually share some of the thoughts from it.

Here is what Senator Rudman and Senator Hagel, two former Republican Senators, say:

Since the beginning of the current election cycle, extremely wealthy individuals, corporations and trade unions—all of them determined to influence who is in the White House next year—have spent more than $160 million.

Excluding party expenditures.

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To put it in perspective, at this point in 2008, about $36 million had been spent on independent expenditures.

Independent meaning independent of a candidate's campaign.

In all of 2008, in fact, only $156 million was spent this way. In other words, we've already surpassed 2008, and it's July.

In the near term, there's nothing we can do to reverse this dramatic increase in independent expenditures.

These two distinguished former Republican Senators wrote:

Yet what really alarms us about this situation is that we can't find out who was behind these blatant attempts to control the outcome of our elections. We are inundated with extraordinarily negative advertising on television every evening and have no way to know who is paying for it and what their agenda might be. In fact, it's conceivable that we have created such a glaring loophole in our election process that foreign interests could directly influence the outcome of our elections and we might not even know it had happened until after the election, if at all.

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They then describe the bill and continue:

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No thinking person can deny that the current situation is unacceptable and intolerable. We urge all senators to engage in a bipartisan effort to enact this critically needed legislation. The DISCLOSE Act of 2012 is a prudent and important first step in restoring some sanity to our Democratic process.

Then the article closes by identifying the authors: Former Senator Warren Rudman, Republican of New Hampshire, is a chairman of Americans for Campaign Reform, and former Senator Chuck Hagel, Republican of Nebraska, introduced disclosure legislation in 2001.

While we await my colleagues who are scheduled to come to the floor, let me add that it is not unique or unusual that Senators Rudman and Hagel, former Republican Senators, should be supportive of the DISCLOSE Act and of disclosure of who is making these massive, now secret, contributions to buy influence in our elections. First of all, it is not surprising because it is so darned obvious. It should be obvious to any thinking person, as Senators Rudman and Hagel said, that when somebody is spending the kind of money that is being spent—a single donor making, for instance, a $4 million anonymous contribution—they are not doing that out of the goodness of their heart. They are not doing that just for the sheer fun of it. They are doing that because they have a motive. One doesn't spend $4 million in politics if one doesn't have a motive. If one thinks otherwise, one really needs to wake up and have a cup of coffee.

If we add to that the insistence on the funding being secret, there is only one reasonable conclusion that a thinking person can draw about why somebody who is spending that kind of money with a motive would want their spending and their identity to be secret, and that is because the motive is a crummy motive. It is a lousy motive for the American people. If the American people were excited about the motive, they wouldn't want to keep it secret. It is only because they want to do bad deeds in the dark.

When time permits again, I will go through some of the Republican Senators who have spoken out in favor of disclosure and transparency in the past. We all know from the debate last night that the minority leader has—and I will yield to the chairman of the Judiciary Committee as soon as he is prepared—Senator ALEXANDER has been on record, as well as Senator CHAMBLISS, Senator SESSIONS, Senator CORNYN, Senator MURKOWSKI, Senator COLLINS, Senator BROWN of Massachusetts, Senator COBURN, and, of course, most prominently and most courageously over a long period of time and with great distinction, Senator JOHN MCCAIN.

So at this moment, I will yield to my distinguished chairman and friend, the chairman of the Judiciary Committee. I appreciate him giving his voice to this debate.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate what the Senator from Rhode Island has done. He has been a champion on this not only in the public forum on this floor of the Senate, but he has been a champion in the cloakrooms, in the committee rooms; everywhere we have been speaking about it, he has been most consistent. The people of Rhode Island are very fortunate to have somebody with such a strong voice.

For the last two and a half years, the American people have seen the devastating effects of the Citizens United decision. That decision by five Supreme Court Justices overturned a century of laws—a century of laws that have been supported by Republicans and Democrats alike—designed to protect our elections from corporate spending. And what these five men did is they unleashed a massive flood of corporate money into our elections.

Now, many of us in the Congress and around the country were worried at the time of the Citizens United decision that it turned on its head the idea of government of, by, and for the people. We worried that the decision created new rights for Wall Street at the expense of people on Main Street. We worried that powerful corporate megaphones could drown out the voices and interests of individual Americans. I wish I didn't have to say this, but two and a half years later, it is clear these worries were supremely valid, and the damage is devastatingly real.

Since the Citizens United decision struck down longstanding prohibitions on corporations from direct spending in political campaigns, hundreds of millions of dollars from undisclosed and unaccountable sources have flooded the airwaves with a barrage of negative advertisements. Nobody who has watched our elections or even tried to watch television since the Citizens United decision can deny the enormous impact that decision has had on our political process. Everywhere I go in Vermont, people say: Who is behind these ads? Many of them find them offensive in Vermont.

They say: Who is behind these ads?

I say: I don't know.

They say: Well, you are a U.S. Senator. What do you mean you don't know?

I say: Because the Supreme Court has allowed people to hide who is paying for them, even though they are doing it to advance their economic interests, often to the exclusion of everybody else's; even though they are wanting to give themselves an advantage that all the rest of the people won't have.

Nobody who has strained to hear the voices of the voters lost among the flood of noise from super PACs can deny that by extending first amendment rights in the political process to corporations, the Supreme Court put at risk the rights of individual Americans to speak to each other and, crucially, to be heard. Yet, just last month, without a hearing—without even allowing Americans' voices to be heard—the same five Justices who in Citizens United ran roughshod over longstanding precedent to strike down key provisions of our bipartisan campaign finance laws doubled down on Citizens United when they summarily struck down a 100-year-old Montana State law barring corporate contributions to political campaigns—a State law that had been enacted by the people of Montana because they had seen the pervasive and sometimes evil effects of these corporate contributions. In doing so, they broke down the last public safeguards preventing corporate megaphones from drowning out the voices of hard-working Americans.

There is no doubt about it. In our State of Vermont, we have a town meeting day. People come in. They can express any view they want, but you know who is expressing it. You know whether it is John Jones or Mary Smith. You know if it is the head of a local company or somebody speaking for a workers union. You know who is speaking, and you know that you have just as much right and ability to answer as they did in speaking. Now we are saying: No, no; unless you are a wealthy corporation willing to hide who is speaking, you are not going to be heard.

The Supreme Court decisions not only go against longstanding laws and legal precedence but also common sense. Contrary to at least what one candidate has said, corporations are not people. Corporations are not the same as individual Americans. Corporations do not have the same rights, the same morals, or the same interests. Corporations cannot vote in our democracy. We could elect General Eisenhower as President, but General Electric and General Motors cannot serve as the President. But if you go to the logic of these Supreme Court decisions, it virtually says: Let's elect General Electric or General Motors as President. The fact is, these are artificial legal constructs meant to facilitate business. The Founders understood this. The Founders knew we were not going to allow corporations either to vote or to take over our electoral process. Vermonters and Americans across this great country have long understood this. Apparently five members of the Supreme Court did not understand this.

Like most Vermonters, Republicans and Democrats alike, I strongly believe something must be done to address the divisive and corrosive decision of the Supreme Court in Citizens United. That decision was wrong, the damage must be repaired, and the harmful ways it is skewing the democratic process must be fixed. That is why I held the first congressional hearing on that terrible decision in the weeks after it was issued. That is why we have scheduled a hearing next week in the Senate Judiciary Committee's constitution subcommittee, led by the distinguished Senator from Illinois, Mr. DURBIN, to look at proposals for constitutional amendments to address Citizens United.

But today, without waiting the years and years and years that a constitutional amendment might take, the Senate can take action. By passing the DISCLOSE Act, we can restore transparency and accountability to campaign finance laws by ensuring that all Americans know who is paying for campaign ads. It is a crucial step toward restoring the ability of Vermonters and all American voters to be able to speak, be heard and to hear competing voices, and not be drowned out by powerful corporate interests. For any of us who are in an election, we expect our opponent to be able to speak out, and the public expects it. They want to hear from both of us. And they should. That is why we have debates. That is why we have candidate forums. But it all becomes irrelevant if you have a huge megaphone, paid for by anonymous donors, anonymous corporations.

When I cosponsored the first DISCLOSE Act after the Supreme Court's decision in 2010, I hoped Republicans would join with Democrats to mitigate the impact of the Citizens United decision. From the depths of the Watergate scandal forward, until only recently, the principle of disclosure was a bipartisan value. A clear-cut reform such as the DISCLOSE Act would have easily drawn bipartisan support in those days after Watergate. I hoped that Senate Republicans, like my friend from Arizona, Senator JOHN MCCAIN, who once championed the bipartisan McCain-Feingold campaign finance law, which I supported, would join with us to help ensure that corporations could not abuse their newfound constitutional rights. Regrettably, every single Republican joined to successfully filibuster the DISCLOSE Act in 2010, and despite a majority in the House and a majority in the Senate and the American people voting and being in favor of passing this disclosure law, it fell one vote short from breaking a Republican filibuster in the Senate—one vote, but not a single Republican would stand and help us restore some of the core disclosure aspects of McCain-Feingold.

Senate Republicans are continuing their filibuster of this commonsense legislation. By filibustering it, they deny the American people an open, public, and meaningful debate on the importance of transparency and accountability in our elections. Last night they again filibustered this bill even though a majority in this Senate voted in favor of it. In fact, they refused to even proceed to debate on the bill in the Senate.

Despite the clear impact of waves of unaccountable corporate campaign spending that has led Senator MCCAIN to now concede that super PACs are ''disgraceful,'' a minority in the Senate, consisting exclusively of Republicans, continue to prevent passage of this important law. Why are they against this bill? Why, when so many Senators of both parties used to champion disclosure laws and Senators of

both parties used to support knowing who is paying for campaign ads, do they continue to prevent us from having a debate? Why, when the Supreme Court made clear even in the Citizens United decision that disclosure laws are constitutional, does the Senate Republican leadership insist on stalling the reform?

What happened to those Americans who said that our elections should be open? What happened to those Americans who said we ought to know who is involved in these elections? There should be only one thing secret in our elections: your secret vote, your right to vote in secret—one person, one vote. But nothing should say that there should be a powerful, hidden, secret hand overwhelming the voters of America in telling them how they should vote.

We know disclosure laws can work because they do work for individual Americans donating directly to political campaigns. Mr. President, when you or I give money directly to a political candidate, our donation is not hidden. It is publicly disclosed. And that candidate—people can look at who has supported him or her, and that goes into their thoughts as to whether they will vote for them. Yet those who oppose the DISCLOSE Act are standing up for special rights for corporations and wealthy donors—rights, Mr. President, you and I do not have.

We have seen since Citizens United that the line the Supreme Court imagined existed between individual campaigns and the super PACs is an all but meaningless one, as super PACs have poured more and more money into influencing election campaigns. In reality, super PACs have simply become a way to funnel secret, massive, nondisclosed donations to political campaigns. The Citizens United decision has allowed corporations and large donors to evade the disclosure laws that apply to you and me by giving money to groups that then fund super PACs, as a way of laundering the money and keeping secret the real funders of these campaign ads.

If the average Vermonter wants to contribute to my campaign or my opponent's campaign, that is going to be public. People are going to know, and they will make their decisions. Part of their decision will be based on who supports us. But when you have a secret—a secret—wealthy entity supporting you, nobody knows who it is. And none of these entities use their real names. They are always for good government, for clean air, for motherhood and apple pie, for the sun rising in the east and setting in the west. There is no reason those funding these super PACs should not be bound by the same disclosure rules for giving directly to campaigns. Public disclosure of donations to candidates has never chilled campaign funding, and it has never prevented millions of Americans from participating openly. I follow a rule of releasing every single donor to my campaign, and I think we had one for 85 cents once that got disclosed.

We have seen some on the other side of this debate disgracefully compare the attempt we are making—to ensure that the same disclosure laws that apply to you and me also apply to corporations—to the shameful effort in the 1950s and 1960s to keep African Americans from exercising their right to vote. There the chilling effect often took the form of violence. We all remember the bridge at Selma and the blood that was spilled in the long effort for voting rights that led to the Voting Rights Act. At a time when we are seeing a renewed effort to deny millions of Americans their right to vote through voter purges and voter ID laws that serve as modern-day poll taxes, the comparison some have made between our effort to bring sunlight and those evil days is as shameful as it is wrong.

When the race is on for secret money and election campaigns are won or lost by who can collect the largest amount of secret donations, it puts at risk government of, by, and for the people. Now, our ballots should be secret but not massive corporate campaign contributions.

I can tell you what I am fighting for. While too many Vermonters and other Americans are still looking for work, we need to continue looking for ways to spur job growth and economic investment in this country. We have to continue our efforts to increase jobs, reduce unemployment, and support hard-working American families struggling to keep food on the table and a roof over their heads. We have to protect Americans' access to clean air and clean water. We have to fight for their economic security by protecting Social Security, Medicare, and Medicaid. We need to work together to move forward with reasonable policies to bolster economic growth and development and by ending the Bush tax cuts for the wealthiest Americans—the tax cuts we cannot afford that contributed to the financial crisis facing us today.

That is what I am fighting for and I will keep on fighting for those things. What are the secret sources of funding for the super PACs fighting for? What do they expect to gain from hundreds of millions in campaign ads? And why are they hiding?

Vermont is a small State. It would not take more than a tiny fraction of the corporate money flooding the airwaves in other States to outspend all of our local candidates combined. I know that the people of Vermont, like all Americans, take seriously their civic duty to choose wisely on election day. That is why more than 60 Vermont towns passed resolutions on Town Meeting Day calling for action to address Citizens United. Like all Vermonters, I cherish the voters' role in the democratic process and am a staunch believer in the first amendment. The rights of Vermonters and all Americans to speak to each other and to be heard should not be undercut by corporate spending.

I hope that Republicans who have seen the impact of waves of unaccountable corporate campaign spending reconsider their filibuster of a debate on this important legislation. I hope Republican Senators will let us vote on the DISCLOSE Act and help us take an important step to ensure the ability of every American to be heard and to be able to meaningfully participate in free and fair elections.

Mr. President, I yield to Senator WHITEHOUSE.

Mr. WHITEHOUSE. Mr. President, I thank Chairman LEAHY.

I ask unanimous consent, in terms of scheduling floor time, that Senator MANCHIN of West Virginia be recognized now for up to 5 minutes; that Senator MCCAIN, if he is on the floor, be recognized at the conclusion of Senator MANCHIN's 5-minute period; and if Senator MCCAIN is not present on the floor, that I be recognized in his stead.

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

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise today to address the disturbing role that money is playing in our politics, especially when it comes to anonymous groups with deep pockets that are trying to tear people down. There is no question this is a corrosive situation and it is hurting our democracy.

When you have unaccountable outside groups with virtually unlimited pockets, more and more lawmakers—all of us included—have to spend more time dialing for dollars that takes us away from legislating. That is simply backwards, sir. Elected officials should be working on fixing our problems, not having to worry every minute of every day about raising money so you can be protective or fend off people who are attacking you. And the effects are very clear: This Congress has stalled when it comes to tackling our biggest problems as a nation, but we are raising more money in politics than ever before.

Those priorities in my State of West Virginia are totally out of order, and we need to do something to change the system. I am not alone with this concern. In private, I have talked to my fellow Senators on both sides, Democrats and Republicans, who basically say they are spending more time raising money for reelection and that constant fundraising events interfere with the everyday business of governing this great Nation in the time they are spending to do that.

I try to spend time in my great State of West Virginia every weekend. I can tell you the people of West Virginia are

also deeply troubled by the increasing role money is playing in our politics. Ever since the Supreme Court decision on the Citizens United campaign finance case, we have seen outside groups unleash an unprecedented flood of money to sway elections, and we have seen it time and again in West Virginia over the past several years.

I was deeply troubled by some statistics about how few Americans are involved in financing elections. This is cited by Professor Lawrence Lessig, a campaign finance expert, in The Atlantic.

Let me put this issue in perspective for our viewers and my colleagues. The population of this country is approximately 311 million people. We live in this great United States of America. A tiny number of those Americans—only 806,000 people out of the 311 million—give more than $200 to a congressional campaign. To break that down even further, only 155,000 out of the 311 million contribute the maximum amount to any congressional candidate.

Then look at the people who participate in a number of elections who give more than $10,000 in an election cycle—the maximum they can give to a candidate and to other candidates—and of those people in the United States of America out of the 311 million, only 31,000 Americans do that.

Let me break it down to even the super PACs—the money that comes from the super PACs. Just in this Presidential election so far, there are only 196 Americans out of 311 million—only 196 people—who have given hundreds of millions of dollars. They account for 80 percent of the funding so far. That is unheard of.

First of all, let me thank Senator WHITEHOUSE of Rhode Island. He has been truly a champion of common sense, bringing this together and bringing all sides together. Some of my friends would say spending money to influence an election is their first amendment right of freedom of speech. To my friends, I understand and respect their concerns. But I truly believe the DISCLOSE Act will not limit their freedom of speech. Instead, it will prevent the anonymous political campaigning that is undermining our democracy.

The people of West Virginia believe we need openness and transparency to stay informed and keep our democracy strong, and the DISCLOSE Act would do that. The people of this country have a right to know who is spending large amounts of money to influence elections. This bill would make the information available.

I ask unanimous consent for 2 more minutes.

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

Mr. MANCHIN. In fact, the measure is quite simple. Anytime an organization or individual spends $10,000 or more on a campaign-related expense—that is the issue that is very important, campaign-related expense—they have to file a disclosure report with the Federal Elections Commission within 24 hours. Every one of us who runs for office has to disclose every penny we get. It should be that way. Some States, such as our sister State of Virginia, already have a transparency and disclosure law, and it has not stifled free speech there, nor does this provision affect organizations' regular operations. The disclosure is only required when organizations and individuals spend money on campaigns or try to influence elections.

Instead, this bill makes sure every person and organization plays fairly and by the same rules. Whether those organizations or individuals are in the middle, the left, the right, forward, backward or upside down, they have to play by the same rules.

In fact, I truly believe this provision will take an important step forward to increase transparency and accountability. That seems only right and fair to me. I am proud to cast my vote in favor of the DISCLOSE Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, here we are with 41 months of over 8 percent unemployment in America, and the national defense authorization bill is languishing in the shadows while we continue to have this debate and, obviously, there is no doubt in most people's minds that—with the full knowledge of the sponsors of this legislation that it will not pass—it is obviously for certain political purposes.

I oppose cloture on the motion. My reasons for opposing this motion are simple, even though the subject of campaign finance reform is not. In its current form, the DISCLOSE Act is closer to a clever attempt at political gamesmanship than actual reform.

By conveniently setting high thresholds for reporting requirements, the DISCLOSE Act forces some entities to inform the public about the origins of their financial support, while allowing others—most notably those affiliated with organized labor—to fly below the Federal Election Commission's regulatory radar.

My colleagues are aware that I have a long history of fighting for campaign finance reform and to break the influence of money in American politics. Regardless of what the U.S. Supreme Court may do or say, I continue to be proud of my record because I believe the cause to improve our democracy and further empower the citizens of our country was and continues to be worth fighting for.

But let's be clear. Reforms that we have successfully enacted over the years have not cured all the public cynicism about the state of politics in our country. No legislative measure or Supreme Court decision will completely free politics from influence peddling or the appearance of it. But I do believe that fair and just reforms will move many Americans, who have grown more and more disaffected from the practices and institutions of our democracy, to begin to get a clearer understanding of whether their elected representatives value their commitment to our Constitution more than their own incumbency.

For far too long, money and politics have been deeply intertwined. Anyone who has ever run for a Federal office will assure us of the fact that candidates come to Washington not seeking wisdom or ideas but because they need help raising money. The same candidates will most likely tell us they are asked one question when they announce they are going to seek office. Unfortunately, it is not how they feel about taxes or what is their opinion of the role of government. No, the question they are asked is: How are you going to raise the money? Couple that sad reality with the dawn of the super PAC spending from corporate treasuries and record spending by big labor and one can easily see a major scandal is not far off, and there will be a scandal, mark my words. The American people know it and I know it.

Reform is necessary, but it must be fair and just and this legislation is not. I say that from many years of experience on this issue.

A recent Wall Street Journal article by Tom McGinty and Brody Mullins, titled ''Political Spending by Unions Far Exceeds Direct Donations,'' noted that organized labor spent about four times as much on politics and lobbying as originally thought—$4.4 billion from 2005 to 2011. According to the Wall Street Journal's analysis, unions are spending far more money on a wider range of political activities than what is reported to the Federal Election Commission. The report plainly states:

> This kind of spending, which is on the rise, has enabled the largest unions to maintain and in some cases increase their clout in Washington and state capitals, even though unionized workers make up a declining share of the workforce. The result is that labor could be a stronger counterweight than commonly realized to ''super PACs'' that today raise millions from wealthy donors, in many cases to support Republican candidates and causes.
>
> The hours spent by union employees working on political matters were equivalent in 2010 to a shadow army much larger than President Obama's current re-election staff, data analyzed by the Journal show.

The report goes on to note:

> Another difference is that companies use their political money differently than unions do, spending a far larger share of it on lobbying, while not undertaking anything equivalent to unions' drives to persuade members to vote as the leadership dictates. Corporations and their employees also tend

to spread their donations fairly evenly between the two major parties, unlike unions, which overwhelmingly assist Democrats. In 2008, Democrats received 55 percent of the $2 billion contributed by corporate PACs and company employees, while labor unions were responsible for $75 million in political donations, with 92 percent of it going to Democrats.

The traditional measure of unions' political spending—reports filed by the FEC—undercounts the effort unions pour into politics because the FEC reports are mostly based on donations unions make to individual candidates from their PACs, as well as spending on campaign advertisements.

Unions spend millions of dollars yearly paying teams of political hands to contact members, educating them about election issues and trying to make sure they vote for union-endorsed candidates.

Such activities are central to unions' political power: The proportion of members who vote as the leadership prefers has ranged from 68 percent to 74 percent over the past decades at AFL–CIO-affiliated unions, according to statistics from the labor federation.

Additionally, a February 22, 2012, Washington Post article, titled ''Union Spending for Obama, Democrats Could Top $400 million in 2012 Election.'' AFSCME reportedly expects to spend $100 million ''on political action, including television advertising, phone banks and member canvassing, while the SEIU plans to spend at least $85 million in 2012.

With that analysis, combined with the $1.1 billion the unions reported to the FEC from 2005 to 2011, and the additional $3.3 billion unions reported to the Labor Department over the same period on political activity, the need for equal treatment of political advocacy under the law becomes readily apparent. I repeat, the need for equal treatment of political advocacy under the law becomes readily apparent.

Given the strength and political muscle behind all these figures, it is easy to understand why disclosure may sound nice, but unless the treatment is completely fair, taking into account the diverse nature and purpose of different types of organizations, disclosure requirements will likely be used to give one side a political advantage over another. That is just one of the flaws of the bill before us today.

The DISCLOSE Act would have little impact on unions because of the convenient thresholds for reporting. But it would have a huge effect on associations and other advocacy groups. From my own experience, I can state without question that real reform—and, in particular, campaign finance reform—will never be attained without equal treatment of both sides. A half dose of campaign finance reform will be quickly—and rightly—labeled as political favoritism and will undermine future opportunities for true progress. Furthermore, these sorts of games and measures will only make the American people more cynical and have less faith in what we do.

The authors of this bill insist it is fair and not designed to benefit one party over the other. Sadly, the stated intent doesn't comport with the facts. The DISCLOSE Act is written to burden labor unions significantly less than the other groups. In the United States, there are roughly 14 million to 16 million union members, each of whom is required to pay dues to its local union chapter. Historically, these local union chapters send a portion of their revenues up to their affiliated larger ''international'' labor unions. And while each union member's dues may be modest, the amounts that ultimately flow up to the central political arms are vast. The DISCLOSE Act protects this flow of money in two distinct ways: No. 1, organizations that engage in political conduct are only required to disclose payments to it that exceed $10,000 in a 2-year election cycle, meaning the local union chapter will not be required to disclose the payments of individual union members to the union even if those funds will be used for political purposes.

What is the final difference between one $10,000 check and 1,000 $10 checks? Other than the impact on trees, very little. So why should one be free from having to disclose its origin?

No. 2, the bill exempts from the disclosure requirements transfers from affiliates that do not exceed $50,000 for a 2-year election cycle. As a result, unions would not have to disclose the transfers made to it by many of its smaller local chapters. Given the contrast between union and corporate structures, this would allow unions to fall beneath the bill's threshold limits. For local union chapters, this anonymity is probably pretty important because, among other effects, it prevents union chapter members from learning how much of their dues payments are being used on political activities.

While the exemptions outlined in the DISCLOSE Act may be facially applied to business organizations and associations, it is apparent to me the unions' unique pyramid-style, ground-up, money-funneling structure would allow unions to not be treated equally by the DISCLOSE Act. Unlike unions, most organizations do not have thousands of local affiliates where they can pull up to $50,000 in ''affiliate transfers.''

I have been involved in the issue of campaign finance reform for most of my career. I am proud of my record. I am supportive of measures which call for full and complete disclosure of all spending in Federal campaigns. I reaffirmed this commitment by submitting an amicus brief to the U.S. Supreme Court regarding campaign finance reform along with the author of the DISCLOSE Act. This bill falls short. The American people see it for what it is: Political opportunism at its best, political demagoguery at its worst.

My former colleague from Wisconsin, Senator Feingold, and I set out to eliminate the corrupting influence of soft money and to reform how our campaigns are paid for. We vowed to be truly bipartisan and to do nothing which would give one party a political advantage over the other. The fact is this gives one party an advantage over the other.

I say with great respect to the Senator from Rhode Island, the way I began campaign finance reform is I found a person on the other side of the aisle who was willing to work with me, and we worked together on campaign finance reform. The Senator from Rhode Island and the sponsors of this bill have no one on this side of the aisle. By not having anyone on this side of the aisle, the Senator from Rhode Island has now embarked on a partisan enterprise.

I suggest strongly to the sponsors of the bill—if they are serious about campaign finance reform and about curing the evils going on now—they approach Members on this side of the aisle and make sure our concerns about the role of labor unions in this financing of political campaigns are addressed as well.

It is too bad—it is too bad—that Members on that side of the aisle are now orchestrating a vote which is strictly partisan in nature when they know full well the only way true campaign finance reform will ever be enacted by the Congress is in a bipartisan fashion. This is a partisan bill, and I am disappointed we are wasting the time of the Senate on a bill—and on a cause that is of utmost importance, in my view—in a partisan fashion.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, before I yield the floor to Senator SANDERS, I wanted to take 1 minute and thank Senator MCCAIN for his many years of principled advocacy in this area. People have written entire books about the work he has done. I think it was Elizabeth Drew who wrote one of the best books about the courage Senator MCCAIN has shown over the years. So I come to this debate with enormous respect for him.

I will say the bill is not bipartisan, but that is not for lack of trying. We have reached out over and over again. In the face of an absolute stonewall on this subject, we have changed the bill ourselves in order to accommodate concerns. The stand-by-your-ad provision was criticized by the Republican witness in the Rules Committee, so we removed it. The National Rifle Association was livid about the $600 threshold because it would require them to disclose their members, so we raised it to $10,000. Over and over, where there have been substantive objections to the bill, we have met them.

At this point, not one Republican—for all of our contacts across the

aisle—has expressed anyplace in this bill where an amendment could be made. We have never been given any language, we have never been shown the area that, in theory, is better for the unions. It is, as Senator MCCAIN himself admitted, facially applied to corporations and unions and other organizations alike.

I would refer back to the op-ed in today's New York Times by Republican former Senators Rudman and Hagel agreeing this is, in fact, a fair bill. It is balanced among all parties, and all Senators should support it.

With that, I yield the floor to my colleague, Senator SANDERS, with appreciation for allowing me that moment of his time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I thank Senator WHITEHOUSE, Senator SCHUMER, and all those who have been working so hard on this enormously important issue which has everything to do with whether our country remains the kind of democracy most of us want it to be.

I come to the Senate floor today to express my profound disgust with the current state of our campaign finance system and to call for my fellow Senators, as a short-term effort, to pass the DISCLOSE Act. Passing the DISCLOSE Act would be an important step forward, but clearly we have much more to do on this issue.

Long term, of course, we need a constitutional amendment to overturn this disastrous Supreme Court decision—the Citizens United 5-to-4 decision of 2 years ago. Long term, in my view, we also need to move this country toward public funding of elections so that once and for all big money will not dominate our political process.

Long term, there is no question in my mind that Citizens United will go down in history as one of the worst decisions ever rendered by a U.S. Supreme Court. Five members of the Court came to the bizarre conclusion that corporations should be treated as if they were people; that they have a first amendment right to spend as much money as they want to buy candidates, to buy elections. Somehow, in the midst of all of this unbelievable amount of spending millions and millions of dollars, the Supreme Court came to the conclusion this would not even give the appearance of corruption. I think that is, frankly, an absurd conclusion.

Mr. President, let me tell you—and my take on this may be a little different than some of my colleagues—what concerns me most about the Citizens United decision. If we look at Citizens United in tandem with other trends in our economy today, what we see is this Nation is rapidly moving from an economic and political society to an oligarchic form of society.

Economically, what we see are fewer and fewer people who control our economy. We see a nation which has the most unequal distribution of wealth and income of any major country on Earth, in which the top 1 percent of our Nation owns 40 percent of the wealth and the bottom 60 percent owns 2 percent of the wealth. That gap between the very wealthy and everybody else is growing wider and wider. That is wealth in terms of income distribution.

The situation is even worse. The last study we have seen suggests that 93 percent of all new income between 2009 and 2010 went to the top 1 percent. So, economically, we are moving toward a nation in which a few people have a significant amount of the wealth of America—significant amount of the income of America in terms of concentration of ownership. We see a situation in which six financial institutions on Wall Street have assets equivalent to two-thirds of the GDP of the United States of America—over $9 trillion controlled by six financial institutions. And the recklessness, greed, and illegal behavior of those financial institutions are what drove us into the recession we are struggling with right now.

So now, as a nation, the trends are that fewer and fewer people own the wealth of America and fewer and fewer large corporations control the economy of America. But, apparently, that is not good enough for the 1 percent, for our millionaire and billionaire friends, because now they want to take that wealth and exercise it even more than has been the case in the past in the political realm. That takes us now to Citizens United.

In the real world, we all know what is going on with Citizens United. We know billionaires are saying: Look, yeah, it is great I own an oil company. It is great that I own a coal company. It is great that I own gambling casinos. But, gee, I could have even more fun by owning the United States Government.

So we have entities out there who are worth some $50 billion—and the Koch brothers come to mind. If you are worth $50 billion and you have all kinds of interactions with the Federal Government and you have strong political views, why wouldn't you spend $400 million—which is what the media says that family is going to spend, and maybe even more—if you can purchase the United States Government. That is not a bad investment.

That is what Citizens United is about. It is billionaires spending huge amounts of money without disclosure—without disclosure.

I would have gone further than this bill, but this bill is certainly an important step forward. What does it require? It says if someone is going to spend more than $10,000 in a campaign they have to make public who they are. I don't think that is a terribly onerous provision. The American people are not stupid. They understand if somebody is going to spend hundreds of millions of dollars on political activities they want something. That is what it is about.

Why do people make campaign contributions? Many of us get a whole lot of campaign contributions from folks who give us $25, $30, $40. Most of my campaign contributions come from people who give us less than $200. But if somebody is going to spend hundreds of millions of dollars on a campaign, I think the American people have a right to know who that is and what they want; who is taking that money and what those contributors are going to get in return.

If you are a billionaire and you want lower taxes, have the courage to say: Hey, I am a billionaire. I am putting money into a party, and what I am going to get out of it is lower taxes for the rich. If I am somebody in a corporation that is polluting the air and the land and the water, and I want to get rid of those regulations, have the guts to come forward and say: Yeah, that is what I want. I want to eviscerate the EPA. I don't care that children in Vermont or Rhode Island get sick, that is what I want.

So what this is about is fairly elementary. What this is about is simply having those people, those institutions, those corporations and unions that are putting more than $10,000 into the political process reveal who they are.

What concerns me very much about this whole process—and I think concerns the American people—is while our middle class disappears and poverty increases, while the gap between the very wealthy and everybody is growing wider, it appears very clear right now these folks are not content, the top 1 percent is not content with simply owning the economy, with controlling the economy. They now want to control, to an even greater degree than is currently the case, the political process as well. That is what these campaign contributions of hundreds of millions of dollars are about.

When I think back on the history of this country and the enormous sacrifices men and women made defending the American ideal—the ideal that was the vision to the entire world. The entire world looked to the United States for what a strong democracy was about—one person, one vote. In my State of Vermont, we have meetings and people come out—one person, one vote—to discuss the municipal town budget, to discuss the school budget. And now we have evolved to a situation where one family can spend $400 million buying politicians, buying elections. That is a long way away from what democracy is supposed to mean in this country. The DISCLOSE Act is a very important first step forward, and I hope we can get strong support for that important piece of legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I want to follow up a bit on what I said I would do earlier, because this has been in some respects half a debate. Other than my friend Senator MCCAIN who has courageously fought on this issue for some years, we have not heard much from the other side of the aisle here, so in some respects it is only half of a debate. In another respect, of course, it is no debate at all, because we are in a filibuster situation with the Republicans blocking us actually going to the Senate debate on this bill. So while it is debate in the lay sense of the word—it is a discussion—it is not Senate debate on the floor, because we stand here being filibustered with a majority of Senators who demonstrably support going to this bill.

I said I would describe some of the things my Republican colleagues have said in the past about disclosure, so let me begin doing that.

Senator MCCONNELL, of course, has very publicly been in favor of it. That may relate to the fact that a report by the Corporate Reform Coalition went State by State, and the Republican leader's home State of Kentucky has a ban on independent expenditures by corporations in its State constitution. Its State constitution bans the conduct that is at issue here. Kentucky has disclosure provisions that require disclosure when independent expenditures of over $500 are made in any one election. He is here objecting to a $10,000 limit, and Kentucky disclosure provisions ''require disclosure when independent expenditures of over $500 are made in any one election.'' It further requires under Kentucky statute 121.190, subpart 1, that the name of the advertising sponsor must be put on any communication. So consistent with the laws of his home State, our Republican leader has for many years stood out in favor of disclosure. Around 2000 he said, ''Republicans are in favor of disclosure.'' And he said:

> Public disclosure of campaign contributions and spending should be expedited so voters can judge for themselves what is appropriate.

Other leaders on the Republican side, such as Senator ALEXANDER, have said:

> I support campaign finance reform, but to me that means individual contributions, free speech and full disclosure. In other words, any individual can give whatever they want as long as it is disclosed every day on the Internet.

That is exactly what this bill does, but only for donations $10,000 and more. I don't believe there was a floor in Senator ALEXANDER's remarks.

I see the distinguished Senator from Iowa has arrived. In the spirit of going back and forth, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

THE DREAM ACT

Mr. GRASSLEY. Mr. President, last September, President Obama responded to amnesty proponents, denying that he had authority to unilaterally grant special status to individuals who may be eligible under the DREAM Act.

The DREAM Act has been around the Senate for discussion for about a decade, and in different forms. It has been voted down several times by this body—mostly because the leader won't allow for an amendment process to improve the bill; otherwise, it probably could have been worked upon.

A few months ago when asked by amnesty advocates to push the bill through Executive order, President Obama said this:

> This notion that somehow I can just change the laws unilaterally is just not true. The fact of the matter is there are laws on the books that I have to enforce. And I think there's been a great disservice done to the cause of getting the DREAM Act passed and getting comprehensive immigration passed by perpetrating the notion that somehow, by myself, I can go and do these things. It's just not true. We live in a democracy. You have to pass bills through the legislature, and then I can sign it.

But 1 month ago, President Obama continued his ''we can't wait'' campaign and circumvented Congress, again, to significantly change the law all by himself. On June 15, he announced that the Department of Homeland Security would lay out a process by which immigrants who have come here illegally could apply for relief and remain in the United States without the fear of deportation. So what has changed in the last 9 months, when the President of the United States said last September that he could not unilaterally grant amnesty?

Before I dive into the details of how poorly planned and implemented the directive of June 15 will be, I have to question the legal authority of the President to institute a plan of this magnitude.

I, along with 19 other Senators, sent the President a letter and asked if he consulted with attorneys prior to the June 15 announcement about his legal authority to grant deferred action and work authorizations to a specific class of immigrants who have come here illegally. It is important that we get that question answered, because last September the President said he didn't have the legal authority to do it. We asked the President if he obtained a legal opinion from the Office of Legal Counsel or anyone else within his administration. To date, we have not received any documentation that discusses any authority whatsoever that he has to undertake this massive immigration directive.

I know the Secretary of Homeland Security has discretion to determine who is put in removal proceedings. Prosecutorial discretion has been around for a long time, but it hasn't been abused to this extent. The President is claiming the Secretary will implement this directive using prosecutorial discretion. However, millions of immigrants coming here illegally will be instructed to report to the U.S. Citizenship and Immigration Service and proactively apply. This is not being done on a case-by-case basis as they want to make it appear.

The President's directive is an affront to our system of representative government and the legislative process, and it is an inappropriate use of executive power based upon what he said last September, that he didn't have the authority to do this. The President bypassed Congress because he couldn't lead on immigration reform, and he couldn't work in a bipartisan manner on an issue that involves undocumented young people.

The President's directive runs contrary to the principle that American workers must come before foreign nationals. His policies only increase competition for American students and workers who struggle to find employment in today's economy. And that unemployment is 8.2 percent official, 11 or 12 percent unofficial.

According to the Bureau of Labor Statistics, the unemployment rate among the age group 16 to 24 has been nearly 17 percent for the last year. According to a Gallup poll conducted in April of this year, 32 percent of the 18-to-29-year-olds in the U.S. workforce, if not unemployed, are underemployed.

The President's plan to get people back to work is to grant immigrants who come here illegally a work authorization. He must be seriously out of touch if he doesn't think there is competition already for American workers.

Now I wish to talk about how poorly this directive has been thought out. This is the implementation of a directive the President said he didn't have the authority to do in the first place. But if you are going to have an illegal directive, you ought to at least know it will work. It is my understanding the White House informed Homeland Security officials of this plan just days before it was announced on June 15. They were unprepared, and have since been scrambling to figure out how it will be carried out.

U.S. Citizenship and Immigration Service—the agency in charge of all immigration benefits, including work authorizations, visa applications, asylum petitions, and employment verifications for employers—will be the agency tasked with handling millions of new applications for deferred status and work permits. Agents in the field are confused as to how to do their jobs and fear retaliation if they don't do the right thing. So in essence, this White House is telling agents in the field to begin a practice called catch and release.

Last Friday, Homeland Security officials briefed the Judiciary Committee

on the directive. Staff of the Judiciary Committee were told that agents of the agency would be required to release immigrants who come here illegally if they fell into the criteria laid out. But what are the ramifications if an agent does not release them but instead uses his discretion to say the person was not eligible and puts them in removal proceedings?

You will be astounded by the answer we got, because the Department of Homeland Security explained that such an agent would be subject to disciplinary action—disciplinary action if you are doing what your job is required to do. The agent's actions would be considered during their annual personnel review.

So there will be no discretion for agents, and they will be forced to give deferred action to anyone who comes close to the criteria laid out, even despite their hesitation to do so, or face retaliation from bureaucratic higher-ups.

It is as though Homeland Security forgot their mission which is:

> To ensure a homeland that is safe, secure, and resilient against terrorism and other hazards where American interests, aspirations, and way of life can thrive.

Once we overcome the question of legal authority and the reality that there was little thinking put into this plan before it was announced on June 15, we are left to oversee the details of the implementation plan. Homeland Security officials say they will have a process laid out by August 15. We have very little details, but Homeland Security officials did give some insight on Friday in this briefing to members of the Judiciary Committee staff. Here is what we learned.

We know people under the age of 30, who entered before their 16th birthday, have been here for at least 5 years, and are currently in school may qualify for deferred action. We know there are caveats to the criteria. Some criminal offenses will be OK, and young people can finish their education after they are granted deferred action.

We know individuals with final orders of removal will be eligible for deferred action. We know these people will not have to appear for an in-person interview to benefit from this directive of the President of June 15. We know they will be granted this special status for 2 years, and those who are denied will not be put into removal proceedings. We know this is not aimed at helping just youth since the age limit is 30. So who are we going to help over age 30, because we thought from the President's announcement, if people are over 30 years of age nobody is going to benefit. We know people under the age of 30 are not the only people going to be considered for relief.

Secretary Napolitano said so herself. She told CNN's Wolf Blitzer the following:

> We have internally set it up so that the parents are not referred for immigration enforcement if the young person comes in for deferred action.

I was not born yesterday. This administration is not going to give a benefit to immigrants here illegally and then force his or her parents to leave the country, which begs the question, What will they do if the young people are eligible and receive deferred action, but the parent is a criminal, a gang member, or a sex offender?

Because this program has not been well thought out and because it is being rushed to benefit people by the end of the year, there is no doubt that fraud will be a problem. How will Federal officials who process the applications ensure that information provided by the individual is accurate? How will they verify that one truly entered the country before the age of 16 or is currently under the age of 30?

Homeland Security officials act as though they are prepared to handle the influx of counterfeit documents that will be presented. The department officials are going to rely on their small fraud detection unit—who already happen to be very busy working every day on other types of immigration benefits—to determine if people are truly eligible. What will be the consequences for individuals who intentionally defraud the government? They need a fraud and abuse prevention plan. Without one they will likely legalize every single immigrant who came here illegally, who is already on U.S. soil.

The administration will announce more details about this plan in the next few weeks. I am anxious to see if they plan to only provide deferred action to this population. Department officials refuse to elaborate on whether some of these individuals will be able to get advanced parole. That is a special status that allows an immigrant coming here illegally to adjust to permanent residence and then gain citizenship. This administration wants people to believe this is not amnesty and that these people will not have lawful status, but I am watching to see if they try to pull the wool over our eyes and provide a status that allows these people to adjust and remain here permanently.

Finally, a major flaw in the President's plan is how this is going to be paid for. A massive amnesty program is going to cost a lot of money. So what are the taxpayers going to have to cough up out of their hard-earned dollars to pay for it? Department officials said on Friday that illegal immigrants may not be charged for their special status. The individual would be charged $380 if they choose to apply for a work authorization. They could not assure us that funding would not be redirected from other programs to this initiative.

To reprogram funds within the Department, the Secretary must notify and gain consent of the majority and minority leaders on the Appropriations Committee. However, when pressed, Department officials could not assure us that they would not bypass the long-standing process and reprogram dollars on their own. The U.S. Citizenship and Immigration Service will be forced to concentrate on this program, leaving employers, foreign workers, and legal immigrants without the service they need to work, visit, or remain in the United States.

If the U.S. Citizenship and Immigration Service adjudication staff will be diverted from their normal duties to handle the millions of potential deferred action applications, this can only have a devastating impact on other programs within the Department. I fear this plan will bankrupt the agency that oversees immigration benefits and affect all legal immigration for years to come.

I fear the President has overstepped his authority again. The President, time and again, has shown no leadership or refused to work with Congress on issues that directly impact the American people. And when it comes to the immigration issue he promised the people in the 2008 election, that in his first year in office he would have an immigration bill before Congress, he has not even presented an immigration bill yet. He insisted he was coming here to change Washington, but he changed it for the worse. He insisted he was going to make this the most transparent administration ever, but Congress and the American people are left in the dark.

No matter where one stands on immigration, we should all be appalled at how this plan has been carried out. Whether it is legal or illegal is one thing. But when it is not thoroughly thought out, how it is going to be implemented, that is not how the chief executive of a major operation such as the U.S. Government ought to be acting.

We should all be concerned that our votes are rendered meaningless as a result of the assumption of power on June 15 that the President said last September he did not have. Until we can end this plan, I encourage my colleagues to watch over its implementation for the future of our country. The integrity of our whole immigration system is hanging in the balance.

This immigration system is very important because the United States has opened doors for more people than any other country in the world to come here legally. About 1 million people come here legally. So we are a welcoming nation. We are a nation built upon immigrants bringing new ideas to this country, making this a very not only colorful country but a dynamic society. We ought to leave it that way. But this change to our immigration system for people to come here legally

jeopardizes a lot of people who want to abide by our laws and come here and make our country even richer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to speak in strong support of the DISCLOSE Act, which will help put an end to secretive campaign spending and close the glaring campaign finance loopholes that have been opened up by the Citizens United ruling. I thank the Senator from Rhode Island for his tremendous leadership on this critical issue and all his work which has gotten us to this point today on this very important bill.

This Supreme Court ruling was truly a step backwards for our democracy. It overturned decades of campaign finance law and policy, and it allowed corporations and special interest groups to spend unlimited amounts of their money influencing our democracy. The Citizens United ruling has given special interest groups a megaphone that they can use to drown out the voices of citizens in my home State of Washington and across the country. The DISCLOSE Act would return transparency to this process. It would return accountability to this process. It would be a major step to returning citizens' voices to the important election decisions we make in our country.

This is a very personal issue for me. When I first ran for the Senate back in 1992, I was a long-shot candidate without a lot of money or wealthy corporate backers. But what I did have was amazing and passionate volunteers who were at my side. They cared deeply about making sure the voices of Washington State's families were represented. They made phone calls, they went door to door with us, they talked to families across our State who wanted more from their government.

We ended up winning that grassroots campaign because the people's voices were heard loudly and clearly. To be honest, I don't think it would have been possible if corporations and special interests had been able to drown out their voices with this unlimited barrage of negative ads against candidates who did not support their interests. That is why I support this DISCLOSE Act. I want to make sure no force is greater in our elections than the power of voters across our cities and towns, and no voice is louder than citizens who care about making their State and country a better place to live.

The DISCLOSE Act of 2012 should not be contentious. It simply does what a majority of American people view as a no-brainer. It requires outside groups to divulge their campaign-related fundraising and spending, plain and simple. It does this by shining a very bright spotlight on the entire process and by strengthening the overall disclosure requirements on groups who are attempting to sway our elections.

Too often corporations and special interest groups are able to hide their spending behind a mask of front organizations because they know voters would be less likely to believe ads if they knew the motives behind their sponsors. For instance, an indication of who is funding many of these shell organizations can be seen in the delayed disclosures of the so-called super PACs. In fact, a Forbes article recently reported that 30 billionaires now are backing Romney's super PAC. It is unknown how much these same billionaires or their corporate interests are already providing to other organizations with even less scrutiny.

The DISCLOSE Act ends all that. Specifically, the act requires any of these front organizations who spend $10,000 or more on a campaign to file a disclosure report with the Federal Election Commission within 24 hours and file a new report for each additional $10,000 or more that is spent. This is a major step in pulling back the curtain on the outlandish and unfair spending practices that are corrupting our Nation's political process. It is a major step toward the kind of open and honest government the American people demand and deserve.

The DISCLOSE Act brings transparency to these shady spending practices and makes sure voters have the information they need so they know who they can trust. It is a commonsense bill. It should not be controversial, and anyone who thinks voters should have a louder voice than special interest groups should be supporting our bill.

This bill aims to protect the very core of our Federal election process. It protects the process by which our citizens fairly assess the people they believe will best come here and be their voice and represent their communities. It exposes the hidden hand of special interests, and it creates an open process for who gets to stand before them as representatives.

I am proud to support this bill and proud of the efforts by Senator WHITEHOUSE and so many others in the Senate. I urge all our colleagues to vote for this bill. Let's move it forward. Let's do what is right for America.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. FRANKEN).

DISCLOSE ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the time until 3 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I believe we have a number of speakers who are coming over from the caucus lunch to discuss the upcoming vote on the DISCLOSE Act. I wanted to take the time that is available until a speaker shows up to continue to report the previous support for disclosure from our colleagues and from other Republican officeholders and officials.

I think where I left off in my previous listing was Senator LISA MURKOWSKI, who wants Citizens United reversed and has said:

Super PACs have expanded their role in financing the 2012 campaigns, in large part due to the Citizens United decision that allowed unlimited contributions to the political advocacy organizations.

She said:

However, it is only appropriate that Alaskans and Americans know where the money comes from.

My friend Senator JEFF SESSIONS, a ranking member on the Judiciary Committee, at one point said:

I don't like it when a large source of money is out there funding ads and is unaccountable. . . . To the extent we can, I tend to favor disclosure.

Senator CORNYN said:

I think the system needs more transparency, so people can more easily reach their own conclusions.

Senator COLLINS has been quoted:

Sen. Collins . . . believes that it is important that any future campaign finance laws include strong transparency provisions so the American public knows who is contributing to a candidate's campaign, as well as who is funding communications in support of or in opposition to a political candidate or issue.

That is from the Hill.

Senator SCOTT BROWN has said:

A genuine campaign finance reform effort would include increased transparency, accountability and would provide a level playing field to everyone.

Senator TOM COBURN has said:

So I would not disagree there ought to be transparency in who contributes to the super PACs and it ought to be public knowledge. . . . We ought to have transparency. . . . If legislators were required to disclose all contributions to their campaigns, the public knowledge would naturally restrain legislators from acting out of the current quid pro quo mindset. If you have transparency, you will have accountability.

As I reported earlier today, the Republican Senate support goes to people who have left the Senate as well. I would remark again on the extraordinary editorial written in the New York Times by Senators Hagel and Rudman.

House Speaker Representative BOEHNER has said:

I think what we ought to do is we ought to have full disclosure, full disclosure of all the money we raised and how it is spent. And I think sunlight is the best disinfectant.

Representative ERIC CANTOR, the majority whip, I believe, has said:

Anything that moves us back towards that notion of transparency and real-time reporting of donations and contributions I think would be a helpful move towards restoring the confidence of voters.

Newt Gingrich has called for reporting every single night on the Internet when people make political donations.

Mitt Romney has said that it is ''an enormous, gaping loophole . . . if you form a 527 or 501(c)(4) you don't have to disclose who the donors are.''

Well, this is a chance for our colleagues to close that enormous, gaping loophole their Presidential nominee has pointed out.

One of my favorite comments is by Mike Huckabee. Mike Huckabee said:

I wish that every person who gives any money [to fund an ad] that mentions any candidate by name would have to put their name on it and be held responsible and accountable for it. And it's killing any sense of civility in politics because of the cheap shots that can be made from the trees by snipers that you never can identify.

The cheap shots that can be made from the trees by snipers that you never can identify. Let me give an example of that.

I am going to read parts of an article from this morning's New York Times.

In early 2010, a new organization called the Commission on Hope, Growth and Opportunity—

With a name like that, you know it has to be bad in this environment—

filed for nonprofit, tax-exempt status, telling the Internal Revenue Service it was not going to spend any money on campaigns.

Weeks later, tax-exempt status in hand as well as a single $4 million donation from an anonymous benefactor, the group kicked off a multimillion-dollar campaign against 11 Democratic candidates, declining to report any of its political spending to the Federal Election Commission, maintaining to the I.R.S. that it did not do any political spending at all, and failing to register as a political committee required to disclose the names of its donors. Then, faced with multiple election commission and I.R.S. complaints, the group went out of business.

The editorial continues:

''C.H.G.O.'s story is a tutorial on how to break campaign finance law, impact elections, and disappear—the political equivalent of a hit and run,'' Citizens for Responsibility and Ethics . . . wrote in a new report.

A cheap shot from the trees by a sniper you can never identify, and to this day no one has ever identified the $4 million donor.

I see the Senator from New Jersey. I am delighted to yield to him so he can make his remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, yesterday we witnessed quite a sight. Not a single Republican was willing to stand up to oppose secret money and elections. Today they will have another chance to announce their support and tell their constituents whether they would prefer that secret money buys the politicians or does it take their constituents' votes to get people in place who care about where this country is going.

Republicans will have a chance to show Americans where they stand: with millions of individual voters or the few billionaires who seek to drown out the voices of our citizens by using secret money.

Yesterday, I came to the floor to present the identities of two of the biggest supporters of secret money in politics, David and Charles Koch. They are joined by somebody we read about yesterday in the papers and heard on the news by the name of Sheldon Adelson, whose brain money was earned from Chinese gamblers in Macau to buy American politicians. That is some deal.

The Koch brothers are putting together a secret group of wealthy friends who will spend $400 million to manipulate the upcoming election. This effort is one of the egregious examples of the flood of big, secret money into our politics, and this unaccountable money is spent with a clear goal of determining our laws and deciding our elections and the policies this country will follow in the future. The Koch brothers are set on picking their preferred politicians. Too bad that with a country of over 300 million people these two fellows want to decide who should run this country of ours.

Koch Industries controls oil and chemical companies that do business around the globe. So what do the Koch brothers and their anonymous friends want from politicians who benefit from their secret money? They want laws that benefit the companies like the ones they own even when those laws come at the expense of millions of other Americans. I think the reason is clear. They want people in office who will put their special interests above the public interest.

These brothers run Koch Industries, which is a giant international conglomerate and one of the largest privately held companies in the world.

The Kochs' secret money organization, Americans for Prosperity, has opposed EPA's new mercury pollution standards. These historic standards will prevent 130,000 asthma attacks, 4,700 heart attacks, and up to 11,000 premature deaths. Americans for Prosperity, funded by secret money, opposed the rule that will save these lives. They would rather have the money. We know what millions of people who live near powerplants want. They want the plants to clean up their acts and stop poisoning them and their neighbors.

The Kochs and industry lobbyists argue that these standards just cost too much. What is the value of a life to these guys? Let them answer the question publicly. Turn in the secret money and let the people across our country decide who they want in the Senate, the House, and the White House.

How much poorer is our society when children are born with developmental problems? A child born with pollution in their body is set back from day one. That child's potential is stunted before they have even taken their first breath.

Polluters just ignore the costs to American families. They think their right to pollute is more important than the average person. The children in our country have the right to breathe. It is foul play if we have ever seen it. Put your money up, take fresh air away from young people, and create problems that mercury in our environment does.

Secret money in politics makes it possible for polluting companies to spend millions of dollars influencing elections, and the American public is kept in the dark. So I say to my Republican colleagues: Let your conscience rule your decision. Let's tell the truth.

I wish the vote could say: Yes, I want secret money to continue being sent. They dare us to use that language. Come on. There are good people over there. Let's shine some light on who is pulling the strings in this country. Is it the people or is it the money that makes the difference in the way this society functions?

I yield the floor.

Mr. SESSIONS. Mr. President, I would like to be notified when I have used 5 minutes.

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

Mr. SESSIONS. Mr. President, I understand we will have a set vote on the DISCLOSE Act. It got 51 votes previously. We need 60 votes to move forward to pass this bill. It is not likely to happen. Our Democratic colleagues were down here last night into the midnight hour talking about the DISCLOSE Act, which is something that is political and campaign-related that we have a significant difference of opinion about, and it is not going to pass.

I would like to ask my friends and colleagues what is it we ought to be disclosing? Is it the amount of money some individual American made honestly and spent or maybe there are some other issues we ought to disclose. I would say this Senate ought to disclose to the American people what its budget plan is for the future of this country. We haven't had a budget in 3 years. Senator REID said it would be foolish to bring up a budget—foolish because we don't have time. We had time to spend all night last night debating this bill—or half the night—and we are having a second vote on the same bill again today. Why don't we spend some of that time on something important such as dealing with our $16

billion debt. Why don't our Democratic leaders disclose to us what their plan is to deal with this surging debt, a debt that is increasing at $1.3 trillion a year. It is unsustainable, as every estimate we have ever been told and every witness has testified to before the Budget Committee and other committees—unsustainable. Yet they refuse to even lay out a plan for how we are going to confront that.

The House has. They laid out a historic plan. Congressman RYAN and his team and the House has passed a long-term budget plan that will alter the debt course of America and put us on a responsible path—not so in the Senate, even though they talked about it in secret amongst themselves that they had a plan. Let's disclose it. Why don't we have a disclosure of it.

October 1 is coming up pretty fast, particularly since we are going to be in recess virtually the entire month of August and it looks like the entire month of October. By October 1, the Congress has a duty and a responsibility to pass legislation that funds the government because the new government fiscal year begins October 1. Senator REID just announced he is not going to produce a single appropriations bill. When I first came here, we tried to pass all 13 every year, before October 1, when the year starts. We are not even going to attempt it.

I think the American people ought to ask: What do you plan to spend your money on next year? The country is suffering substantially. Why don't you disclose, Senator REID, what the appropriations bills are going to be, how much money you are going to spend on each one of the items, and subitems and subitems and subitems, so we can examine it, bring it up on the floor, and offer amendments, as the Senate is supposed to operate. Why don't you disclose that? Isn't that important for America?

I have to say, since I have been here, this will be the least performing, most disappointing year of the Senate in our history. No budget, no attempt to bring up a budget, no appropriations. Those are the bread-and-butter requirements of any Senator.

Food stamps, the SNAP program. In 2000, we were spending about $17 billion on the food stamp program. Last year, we spent $79 billion. It has gone up repeatedly. It is out of control. It needs to be managed. It needs to be focusing more on helping people in need, not just subsidizing people in need—helping them move forward to independence and responsibility. Why don't my colleagues disclose a plan for that? Isn't that important to America? I think it is.

There are a lot of other things that ought to be on the table.

The PRESIDING OFFICER. The Senator's 5 minutes has expired.

Mr. SESSIONS. I thank the Chair.

There are a lot of other things on the table we need to be dealing with and talking about and being honest about. It is time to disclose what our financial plans for the future are. It is time to disclose what we are going to do about this debt, what we are going to do about wasteful spending. It is not being done. It is a disappointing year.

I thank the Chair and yield is floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, lest we get totally off track and before the Senator from Alabama leaves the Chamber, I wish to thank him and congratulate him. The system works when Democrats and Republicans come together. The Senator from Alabama and I have worked on many issues together, including the Nation's national security. Just recently, the Senate showed how it can work together on the RESTORE Act in the Gulf of Mexico when we added a provision directing the fine money to be imposed by a judge in New Orleans and redirected that fine money to come back to the people and the environment and the critters of the gulf. That passed in this Chamber 76 to 22—a huge bipartisan vote.

I have had the privilege of working with the Senator from Alabama on many other issues, including the times the two of us led the Strategic Subcommittee of the Armed Services Committee on some of the Nation's most significant things, such as our overall strategic umbrella protecting this country. There again, it was Democrats and Republicans working together.

So to hear a lot of the rhetoric, someone outside the Senate would think we are totally in gridlock. That has not been the case. However, we come to a point of gridlock again because of the Senate rules requiring 60 votes to shut off debate so we can go to this bill called the DISCLOSE Act.

What the DISCLOSE Act does is common sense. It is common sense to say, if someone is going to affect the political system by giving money to influence the votes at the end of the day in an election year, all the campaign laws say they have to disclose that money, and but for a 5-to-4 Supreme Court decision—which is contorted at best and is way over the edge at the very least—its ruling says that because of freedom of speech, outside the political system, one can make advertisements, one can speak freely; in other words, by spending money, buying ads, and one does not have to disclose that. Oh, by the way, that whereas the campaign finance law prohibits in Federal elections corporations from donating, this contorted Supreme Court decision says that can be corporate money and it doesn't have to be disclosed.

That is what we are seeing in abundance in that kind of political speech right now in all these attack ads, and these attack ads are going rapid fire. We look at who it is sponsored by. It is not sponsored by the candidate; it is sponsored by some organization that has a high-sounding name, but we don't know where the money is coming from.

This piece of legislation in front of us yesterday got 53 votes, and we need 7 more votes to cut off the debate just to go to the bill. This vote is coming at 3 o'clock. We are not going to get it. It is going to be the same result—53 to 47. Why? Because these outside, unlimited sources of funds that are not disclosed are affecting elections and they are achieving the result and we know it. If we put enough money into TV advertising, one can sell a box of soap, whatever the brand is. That is the whole theory behind this. The undisclosed donors giving unlimited sums elect whom they want, and that is going to completely distort the political system.

We start from a basis of old Socratic ideas, going back to Socrates; that in the free marketplace of ideas, the crosscurrents of those ideas being discussed, that out of it truth will emerge and the best course of action will emerge. It is upon those ideals that this country was founded; this country, wanting a representative body such as this to come forth and freely and openly discuss the ideas and hammer out policy. Yet what we are seeing is that in bringing those elected officials here, by electing them by overwhelming advertising from unlimited sources, those elected representatives will be beholden to those particular sources and will not have an independence of judgment, will not have the Socratic ability in the free marketplace of ideas to hammer out the differences of ideas and achieve consensus in order to determine the direction of the country. So the very underpinnings of the country are at stake.

Why is this being fought—something that ought to be like a motherhood bill. One is for disclosure of those giving money to influence the political system, just like all the Federal candidates have to disclose; and, oh, by the way, are limited in the amounts of contributions to each candidate. What is such common sense is being thwarted. If this legislation were to pass and they had to disclose who is giving the money, do we know what: Most of them would stop giving it, and they would have to operate under the normal campaign finance laws which say to report every dime of a contribution and they are limited as to the amount they can give and the candidate is limited as to the amount they can receive. That is fair, but it is more than fair. It is absolutely essential to the functioning of the electoral system in order to elect a representative democracy.

That is what is at stake, and that is what we are going to vote on again. Unfortunately, we know what the outcome of the vote is going to be: 53 in

favor of disclosing and 47 against, and we are not going to know who is giving all this money.

I can't say it any better. It is old country boy wisdom that says this ought to be as easy as night and day, understanding the difference. Yet that is what we are facing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I have not taken an opportunity to speak to the DISCLOSE Act, which is currently before us, or the holding of Citizens United. I haven't come to the floor to address that, but that does not mean this has not been a discussion of great importance in the State of Alaska.

Alaskans are a pretty independent lot. I think they like to know what is behind certain initiatives, certainly when it comes to the financing of campaigns. They want to know where and when and how and why and that it is appropriate. Our State legislature has enacted some campaign finance reforms that I think have been good. Alaskans have looked very critically at the Citizens United decision and its impact on the campaigns in this country.

I have made no secret of the fact that I disagree with the holdings of the Citizens United decision which makes it possible for individuals and business entities to make contributions in any amount, at any time to independent efforts to elect candidates at the Federal, State, and local levels.

I think this decision not only overturned longstanding Federal law, it also, to a certain extent, displaced State laws, including the laws in my own State of Alaska which barred corporate participation in State elections. It gave birth to a new form of political entity. We all know it; we are all talking about it now, particularly with the Presidential election—the super PAC, a vehicle for large donors. When we are talking about large donors, we are not just talking about donors who can put forth thousands of dollars. We are talking about donors who put forth multimillions of dollars, and it is done to influence the American political process in secret by contributing to organizations with very patriotic names, but they lurk behind post office boxes. There is an anonymity, there is a covering that I do not think the American public expects or respects.

I believe strongly—I believe very strongly—that the Citizens United decision is corrosive to democracy. At a very minimum the American people deserve to know who is behind the organizations, who is funding them, and what their real agendas are.

I think if we were to ask the average American out on the street: Do you think it is reasonable that there be disclosure, full disclosure of where the campaign dollars are coming from, I think the average American would say: Yes. I know the average Alaskan is saying yes.

So when they see what this Supreme Court case has allowed—courts have determined this is constitutional—I do not think anybody assumed what it would lead to is an ability for an individual to give millions of dollars to influence an election, and yet not be subject to a level of disclosure that is fair and balanced.

I came to the floor very late last night after flying in from Alaska. I left at 7 o'clock in the morning, and my plane touched down at about 10:15 last night. As I landed, I saw the lights of the Capitol on. I knew somebody was still home. The flag that flies on the Senate side of the Capitol was still up, meaning the Senate was still in session, so I decided to come to the floor and see what was going on and to perhaps listen to a little bit of the debate.

I was tired. I was tired from flying. But I was truly tired that as a body, when we have an issue that is important, is significant—whether it is campaign finance or the tax issues we face, whether it is the sequestration issue we will shortly be facing—we are once again in a position where we are doing nothing but messaging. I am so tired of messaging, and I think the folks whom we represent are tired of us messaging.

I want us to have some reforms when it comes to campaign finance and the disclosure that the American public thinks makes sense, where they say: Good. This is not something where you are hiding behind an organization, whether it is a 501(c)(4) or a 501(c)(3) or a super PAC, or however we define it. We want to know that you are open and you are transparent.

I did not stay too late last night to listen to the debates. But I will tell you that the comments I heard from my colleagues were pretty sound. For the life of me, I cannot fathom why it is appropriate that the name, the address, the occupation of an individual who makes a contribution of between $200 and $5,000 to LISA MURKOWSKI's committee must be disclosed—that is what is required under the law. But somehow or other there is a constitutional right for someone who gives $1 million, $15 million to an independent effort that either supports or opposes an election can do so in secrecy. They can do so in a way that is not subject to disclosure. I do not think that makes sense, and I do not think it would make sense to anybody else out there on the street. What is the difference?

But I would also suggest to you the converse is true as well. I do not believe the membership lists—whether it is the Sierra Club or the National Rifle Association or the NAACP—I do not think those lists need to be public because an organization has made a relatively small donation from its treasury funds to independent efforts. Those who chose to affiliate with broad-based membership organizations deserve to have their privacy interests maintained. So you have things going on both sides here.

Again, what we should be doing in this case is trying to figure out where there is a balance. Where is that fairness? Given that a $2,500 contribution to me as a candidate—the maximum that can be given to any candidate for any election—has to be disclosed, I do not understand why the bill that is before us, the DISCLOSE Act 3.0, sets the bar for disclosure of a contribution to an independent effort at $10,000. That does not make sense to me either.

So I guess where I am at this point in time—recognizing that in a matter of minutes we are going to have yet another vote on DISCLOSE under reconsideration—I do think that all these issues need to be addressed in a DISCLOSE 4.0. Maybe we will move to that in the next iteration, but that is not going to be happening here. Yesterday's vote was decisive. As I mentioned, I was flying all day. I was not here at 6 o'clock when that vote was taken. But that vote was pretty clear. There is no way we can reconfigure things, even with the support of LISA MURKOWSKI, so that we could actually get to this bill and start making those changes.

So we are sitting here at a point where we have precious little time before us before we break for August and then come back. We have the campaigns. We have a lot on our plate. I think we recognize that. Saying that, I have already said I think this is a critically important issue. But it is an issue we will not resolve today. It is not possible to resolve today. So we should accept that fact and move forward. We have a lot to do.

What I intend to do is to continue the work I began months ago with colleagues on the other side of the aisle to work to resolve some of these issues, to work on a bipartisan basis on a bill that I hope we can take up as a body. There are Senators who want to work on this. I have met with them and we continue to try to figure out that path forward. But that path forward has to be a bipartisan path. It has to be a bipartisan path.

I hope we can put some kind of a vehicle to hearings and consider it on the floor with an open amendment process, the way we can and should do things around here. That is what I strive to do. That is my commitment. I want to work with my colleague from Rhode Island. I want to work with my colleagues from Colorado and Oregon and New York and my colleagues on the Republican side of the aisle. I think we all recognize this is in the best interests of not only those of us in the Senate but for those we represent—that there is a level of transparency, openness, fairness, and balance when it

comes to campaign finance. That is my commitment.

With that, I know I have probably consumed more than my time. But I appreciate the opportunity to work seriously and genuinely with my colleagues on this issue.

Mr. CORNYN. Mr. President, today the Senate will vote on cloture on the motion to proceed to S. 3369, the so-called DISCLOSE Act. Because the bill is designed to protect entrenched Washington special interests from ordinary Americans who want to exercise their first amendment rights, I will oppose cloture.

Regulation of speech always raises significant constitutional questions. The first amendment is a cornerstone of our democracy, and the DISCLOSE Act would fundamentally remake the rules governing free speech in American elections. It is intended not to promote transparent, accountable, and fair campaigns, but rather to tilt the playing field in favor of the Democratic Party and its constituencies.

Indeed, one of the chief sponsors of this legislation, Senator CHARLES SCHUMER, has admitted that his goal is to deter certain Americans from participating in the electoral process. The DISCLOSE Act will make many businesses and organizations ''think twice'' before engaging in political speech, Senator SCHUMER said in 2010. ''The deterrent effect should not be underestimated.''

In essence, the Democrats have concocted a bill that would silence their critics while letting their special interest allies speak. Nearly every major provision of the DISCLOSE Act was designed to encourage speech that helps the Democratic Party and discourage speech that hurts it. For example, the legislation favors unions over businesses, which belies the notion that it was crafted to prevent conflicts of interest.

If the true purpose of this bill were to promote transparency and minimize the influence of political money on government, then unions would face the same restrictions as businesses. But the true purpose of the bill is to help Democrats win elections, and unions overwhelmingly support Democrats, so they are given preferential treatment.

It is not the government's job to apportion first amendment rights among Americans. Those rights belong to every citizen, period. I reject any further erosion of a constitutional liberty that has preserved and strengthened our democracy for 223 years.

I oppose the DISCLOSE Act and urge my colleagues to oppose this afternoon's cloture motion.

Mrs. BOXER. Mr. President, I rise in strong support of the DISCLOSE Act.

It is important for Americans to know where the money is coming from that supports the political ads appearing on their television screens during election season.

This bill is a much needed response to the Supreme Court's decision in Citizens United—a decision that is resulting in corporate money drowning out the voices of ordinary citizens.

In Citizens United, the Supreme Court overruled decades of legal precedent when it decided that corporations cannot be restricted from spending unlimited amounts in Federal elections.

The decision was astounding, not just because it was a display of judicial activism but also because it defies common sense for the Supreme Court to conclude that corporations or even labor organizations are citizens, as you or I am, in the eyes of the law.

As Justice John Paul Stevens wrote in his dissent, ''corporations have no consciences, no beliefs, no feelings, no thoughts, no desires . . . they are not themselves members of 'We the People' by whom and for whom our Constitution was established.''

In the aftermath of the Citizens United decision, special interest groups known as super PACs with innocuous names like ''American Crossroads'' and ''Restore our Future'' are primed to spend hundreds of millions of dollars in the 2012 election.

According to OpenSecrets.org, Super PACs have raised $246 million in secret money so far in the 2012 election cycle—and we still have 113 days until the election during which that total may double or even triple.

The New York Times recently reported that secret groups have accounted for two-thirds of all political advertising spending this year.

Unlike funds given directly to candidates and political parties, which get reported to the Federal Election Commission and are available for the public to review, funds given to super PACs are secret, leaving voters with no knowledge of who is behind attack ads against political candidates.

Right now the rules require that individuals who give $200 or more to a candidate must submit detailed information about their identity, their address, and their occupation. But Citizens United says that if you give $2,000, $2 million, or $20 million to a super PAC, you don't have to disclose a thing.

Former member of the Federal Election Commission Trevor Potter said individuals ''can still give the maximum $2,500 directly to the campaign—and then turn around and give $25 million to the Super PAC.''

At a minimum, voters in a democracy deserve to know who is financially supporting candidates for public office.

Editorial boards in California and across the country recognize that disclosure and transparency are essential for the integrity of our democratic system.

The Sacramento Bee writes that ''reasonable people can disagree on whether corporations should be able to donate to campaigns, or whether the size of donations should be capped. But there should be no debate about whether donations should be open and readily accessible to the public.''

The Los Angeles Times writes that ''there is no cogent argument against maximum disclosure. Nor is there any First Amendment argument for secrecy . . . If those who seek to influence elections don't have the courage of their convictions, Congress must act to identify them.''

The San Jose Mercury News writes that ''since the Supreme Court made it all but impossible to regulate corporate influence on campaigns, the only thing left is requiring swift and thorough disclosure.''

And that is exactly what the DISCLOSE Act does.

It requires super PACs, corporations, and labor organizations that spend $10,000 or more for campaign purposes to file a disclosure report with the Federal Election Commission within 24 hours of the expenditure. The organization must also disclose the sources of all donations it receives in excess of $10,000. The disclosure must also include a certification that organization's spending is in no way coordinated with a candidate's campaign. These are carefully targeted reforms to ensure that the American people are informed during the electoral process.

Outside spending on our elections has gotten out of control in the post-Citizens United world created by the Supreme Court.

Sheldon Adelson, a casino magnate, who gave $20 million to a super PAC to prop up the Presidential campaign of Newt Gingrich, told Forbes Magazine: ''I'm against very wealthy people attempting to or influencing elections, but as long as it's doable, I'm going to do it.''

A super PAC affiliated with House Republican majority leader ERIC CANTOR raised $5.3 million in the third quarter this year. Adelson is responsible for providing $5 million of the total.

The super PAC affiliated with Mitt Romney, ''Restore our Future,'' has raised $61 million so far. Most of this money came from just a handful of individuals.

During the 2012 Florida GOP Presidential primary, Romney super PACs ran 12,000 ads in that state alone.

A New York Times analysis of donations to Romney super PACs found sizeable amounts from companies with just a post office box as a headquarters, and no known employees.

A USA Today analysis of GOP super PACs through February 2012 found that $1 out of every $4 donated to these Super PACs was given by five individuals.

A US PIRG/Demos study found that 96 percent of super PAC contributions

were at least $10,000 in size, quadruple the $2,500 donation limit individuals are allowed to give specific candidates.

The Center for Responsive Politics found that the top 100 individual super PAC donors make up only 4 percent of the total contributors to super PACs, but they account for more than 80 percent of the total money raised.

According to Politico, the Koch Brothers and their companies plan to spend $400 million on the 2012 election, which would be more than Senator JOHN MCCAIN raised during his entire 2008 run for President.

A super PAC called ''Spirit of Democracy America'' spent $160,000 in support of a primary candidate in California's 8th Congressional District. The super PAC has no Web site and provided no details prior to the primary election to voters in the district about who was behind their expenditures. The super PAC accounted for 64 percent of all the outside money spent on the race.

A 21-year-old Texas college student used a multimillion dollar inheritance from his grandfather to spend more than $500,000 on television ads and direct mail in a Kentucky congressional election, helping his handpicked candidate win the primary in an upset.

The American people are tired of these stories, and they are tired of big money in politics.

Overwhelmingly, and on a bipartisan basis, they support disclosure laws and contribution limits.

Because of the massive influence super PACs are having on elections, earlier this month the USA Today issued a frightening prediction about this fall's election.

They write that ''the inevitable result is that come November, voters in many closely contested races will make their decisions based on a late flood of ads of dubious credibility paid for by people whose names and motives are unknown.''

The American people deserve to have a government that is always of the people, by the people, and for the people.

The DISCLOSE Act will help restore the voice of the people.

I urge my colleagues to support this bill.

Mr. AKAKA. Mr. President, I rise today to speak in strong support of S. 3369, the Democracy Is Strengthened by Casting Light On Spending in Elections, DISCLOSE, Act. I am proud to join 39 of my colleagues in sponsoring this measure and urge the Senate to act now to pass this transparent, commonsense piece of legislation.

Free, fair, and open elections, as well as an informed electorate, are fundamental to ensuring that our government reflects the highest principles of democracy, which is the foundation of this country.

What is at stake today is nothing short of our electoral system. We must reinforce the right of Americans to make fully informed decisions about the political candidates and parties that seek to represent them in government.

More than 2 years ago, the Supreme Court's 5-to-4 decision in Citizens United set the stage for the emergence of super political action committees, PACs, primarily underwritten by wealthy individuals to finance unregulated and often anonymous attack political campaign advertising. This decision effectively puts our elected positions up for sale to moneyed interests.

The DISCLOSE Act would address problems caused by the Citizens United decision by restoring accountability and transparency to our electoral system. It would simply require labor unions, traditional PACs, super PACs, and other covered organizations that spend $10,000 or more on political campaigns to identify themselves by filing a timely report with the Federal Elections Commission.

Opponents of the DISCLOSE Act claim that this bill would impede free speech and discourage political involvement. I cannot disagree more. To the contrary, the DISCLOSE Act preserves the right to express one's opinions and ideas through contributions to political campaigns; it only forces large contributors to identify themselves when making influential contributions. Furthermore, it promotes civic involvement by empowering voters to effectively participate in the electoral process and make informed choices about their leaders.

We are all here to represent the voters in our States and districts who have entrusted us to represent them. In our system of checks and balances, elected officials remain beholden to their constituents through elections; however, to allow this system to work, voters need to have all of the essential information that could influence their decision: who we are, who our supporters are, and how much support we have received from various sources.

No democracy, including this one, can remain fair, successful, and viable if wealthy individuals are allowed to spend unchecked sums of money to anonymously influence the outcomes of its elections.

I urge my colleagues to do what is right for all Americans today and pass this important bill.

I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The Senator from New York.

Mr. SCHUMER. First, Mr. President, I ask unanimous consent that I be given 4 minutes, the Senator from Rhode Island be given 6 minutes to conclude, and we vote immediately thereafter.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. First, I would just like to make one preliminary comment, and then I would like to address what my colleague from Alaska has said and this bill.

FISCAL POLICY

On another issue, I just heard that Vice President Cheney came to address the Republican caucus on our fiscal cliff. I would suggest that the man who said deficits do not matter is not a very good teacher for the Republican caucus when it comes to deficit reduction and the fiscal cliff. They could get better teachers than that.

As for this issue, first, I wish to thank my colleague from Alaska for her heartfelt comments. She is what we need, somebody who cares about this issue, somebody who has great reach across the aisle, and somebody who is willing to work with us.

It is true, it is obvious we will not have the votes to win the DISCLOSE Act. It is simple disclosure. We tried to make it—under the leadership of Senator WHITEHOUSE; I will address that in 1 minute—we tried to make it as narrow as possible. We tried to deal with all the objections we heard about labor unions and others. That is why there is a $10,000 amount—far beyond the labor union dues of any union I am aware of. We tried to make it as down the middle as possible for simple disclosure.

But I understand where my colleague from Alaska is coming from. I respect it, and I look forward to working with her. She might be the bridge we need because, mark my words, if we do not do something about this, we will not have the Republic we know in 5 years. It is that simple. This great country we all love has been dramatically changed by Citizens United. The failure to correct its huge deficiencies, to have such a small number of people have such a huge influence on our body politic—we have never seen it before. Oh, yes, we have read about our history, and we know there were small groups that were powerful in the past, the robber barons, et cetera. But never, never, never have a handful of people had such awesome tools to influence our political system in a way they choose without any accountability—never.

The robber barons were more accountable and more diffuse. The small group that led America, supposedly, in the 1920s was more accountable and more diffuse. The military industrial complex that President Eisenhower warned about was far broader and more diffuse. To have a small number of people—most of them angry people, most of them people who do not even give any attention to someone who does not agree with them—to give them such awesome power, which is the power to run negative political ads over and over and have no accountability as to who is running them, that is a true danger to the Republic.

It befuddles me that our U.S. Supreme Court does not see it. We want our courts to be insulated from the vicissitudes of politics. But to have a

Court that is so insulated that it does not see, smell, hear, touch what is going on in this Republic does not speak well of that Court. I think it is the main reason its popularity has declined. I hope our Justices will wake and realize what they are doing.

I would say again—first, I wish to thank Senator WHITEHOUSE. He has been a great leader on this issue. I wish to thank all my colleagues. We have been debating this bill for 10 hours—more than 10 hours, I believe—and there has not been one quorum call, which means there has been speaking time from about 6 last night until 1 in the morning——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SCHUMER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, at least—at least—10 Republican Senators are on record supporting transparency and disclosure in election spending. Some of them are very significant leaders on the Republican side.

Senator MITCH MCCONNELL said this:

I think disclosure is the best disinfectant.

Senator JOHN CORNYN, head of the Republican campaign operation, said this:

I think the system needs more transparency so people can more easily reach their own conclusions.

Other Senators, colleagues, and friends come from States that require disclosure in election spending. The States they represent know this is wrong. The arguments against this bill are few. Some of those arguments are false. Others don't hold water. Huge majorities of Americans—Republicans, Democrats, and Independents—support cleaning up this mess.

More than 700,000 Americans signed up as citizen cosponsors of this bill in the last few days. The actual number, I believe, is 721,000. But then that ran up against this: outside political spending that went from 1 percent to 44 percent, not disclosed in the last election. And these secret groups, such as Crossroads, with $76.8 million, and the majority of the money that they spend is secret money—that has changed the debate. But those who are out of the need for that secret money, such as former Republican Senators Rudman and Hagel, are clear:

A bill is being debated this week in the Senate, called the DISCLOSE Act of 2012. This bill is a well-researched, well-conceived solution to this insufferable situation. We believe every Senator should embrace the DISCLOSE Act of 2012. This legislation treats trade unions and corporations equally and gives neither party an advantage. It is good for Republicans and it is good for Democrats.

Most important, it is good for the American people. I urge my colleagues on the Republican side to follow the example of their former colleagues Senator Rudman and Senator Hagel; and I pledge to Senator MURKOWSKI that we take her comments very seriously. She has cast a sliver of daylight. I intend to pursue that sliver ardently to work through this problem.

I will conclude by also complimenting Senator MCCAIN. He believes there is a benefit for unions in here that I do not see, which I disagree exists. But certainly he has a record of courage and determination on campaign finance that entitles his judgment to our respect. I look forward to working with both of them.

I yield back our time.

The PRESIDING OFFICER. Under the previous order, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the motion to proceed to S. 3369 is agreed to. The motion to reconsider is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 446, S. 3369, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

Harry Reid, Sheldon Whitehouse, Jack Reed, Joseph I. Lieberman, Jon Tester, Mark L. Pryor, Benjamin L. Cardin, Christopher A. Coons, Jeanne Shaheen, Daniel K. Akaka, Herb Kohl, Charles E. Schumer, Mark Begich, Tim Johnson, Robert Menendez, Frank R. Lautenberg, Mark Udall, Sherrod Brown.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3369, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, super PACs, and other entities, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted ''no.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 45, as follows:

[Rollcall Vote No. 180 Leg.]

YEAS—53

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Reid
Blumenthal	Klobuchar	Rockefeller
Boxer	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murray	

NAYS—45

Alexander	DeMint	McCain
Ayotte	Enzi	McConnell
Barrasso	Graham	Moran
Blunt	Grassley	Murkowski
Boozman	Hatch	Paul
Brown (MA)	Heller	Portman
Burr	Hoeven	Risch
Chambliss	Hutchison	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Sessions
Cochran	Johanns	Snowe
Collins	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	Lugar	Wicker

NOT VOTING—2

Kirk Shelby

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion upon reconsideration is rejected.

Mr. CARDIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I withdraw my pending motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

BRING JOBS HOME ACT—MOTION TO PROCEED

Mr. REID. I move to proceed to Calendar No. 442, S. 3364.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 442 (S. 3364), a bill to provide an incentive for businesses to bring jobs back to America.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk in reference to this legislation.

The PRESIDING OFFICER. The cloture motion having been presented pursuant to rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 442, S. 3364, a bill to provide an incentive for businesses to bring jobs back to America.

Harry Reid, Debbie Stabenow, Sheldon Whitehouse, Al Franken, Richard J. Durbin, Sherrod Brown, Richard Blumenthal, Jeff Merkley, Christopher A. Coons, Robert P. Casey, Jr., Benjamin L. Cardin, Jeanne Shaheen, Kirsten E. Gillibrand, Charles E. Schumer, Jack Reed, Barbara A. Mikulski, John D. Rockefeller IV.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

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

Mr. REID. Mr. President, once again I am disappointed, as I think most people in this country are, on an issue as timely as this, outsourcing jobs, that we once again are being stymied on moving to that legislation. We are going to have a vote. The rules are we cannot have a vote on this until 2 days go by, so that is a vote on Thursday. If cloture is invoked on that, then we are only on the bill, and then to get off of it would take another series of days. I think to get final action on this is going to take a week.

It is so unfortunate that we have to go through this. We have gone through this so many times. There is, I repeat, not an issue more timely than this—outsourcing jobs. Whether it is the Olympic uniforms or the many other jobs that have been lost around the country, the American people are tired of it, but I think it is unfortunate the Republicans are stopping us from being able to start legislating on this bill.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise today to urge my colleagues to support the motion we have before us to begin consideration of my bill, the Bring Jobs Home Act. I thank my leader for making this a priority and thank the President of the United States for also making this a priority as we move forward.

Let me start on process, to say it is true, of course, as the leader indicated, we could be simply on this bill and working to complete it and pass it. But unfortunately, as happens on everything now, when the leader attempts to move to a bill, there is an objection to that. When there is, it puts us into a situation where we have to spend several days trying to overcome a potential filibuster to be able to move to the bill. So, process-wise, that is where we are.

From a substance standpoint it is absolutely critical that we move to this bill and that we pass it. The great recession and the financial collapse of 2008 were absolutely devastating to our economy. We know that during that time, 8 million Americans lost their jobs and many are still struggling to get out of their own deficit hole because of what happened. These are people who worked all their lives and played by the rules, only to have the rug pulled out from under them.

Many of these people were folks who worked in manufacturing, many in my great State of Michigan. We are so proud that we make things in Michigan. We do not have a middle class, we do not have an economy unless we make things. That is what we do in Michigan. For decades, this has been the foundation of our economy. Frankly, it created the middle class of our country and we are proud it started in Michigan with the beginning of the automobile industry.

It is no coincidence that as those jobs have disappeared over the decades, the middle class has begun to disappear as well and families are in more and more difficult situations personally as a result of that. Those jobs have been the driving force of our economy for decades, as I indicated. Those jobs are the jobs that allowed the ''greatest generation'' to build the greatest economy in the world, the greatest economy we have ever seen. Those jobs led to tree-lined streets with at least one car in every driveway, and the freedom to raise a family and send them to college and maybe have the cottage up north and be able to take the family on vacation and have the American dream.

Today in fact that dream is in jeopardy and every American family knows that. But it does not have to be that way. In the last decade, companies shipped 2.4 million jobs overseas. To add insult to injury, American taxpayers were asked to help foot the bill.

It is amazing. When I explain that to folks in Michigan, they say you have to be kidding—or they say other things I cannot repeat on the floor of the Senate. Just imagine if you are one of those workers in Michigan or in Virginia or in Ohio or in Wisconsin or anywhere in this country who maybe was forced to train your overseas replacement before you were laid off. Imagine what your reaction would be—more colorful than I have been able to state here. When an American worker is asked to subsidize the moving expenses, as they do today under current tax policy—the moving expenses and costs so their own job can be shipped overseas—there is something seriously wrong with our Tax Code and with our priorities.

It does not have to be that way. In fact, we can change that. We can change that this week on the floor of the Senate by passing the Bring Jobs Home Act and sending it to the House and then sending it to the President where I know he will enthusiastically and immediately sign it.

Instead of rewarding companies for shipping jobs overseas, we want to reward companies for bringing jobs home. That is the whole point of this bill. We stop the tax deduction for moving expenses related to moving jobs overseas. That is what this bill does. Right now you can deduct those expenses as part of your business expenses. We say: No more. Second, we say: However, if you want to come home, we will happily give you that deduction for the costs of moving back to the United States and we will add an additional 20 percent tax credit for those costs of bringing jobs back to the United States. That is what we are doing in the Bring Jobs Home Act.

This is common sense. Unfortunately it is not that common these days, but it is common sense and it is good economic sense as well. It is so important that we pass this bill. We talk about tax reform. We talk about having a lot of tax loopholes. This is one we can eliminate right now, together, on a bipartisan basis. Let's start here, the No. 1 loophole, we will close it; No. 1 priority, jobs in America.

I know some of my colleagues do not believe these jobs are ever coming back. I hear that all the time. We in Michigan have been seeing that same defeatist argument for 20 years. But in fact that is not true. One of the things I am proudest of in the last 3½ years is that we have refocused on advanced manufacturing, making things in America, in this country. We have a lot more to do but we have in fact refocused on jobs here at home and we are seeing, because of that, a whole range of policies—whether it is the advanced manufacturing tax cut I offered in the Recovery Act, that allows a 30-percent writeoff for clean energy manufacturing jobs, or whether it is the retooling loans we put in place to be able to help retool plants to be able to modernize in the name of advanced manufacturing. It is bringing jobs back.

We put in place some initial actions that are making a difference and we are now seeing every month that manufacturing is having an uptick. It has been one of the only areas where pretty much every month we have begun to see a slow return. We are beginning to see some of these jobs come back as a result. Our companies are doing the calculations, finding out that bringing jobs home makes good business sense. It is time our Tax Code stops standing in the way and actually has caught up with what many businesses are doing.

Ford Motor Company brought jobs back from Mexico to support advanced vehicle manufacturing at their newly retooled Wayne Assembly Plant in Wayne, MI. Chrysler is growing and expanding their operations here in the United States, investing—95 percent I believe is the last number which I heard of their investments are being done in America. We are proud to have

them investing in Detroit and in Michigan. Last week we saw a report that GM is about to go on a ''hiring binge.'' I love this, I love anything called a hiring binge, as they bring almost all of their information technology needs back in-house, and to America.

We have a great company in Detroit—actually from New Jersey, now in Detroit—Galaxy Solutions, that has an ''outsource to Detroit'' effort going on to bring IT back from places such as India and Brazil and China. We have on the side of one of our largest buildings this great sign that says ''outsource to Detroit.'' If we are going to outsource somewhere, let's outsource to our American cities. We love the fact that they are part of the effort to rebuild and refocus on Detroit.

We have companies that want to invest in America. We have stories about GE coming back. We have stories in every State of companies that are bringing jobs back to America. We have men and women who want to work. We have companies that are looking at bringing jobs back. CNBC called it ''the stuff that dreams are made of.''

I think going forward the great economic resurgence for us is involved in advanced manufacturing, making things in America and bringing our jobs back to America. It is more than time. It is what our workers are dreaming of. We are proud in Michigan of our workforce, these folks who know how to work, they want to work, they work hard every day. I have to say that efforts such as ''outsource to Detroit'' are giving them a new chance to do that, as well as the other efforts that are going on around Michigan.

There are so many opportunities right here in America. We have the great new ideas. We have the ingenuity and the innovation. We have to make sure we have the right policies to make it happen, that we are not doing anything in our Tax Code that encourages jobs to go overseas; that we do everything possible to support efforts to bring them back and then to reinvest and to expand upon research, development, innovation, retooling the plants we have, reinvesting in communities, reinvesting in our cities, and focusing on a strategy of American jobs. That is what everyone wants us to be doing.

There is a great place to start and that is with our Tax Code so that it catches up with what leading-edge business leaders already know. American businesses, American workers can compete with anybody in the world if we have a level playing field and we give them a chance to do it.

This is a moment, I believe, for us to indicate very strongly to everybody in the country that we get it and that we are not going to allow the Tax Code to continue to create a situation where if someone wants to close up shop and move overseas they can get a tax writeoff as a result. That makes absolutely no sense. I cannot imagine any other country in the world allowing that to happen.

When I think about places such as China, where at this point they say: Come on over, we will build the plant for you. Forget about a retooling loan; we will build the plant for you. Of course, then we will steal their patents, and there are a lot other challenges, but: Come on over and we will build the plant for you. The last numbers I saw showed that China was spending $288 million a day—probably more now—on clean energy policies and manufacturing, and new cutting-edge efforts to try to compete and beat us in an area we should own.

Between our universities and our businesses and our great workforce we ought to completely own these technologies. I am very proud to say that Michigan is now No. 1 in new clean energy patents. We were proud to open, last Friday, the first U.S. Patent Office outside of Washington, DC, in Detroit, MI, as a result of that. There are great ideas happening all over this country right now, innovators—frankly, people who have lost their jobs and they are now back in their garage or basement or the extra bedroom, with new ideas. We want to create businesses to support their creation of businesses by incentivizing them, not having a Tax Code that incentivizes somebody to move overseas.

This legislation I think is pretty simple. It is about bringing jobs home to America. We are going to stop writing off the costs, allowing that business to be subsidized by all of us, including the people they lay off, in order to move overseas. Instead, we are going to say no, if you move overseas you are on your own. But if you want to come back we are happy to allow you a business deduction for those moving expenses and we will add another 20 percent toward the costs of your expenses on top of it. That is what we should be doing. That is smart tax policy. It is common sense. It is one step in a series of things we need to do in order to be able to bring jobs home and make things in America again. I hope we will see an overwhelmingly positive, bipartisan vote on this bill. It would send a wonderful message that we can work together.

We worked together not long ago to pass a farm bill with a strong bipartisan vote because we need to make and grow products in America. That is how we make an economy; that is how we have a middle class. We came together, and I am very appreciative of everyone coming together and working with me and Senator ROBERTS to get that done. This is another opportunity. It is another way for us to come together and say: We get it. We understand what is going on in the country.

Let's work together and get the job done. I strongly urge colleagues to come together and pass the Bring Jobs Home Act.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

TAX REFORM

Mr. HOEVEN. Madam President, I rise to speak about progrowth tax reform. One week ago Monday, President Obama proposed to raise taxes on over 1 million small businesses in this country. Even though he said in the past that we cannot raise taxes in a recession and that higher taxes will hurt our economy and hurt job creation, he proposed raising taxes on more than 1 million small businesses across this country.

Last week I came to the floor to talk about why that is not the right approach and to discuss the approach we should take, the right approach. I pointed out that his approach—the administration's approach—has made our economy worse since he took office.

Here are the facts, and they speak for themselves. Today we have 8.2 percent unemployment. We have had over 8 percent unemployment for 41 straight weeks. We have more than 13 million people who are out of work and another 10 million people who are underemployed. That is 23 million people who are either unemployed or underemployed. Middle-class income has declined from an average of $55,000 down to $50,000 since the President took office. Food stamp usage is up. There were 32 million food stamp recipients at the beginning of the Obama administration; today there are 46 million recipients. We have gone from 32 million people on food stamps to 46 million people on food stamps. Home values have dropped from an average of $169,000 to an average of about $148,000.

Let's talk about economic growth. GDP growth is the weakest for any recovery since World War II. In the last quarter, the rate of growth was 1.9 percent over the prior quarter. There were 82,000 jobs created in the month of June. We need 150,000 jobs gained each month just to keep up with population growth and to reduce the unemployment rolls.

Those are some of the statistics.

When I spoke on the Senate floor last week, I also read a letter from one of my constituents back home who is a small business owner. He owns an Ace Hardware store. In his letter, he stated very clearly and very eloquently that the President's approach with small business is hurting our economy. I am not going to read the full letter, but I do want to read a couple of lines from his letter.

His letter states:

The president's programs not only limit my company's potential to grow, but they destroy any incentive to work and hire more people. I just don't know if he doesn't understand what he's doing, or just doesn't care.

I am taking that right out of a small businessperson's letter. Keep that last line in mind for just a minute.

I just don't know if he—

President Obama—

doesn't understand what he's doing, or just doesn't care.

I referenced that because the President gave a speech last Friday in Roanoke, VA. In his speech, he followed up on his plan to raise taxes on small businesses. I am going to read right from the President's speech. I think it gives insight as to his view of small business and how our economy works.

He said:

There are a lot of wealthy, successful Americans who agree with me—because they want to give something back. They know they didn't—look, if you've been successful, you didn't get there on your own. You didn't get there on your own. I'm always struck by people who think, well, it must be because I was just so smart. There are a lot of smart people out there. It must be because I worked harder than everybody else. Let me tell you something—there are a whole bunch of hardworking people out there.

If you were successful, somebody along the line gave you some help. There was a great teacher somewhere in your life. Somebody helped to create this unbelievable American system that we have that allowed you to thrive. Somebody invested in roads and bridges. If you've got a business—you didn't build that. Somebody else made that happen. The Internet didn't get invented on its own. Government research created the Internet so that all the companies could make money off the Internet.

So that is right out of the President's speech in Roanoke, VA, last Friday. I think these comments provide real insight into President Obama's view of our economy and the role of small business in our economy. He says we have all had help in our lives, and that is certainly true. There is no question about that, and I don't think anyone disputes that.

He makes it clear that he believes government, not small business, is the driver of our economy. He says it is government that paves our roads and invented the Internet. In essence, it is government that made successful people successful and government that makes our economy go.

That is just not right. It is small business that makes our economy go. It is small business that made our economy the envy of the world. It is small business that serves as the backbone of our economy, that employs our people, that generates tax revenue to build our roads, creates innovation like the Internet, and that provides Americans with the highest standard of living in the world. Small business is the engine that drives our economy, and we need to get it going. We don't do that by raising taxes and growing government. Clearly, that is not the way to go.

The President says everyone needs to pay their fair share. Well, of course everyone needs to pay their fair share, but the way to ensure that gets accomplished is with comprehensive progrowth tax reform and closing loopholes. Let's extend the current tax rates for 1 year, and let's set up a process to pass comprehensive progrowth tax reform that lowers rates, closes loopholes, that is fair, that is simpler, and that will generate revenue to reduce our deficit and our debt through economic growth rather than through higher taxes. The reality is that is the only way to go—along with reducing government spending—that will get our debt and deficit under control and get our people back to work. To be successful, this effort needs to be bipartisan, and the clock is ticking.

So let's get started. Let's give small business in this country the legal, tax, and regulatory certainty to encourage private investment and innovation. That is the American way. That is the real American success story. We can do it, and we need to make it happen now.

Thank you, Madam President, and I yield the floor. I would also suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa.

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

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

FDA INVESTIGATION

Mr. GRASSLEY. Madam President, I come to the floor to address my colleagues about a Federal agency that has forgotten that this Federal agency is supposed to be working for the American people. This is an agency that has gotten too big for its britches. Some of the officials have forgotten who pays their salary.

The Food and Drug Administration is supposed to protect the American people, except lately the only thing the FDA bureaucrats seem to have any interest in is protecting themselves. According to whistleblowers and published reports in the Washington Post and in the New York Times, the agency in charge of safeguarding the American public and providing for the public safety has trampled on the privacy of its very own employees. The FDA mounted an aggressive campaign against employees who would dare to question its actions and created what the New York Times termed an ''enemies list'' of people it considered dangerous. It kind of reminds us of President Nixon and the IRS going after enemies.

The Food and Drug Administration has been spying on this enemies list. The FDA has been spying on the personal e-mails of these employees and everybody these employees contacted. That includes their protected communications even with those of us in Congress.

We would not have known the extent of the spying if internal FDA documents about it had not been released on the Internet, apparently just by accident. We would not have known how the FDA intentionally targeted and captured confidential, personal e-mails between the whistleblowers, their lawyers, and those of us in Congress.

In these internal documents, the FDA never wanted the public to see that it referred to whistleblowers as ''collaborators.'' FDA refers to congressional staff as ''ancillary actors.'' FDA refers to newspaper reporters as ''media outlet actors.'' These memos make the FDA sound more like the East German Stasi than a consumer protection agency in a free country.

At the beginning of Commissioner Hamburg's term, she said whistleblowers exposed critical issues within the FDA. That seems to be a very approving comment. She vowed to create a culture that values whistleblowers. That appears to be a very approving statement. In fact, in 2009 she said: ''I think whistleblowers serve an important role.''

I wanted to believe Commissioner Hamburg when she testified before the Senate committee during her confirmation. I wanted to believe her when she said she would protect whistleblowers at the Food and Drug Administration. However, the facts now appear very different.

In this case, the FDA invaded the privacy of multiple whistleblowers. It hacked into the private e-mail accounts and used sophisticated keystroke logging software to monitor their every move online.

When an FDA supervisor was placed under oath in the course of an equal employment opportunity complaint, that employee—that supervisor—testified that the FDA was conducting ''routine security monitoring.'' That is entirely false. This monitoring was anything but routine. It specifically targeted five whistleblowers. It intentionally captured their private e-mails to attorneys, to Members of Congress, and to the Office of Special Counsel. The internal documents showed that this was a unique, highly sophisticated, and highly specialized operation.

According to the Office of the Inspector General, the Food and Drug Administration had no evidence of any criminal wrongdoing by these whistleblowers. This massive campaign of spying was not just an invasion of privacy; it was specifically designed to intercept communications that are protected by law. The Office of Special

Counsel is an agency created by Congress to receive whistleblower complaints and to protect whistleblowers from retaliation. The law protects communications with the special counsel as a way to encourage whistleblowers to report waste, fraud, abuse, mismanagement, and threats to the public safety, and to do that reporting without fear of retaliation. The FDA knew that contacts between whistleblowers and the Office of Special Counsel are privileged and confidential, but the James Bond wannabes at the FDA just didn't seem to care what the law said.

In the end, the self-appointed spies turned out to be more like the bumbling Maxwell Smart. Along with their own internal memos about spying, the fruits of their labor were also accidentally posted on the Internet. It is tens of thousands of pages of e-mails and pictures of the whistleblower computer screens containing some of the very same information the FDA bureaucrats were so keen to keep secret.

When I started asking questions about this, FDA officials seemed to suffer from a sudden bout of collective amnesia. It took them more than 6 months to answer a letter from last January starting my investigation of this issue. When I pushed for a reply during those 6 months, FDA told my staff that the response would take time to make sure it was accurate and complete.

When I finally got the response on Friday, it doesn't even answer the simplest of questions, such as who authorized this targeted spy ring, and isn't it a coincidence that just Friday, before the New York Times article was going to come out, they finally answered a letter going way back to my questions of January. Worse than that, though, it is misleading in its denials about intentionally intercepting communications with Congress.

When I asked them why they couldn't just answer some simple questions, they told my staff that the response was under review by the ''appropriate officials in the Administration.'' The nonanswers and the doublespeak would have fit right into some George Orwell novel.

Of course, when my staff dug deeper and asked if the response was being reviewed by the Office of Management and Budget, the Food and Drug Administration responded: No, it wasn't being reviewed by OMB.

FDA refused to identify who within the administration was holding up the FDA's response to my letter. Now, that is in an administration that said on January 20, 2009, they are going to be the most transparent in the history of this country. FDA refused to say how long it had been sitting on that person's desk or why it had been approved by the political officials outside the FDA. Who is this shadowy figure conducting some secret review of the FDA's responses to this Senator's questions? Why was there all of a sudden interest in exerting political control over the correspondence of this supposedly independent Federal agency? And when we use the words ''independent Federal agency'' around here, we mean not subject to political control.

We need answers, and we need answers now. I have been demanding answers for 6 months. For the past 6 months, FDA has been telling me to just be patient. The FDA has been telling me they have a good story to tell—and those are their words, ''a good story to tell.''

Apparently, though, there is someone in this administration—President Obama's administration—who didn't want them to say anything for as long as they could possibly get away with not saying anything. I finally got Commissioner Hamburg on the phone in June of this year. Commissioner Hamburg personally assured me the FDA was going to fully cooperate with my investigation. Yet the FDA has provided me with nothing but misleading and incomplete responses.

The FDA has failed to measure up to Commissioner Hamburg's pledge of cooperation. The FDA buried its head in the sand in hopes I would lose interest and go away. They don't know me very well. That is not going to happen.

I don't care who is in charge of the executive branch—Republican or Democrat—I am going to continue demanding answers. When government bureaucrats obstruct and intercept my communications with protected whistleblowers, I am not going to stop. When government bureaucrats stonewall for months on end, I will not stop. When government bureaucrats try and muddy the waters and mislead, I will not stop. I intend to get to the bottom of it.

I will continue to press the FDA until we know who authorized spying. Can my colleagues imagine spying in American government, a transparent government—supposed to be transparent—spying on whistleblowers who are protected by law and who have a special office set up to protect them, and spying on communications between a lawyer and their client?

Someone within the FDA specifically authorized spying on private communications with my own office and with several other Members of Congress. Someone at FDA specifically authorized spying on private communications with Congressman VAN HOLLEN's office. Someone at FDA specifically authorized spying on private communications with the staff of the Senate Special Committee on Aging. Someone at FDA specifically authorized spying on private communications with the lawyers for whistleblowers, and those lawyers are called the Office of Special Counsel.

These whistleblowers thought the FDA was approving drugs and treatment it shouldn't. These whistleblowers thought the FDA was caving to pressure from the companies who were applying for FDA approval. They have a right to express those concerns without any fear of retaliation whatsoever, if the law is going to be followed—the law protecting whistleblowers. But after doing so, two of these whistleblowers were fired, two more were forced to leave FDA, and five of them were subjected to an intense spying campaign.

Senior FDA officials may have broken the law. They authorized the capturing of personal e-mail passwords through keystroke logging software. That potentially allowed them to log in to the whistleblower's personal e-mail accounts and access e-mails that were never even accessed from a work computer. Without a subpoena or warrant, that would be a criminal violation.

After 6 months, FDA finally denied that occurred. However, that denial was based on the word of one unnamed information technology employee involved in the monitoring. We need a more thorough investigation than that.

I have asked the FDA to make that person and several other witnesses available for interviews with my staff. We will see how cooperative FDA plans to be now. I will continue to press the FDA to open every window and every door. Eventually enough sunlight on this agency will cleanse it.

FDA gets paid to protect the public, not to keep us in the dark. Secret monitoring programs, spying on Congress, and retaliating against whistleblowers—this is a sad commentary on the state of affairs at the FDA.

I know there are hard-working and principled rank-and-file employees at the FDA who care very much about their mission to protect the American public from harm. Unfortunately, all too often those rank-and-file employees are unfairly tarnished by others, such as those involved in this spy ring.

This is a sad commentary on President Obama's promise to the American people that this would be the most transparent administration in history. The American people cannot lose faith in the FDA. Unfortunately, after this debacle, some of that faith may deteriorate. The FDA has a lot of work to do to restore the public's trust.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE ECONOMY

Mr. HATCH. Madam President, the American people are struggling. Our

economy is barely keeping its head above water. Millions of citizens remain out of work. President Obama has spent trillions in taxpayer dollars, and there is nothing to show for it. He talks about investments—investments in infrastructure, in roads, and in bridges—while he has spent trillions. Where are the roads? Where are the bridges? Where is the new electrical grid?

This reckless spending is a sin of commission. But the administration's sins of omission are perhaps worse.

With businesses and families lacking any certainty at all about their tax rates next year, the President and his liberal allies have, nonetheless, steadfastly refused an extension of the 2001 and 2003 tax relief.

Even worse, they are so committed to raising taxes on small businesses—the same small businesses that must be cultivated to get our economy and job growth moving again—that he and his Democratic allies in the Senate have put their feet down and are denying tax relief to anyone unless they get their way on tax increases.

And make no mistake about it, increasing taxes is what they intend to do. They intend to do it so they can spend more. They live to raise taxes. It is almost as though their only source of pleasure is hiking taxes. Taking money out of the private sector and controlling it for their liberal agenda is like some power trip for the left.

And do not fall for that red herring fiscal responsibility argument advanced by my friends on the other side. If you look at comparable policy between the Hatch-McConnell amendment and the Democratic leadership's position, they differ by about $41 billion for the policy for 2013. That $41 billion represents 1.1 percent of the spending proposed in the President's budget for 2013. The House budget, rejected by our friends on the other side, would reduce the deficit by restraining spending by $180 billion—more than four times the deficit reduction that would be achieved through the tax hikes insisted upon by the Democrats.

But what does that tax increase mean in terms of harm to the economy?

My friends on the other side of the aisle should consider this: Today, a study commissioned by the National Federation of Independent Business, the S Corporation Association, and the U.S. Chamber of Commerce confirmed again that the President's attempt to stick it to the rich is going to end up skewering small businesses and the families who work for them, or would like to work for them.

This report, published by Ernst & Young—one of the great accounting firms in this country—and authored by Dr. Robert Carroll and Gerald Prante, found that if the President gets his way, the economy will be 1.3 percent smaller than it would be and there would be 710,000 fewer jobs.

Study after study confirms that the President's policies prioritize spreading the wealth around over growing the economy and creating jobs.

The Vice President spoke yesterday about the values of Republicans and the values of Democrats. Naturally, he spoke pejoratively about Republican values. I disagree with him, naturally, on his negative assessment, but I do agree that there is a clear distinction—a clear choice—between the values embraced by Republicans and Democrats.

Republicans want to grow the economy and create jobs so that American families can thrive. However, to judge by their single-minded pursuit of tax increases, President Obama and his liberal allies appear to value a politics of class envy and wealth redistribution. Having Washington bureaucrats manage the economy in the name of wealth equalization is their first priority, regardless of any evidence that this tax policy undercuts economic growth and job creation.

Unfortunately, the President's economic ethic is significantly hampering our economic recovery with disastrous consequences for America's families.

Today, Ben Bernanke, the Chairman of the Federal Reserve, testified before the Senate Banking Committee. As the Senate's Democratic leadership and the President ignore the fiscal cliff, Chairman Bernanke's words are a somber reminder of what we face if we do not address the fiscal cliff.

He testified that the recovery ''could be endangered by the confluence of tax increases and spending reductions that will take effect early next year if no legislative action is taken.'' He stated that the public uncertainty about the resolution of these issues is a negative drag on the economy, and he concluded that addressing this cliff ''earlier rather than later would help reduce uncertainty and boost household and business confidence.''

But instead of addressing these critical economic issues, the Senate spent another day voting on the same doomed piece of partisan legislation. Rather than take on the hard work of addressing the fiscal cliff that our economy is approaching, we spent precious time yesterday debating the DISCLOSE Act. For those who are not aware, this is a bill that had one purpose: to discourage political engagement by President Obama's opponents.

It takes a pretty bad bill to unify the ACLU; that is, the American Civil Liberties Union, and the NRA against it. But the DISCLOSE Act has brought the lion and the lamb together against it.

It is bad enough that we spent all of yesterday debating a bill that has no shot of becoming law. It is even worse that we devoted nearly an entire day today to debating the same bill again. In the meantime, the American people continue to suffer under this weak economy. And to defend their lack of action, the President and his allies have engaged in some revisionist fiscal history.

I want to begin by correcting the record on this revisionist fiscal history. I will follow that with a discussion of the other side's insatiable appetite for taxes and spending.

We have recently been debating whether we should adopt the President's policy to raise taxes on small business. We have also discussed the tax monster that is stalking the American people under the guise of ObamaCare. In both of these debates, we have heard a good deal of fictional accounting.

These accounts share much with other stories we have heard from the other side over the past decade. You hear it from our friends in the majority whenever the Senate discusses spending or tax policy. I have noticed that the arguments boil down to two points.

My friend and colleague, the former chairman and ranking member of the Senate Finance Committee, Senator GRASSLEY, came up with this thumbnail description of this creative historical account:

First, all of the so-called good fiscal history of the 1990s was derived from the partisan tax increases of 1993. That is their argument. And second, all of the supposedly bad fiscal history taking place within the past 10 years is to be blamed on the bipartisan tax relief plans originally enacted during the last administration and continued under the present administration.

You could go one step further and, as a policy premise, refine that thumbnail description to two short sentences. First sentence: Lower taxes are bad. Second sentence: Higher taxes are good.

Not surprisingly, these revisionist historians support higher taxes and higher government spending. Not surprisingly, the revisionists oppose cutting taxes and cutting government spending.

I direct folks to the Senate floor remarks I made on Valentine's Day last year. It is important to reiterate the main point of those remarks. Our friends on the other side assert that raising taxes was the key to a growing economy in the 1990s, and raising taxes could work this magic again.

A quick look at the data from the 1990s shows this assertion can be summarily dismissed.

I have a chart. According to the Clinton administration's Office of Management and Budget or OMB, the impact of the much bragged about tax hike bill of 1993 was minimal. The Clinton administration OMB concluded that the 1993 tax increase accounted for only 13 percent—as you can see, the green bar on the circular chart—the 1993 tax increase accounted for only 13 percent of

deficit reduction between 1990 and 2000. Thirteen percent puts the 1993 tax increase behind other factors, such as defense cuts, other revenue, and interest savings. The data clearly shows that tax increases did not drive the deficit reduction.

As a matter of fact, only 13 percent of the positive fiscal history of the 1990s is due to the 1993 tax increase. That is it—13 percent. It is right here on the green part of the chart.

Well, what about the last decade? The period of 2001 to 2010 saw a lot of deficits. From what you hear from our friends on the other side, those deficits are a direct result of the tax relief that benefited virtually every American taxpayer. Yet CBO data tells us a different story.

On May 12, 2011, CBO released a recap of the changes over the last decade. At the start of 2001, as everyone agrees, CBO projected a surplus of $5.6 trillion. Over the decade, deficits of $6.2 trillion materialized. That is a swing of $11.8 trillion. What did CBO say were the causes?

My friends on the other side might be surprised to learn that the answer is not primarily tax relief. Higher spending accounts for 44 percent of the change. Higher spending, no question about it.

Let me repeat that. Higher spending was the biggest driver of the deficits of the last decade.

Economic and technical changes in the estimates accounted for 28 percent of the change. So all tax relief, including the tax relief passed by Democratic Congresses and tax relief signed into law by President Obama, accounts for 28 percent. The tax relief legislation, much maligned by our friends on the other side, accounts for less than half of the fiscal change attributable to tax relief. Specifically, the bipartisan tax relief bills of 2001 and 2003, including the AMT patches in those bills, accounted for 13.7 percent of the fiscal change of the last decade.

That is not ORRIN HATCH speaking, it is the nonpartisan congressional scorekeeper, CBO.

So how much of the bad fiscal history of the last decade is attributable to tax relief? Twenty-eight percent. That is it. That includes the tax cuts in partisan bills such as the stimulus. If you isolate the bipartisan bills that are the object of sharp criticism from our friends on the other side—the 2001 and 2003 tax cuts—you will find that those bills account for only 13.7 percent of the fiscal change in the last decade.

Abnormally low levels of spending contributed significantly to the surpluses of the 1990s. Abnormally high spending drove the deficits of the past decade. Abnormally high spending is driving our current deficits, and it will drive our future deficits as well.

To my friends on the other side, if we focus instead on hiking taxes way above their historic averages, we are misleading and mistreating the problem. The reason for our previous surpluses was low spending, and the reason for our current deficits is high spending. We cannot tax our way to fiscal health.

I now turn to a second issue that demands a response. It has a corollary of the theme underlying the revisionist fiscal history I have discussed. It is the insatiable appetite for taxes and spending that we see from the President and my friends on the other side.

Last week, President Obama once again called for tax increases in order to fund his so-called progressive vision of government. I am specifically speaking of the President's latest proclamation that the tax relief of 2001 and 2003—tax relief supported by the President and 40 Senate Democrats in 2010—should not be extended for people earning $250,000 or more a year. This was breathlessly reported in some quarters of the fourth estate as if it constituted news. In my opinion, the more proper and accurate response would be to borrow from President Ronald Reagan when he said ''there you go again'' to Jimmy Carter in a 1980 debate.

Perhaps ironically President Reagan was responding to President Carter's comments on a national health insurance proposal. President Reagan was more right than even he knew.

Getting back to taxes and the role of government, President Reagan was essentially making the same point this chart shows, which is liberal logic. No matter what problems face the left, the answer is always the same solution. Health care is too expensive; raise taxes. Spending is out of control; raise taxes. Gas prices are too high; raise taxes. Too many people are unemployed; raise taxes. It is a broken record.

Again, no matter what problem faces the left, the answer is always the same. More taxes are always needed in order to increase the size and scope of the government in people's lives.

The Supreme Court recently affirmed the point of this chart—the liberal solution to rising health care costs and lack of coverage were tax increases.

The propensity of President Obama and his ideological allies to raise taxes is nothing new, and it is widely acknowledged as well. Back in August of 2008, David Leonhardt wrote a piece in the New York Times that quoted then-candidate Obama. It is titled ''Obamanomics,'' and here is what he said:

> If you talk to Warren, he'll tell you his preference is not to meddle in the economy at all—let the market work, however way it's going to work, and just tax the heck out of people at the end and just redistribute it. That way you're not impeding efficiency, and you're achieving equity on the back end.

In order that people may peruse the whole story, I ask unanimous consent that the Internet Web address to Mr. Leonhardt's piece be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 24, 2008]

OBAMANOMICS

(By David Leonhardt)

http://www.nytimes.com/2008/08/24/magazine/24Obamanomics-t.html

Mr. HATCH. For those of us not invited to the local Dairy Queen for a Blizzard with the oracle of Omaha, the Warren cited in this quote is none other than Warren Buffet. He is a friend of mine—you know, the same Buffett from which the Buffett rule or Buffett tax is named.

Setting aside the ridiculous notion that Americans are as oblivious to taxes as cattle are to the purposes of the slaughterhouse they are being led into, this quote very accurately illustrates the liberal attitude toward taxes, which is that they always need to go up.

This chart illustrates government revenue as a percentage of GDP. Look at that. The purple line is total government. The red line is Federal Government. The green line is State and local government. When we combine them, we get the purple line, which is well over 25 percent for most of the time, from 1970 up to 2010.

There are some fluctuations, but over the last 40 years, revenues have been roughly stable. We can see in the past 10 years a dip around the time the so-called Bush tax relief was enacted, followed by a rebound as the tax cuts promoted growth, followed by a dip in revenues as the recession set in. We can see that it came down around 2000, went up a little more, and then came down again.

According to the CBO, as of June 5, 2012, Federal revenues averaged 17.9 percent of GDP over the past 40 years. The same CBO report—the 2012 long-term budget outlook—forecasts that under current law, Federal revenues will be 18.7 percent of GDP next year in 2013 and will be 23.7 percent of GDP in 2037.

Somebody could say that current law is not realistic and some tax provisions that are scheduled to expire will likely be extended. To account for this, CBO has an alternative fiscal scenario which assumes the extension of certain tax policies through 2022.

CBO assumes this would lead to the Federal revenues increasing to 18.5 percent of GDP in 2022, with that level being preserved going forward. We definitely know that President Obama doesn't support the assumptions that are part of CBO's alternative fiscal scenario because earlier this week he called for taxes to increase on hundreds of thousands of small businesses—almost 1 million small businesses and business owners.

The question remains, Why do my friends on the other side think taxes always need to go up? The answer to this question is more complex than I am going to discuss right now, but part of the answer is that taxes need to go up in order to increase the size and scope of government in the lives of all Americans.

Here is another chart that compares State and Federal Government revenues, which we have just examined, with total government spending. We will notice Federal Government spending is the purple line on the top most of the way through except where it intersects with the red line, which is total government revenue. All of a sudden total government revenue goes down, but total spending seems to go up between 2005 and 2010.

We can see that over the past 40 years it looks like spending has been inclined to move up, but only in the past few years does it jump to unprecedented heights. Virtually every action taken by the Obama administration and Democratic Senate leadership has amounted to an increase in the size and scope of government.

The continuing government takeover of health care is just the single most prominent example right now. On all fronts, President Obama's expansion of government is on the march, trampling whatever gets in its way.

The chart behind me is a combination of Federal and State spending. If we are just talking about the Federal Government, in the CBO document I cited earlier, it is projected that debt will eventually reach 200 percent of our economy—that means of the GDP—that health care spending will rise to record levels, and that Medicare and Social Security are on a path to disaster.

Getting back to the chart, the combined State and Federal spending and revenues—the purple line—what I find particularly striking is the large gap between the spending and revenue lines. Once again, as CBO has indicated, that gap is likely to increase to more than twice the size of our whole economy. We are already at 103 percent of GDP.

If I recall correctly, Spain is a little more than half of that—around 70 percent. Yet Spain is considered in real trouble in Europe. Once again, as CBO indicated, that gap is likely to increase to more than twice the size of our whole economy.

Finally, here is a chart of Federal and State government spending as a percentage of GDP. Look at this.

I apologize for being repetitive, but if there is one message that should be taken from my remarks today, it is one that I and others have been making a long time. That message is that the United States doesn't have a tax problem; it has a spending problem.

We keep hearing that Republicans are too beholden to an antitax ideology, and that any resolution of our debt crisis will require that Republicans get with the program and acknowledge the need for increased taxes.

As I have shown, this characterization of our fiscal and political problems is not close to half right. By far, the greatest cause of our fiscal shortcomings is increased spending.

Our increasingly precarious fiscal situation did not arise from a dramatic decrease in taxes but, rather, is being caused by a dramatic increase in Federal spending. There is a continual effort underway to deny this reality but reality it remains.

I have a chart that summarizes the latest tactic being used to convince people that exploding government spending is not the disaster it appears to be, and this is called the rich guy chart. As John Stossel has pointed out, people like free stuff. The problem with free stuff from the government is that nothing is free. To quote John Stossel, ''It's an Uncle Sam scam.'' Stossel was specifically discussing the ability of people to exploit a tax credit for electric vehicles in order to acquire golf carts, but the principle applies to any instance where the government supposedly provides something for nothing. This is where the cartoon of the rich guy behind me comes in. Goodies from the government are a lot less appealing when there is a pricetag involved, and many people would like to decide how they are going to spend their own money. The left's preferred solution to this little quandary is to have someone else foot the bill.

For President Obama, that someone else is, in his words, ''the rich,'' which includes all these small businesses that are formed in subchapter S corporations and other passthrough entities, including partnerships, LLCs, and so forth—small businesses that are vital to our economic recovery.

Unfortunately, that approach is just as realistic as the cartoon I am using to illustrate my point. While many of us may not while away our leisure time down at the club playing whist with monocled robber barons, a lot of us probably know of small businesses in our communities that employ us or our neighbors and provide goods and services that consumers want and our economy demands.

When liberals are talking about this guy in the top hat with the monocle, they are talking about the hard-working small business owner. So when President Obama talks about increasing taxes on the rich, he is talking about increasing taxes on around 940,000 small business owners who are already in the top two tax brackets. A lot of people who would not pay the Obama tax increase work for someone who would be hit by it. What we have seen is that President Obama and his allies want to increase the size of government and, in part, they want to fund this expansion with higher taxes on so-called rich people.

I want to conclude my remarks with a question. If we are getting more government, what are we getting less of? I am going to go back to the chart I displayed earlier of government spending as a percentage of GDP.

This one right here. We can see government spending is going up, but what is going down as a result? What does the area on the top of that chart, which is diminishing, represent? This is a subject that lends itself to prolonged discussion, but for one answer we can get back to Mr. Leonhardt's piece in the New York Times. This is the same piece from August 24, 2008, and contains a quote from then-candidate Obama critiquing his friend Warren's argument.

President Obama said:

> I do think that what the argument may miss is the sense of control that we want individuals to have in determining their own career paths, making their own life choices and so forth. And I also think you want to instill that sense of self-reliance and that what you do will help determine outcomes.

Let me refer to the Obamanomics II chart. If candidate Obama was in the midst of an internal struggle over the appropriate role of government back in 2008, that struggle is over—self-reliance lost and taxing the heck out of people and redistribution won. It runs through the theme of his revisionist fiscal history, and it is the ethic underlying the insatiable appetite my friends on the other side have for taxes and spending.

This, in and of itself, is not anything new for liberals and progressives. Once again, I will quote my friend Ronald Reagan in my response to the President's plan to tax the heck out of people in the name of redistribution: ''There you go again.''

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, one of the foremost threats to our economy is the fiscal cliff. This is an issue my Republican colleagues and I have been talking about for several months now, calling for more transparency in the sequestration that will occur at the end of the year, a replacement of the defense sequester, and actions to prevent a massive tax increase on the American people.

Senate Democrats—who have only recently acknowledged the looming fiscal cliff—are now threatening to go over the cliff unless Republicans agree to increasing taxes on America's small businesses during this difficult economic period.

Think about that. Senate Democrats are willing to put our economy at serious risk and our national security in jeopardy unless Republicans agree to a massive tax increase on America's small businesses.

The headline from a news story in the Washington Post from over the weekend says, ''Democrats Threaten To Go Over Fiscal Cliff If GOP Fails To Raise Taxes.'' They quote, ''Senior Democrats say they are prepared to weather a fiscal event that could plunge the nation back into recession,'' if the New Year arrives without an acceptable compromise—which they have defined to be a major tax increase on small businesses in this country.

Think about the impact of that and what that means to people across this country. We have had now, for the last 3 years, a complete failure in the Senate to produce a budget. We are now faced with this fiscal cliff which consists of the sequestration, the across-the-board cuts that would occur early next year if nothing is done to prevent them, the tax hikes, and we are going to reach the debt limit, all threatening our economy in an already anemic recovery.

It is hard to overstate the magnitude of the tax increases that are going to hit our economy starting next year if we don't act. Over the next 10 years, this tax increase would result in nearly $4.5 trillion in new taxes on American families and entrepreneurs. What does that mean to the average family in this country? The Heritage Foundation recently published a study that estimated the tax increase per tax return in every State. For example, for my State of South Dakota the Heritage Foundation estimates that the average tax increase per tax return would be $3,187 in the year 2013.

I would say to my colleagues on the other side of the aisle, many of whom I think generally believe in Keynesian economics, that the average family in South Dakota could do more to stimulate our economy and create new employment by keeping their $3,187 and spending it as they see fit, not as Washington sees fit to spend it on their behalf.

Taxmageddon is a very apt description that has been applied to this fiscal cliff when you consider the impact of these tax increases not just on individual families but on our entire economy. Until recently we could just speculate about the impact of these tax increases on our fragile economy, but the magnitude of the damage was in dispute. Not anymore. Last month, the Congressional Budget Office gave us the most definitive estimate yet of the impact of the nearly $½ trillion of tax increases that would hit in 2013 when combined with the more than $100 billion of spending cuts that would occur under the sequester I mentioned earlier.

The Congressional Budget Office projects the combination of the massive tax increases and the sequester will result in real GDP growth in calendar year 2013 of only one-half of 1 percent. Think about that, one-half of 1 percent. We are right now growing somewhere—they think—in the range of 1.9 percent or 2 percent this year. But next year, the real GDP growth would amount to only ½ percent. And the picture is even bleaker if you consider that CBO projects that the economy will actually have a decrease in GDP of 1.3 percent in the first half of 2013.

So you have the Congressional Budget Office saying that over the entire year of 2013, the likelihood is we will grow at one-half a percentage point if we don't address the fiscal cliff. But in the first half of next year, we actually see a decrease of 1.3 percent of economic growth. According to CBO, a reduction of 1.3 percent of economic growth in the first half of next year would ''probably be judged to be a recession.'' That is according to the Congressional Budget Office, which is the nonpartisan authoritative referee we use to evaluate the impact of the spending and debt tax issues.

This morning, the Chairman of the Federal Reserve Board of Governors, Ben Bernanke, testified before the Senate Banking Committee, and he said:

> Fiscal decisions should take into account the fragility of the recovery. That recovery could be endangered by the confluence of tax increases and spending reductions that will take effect early next year if no legislative action is taken. The Congressional Budget Office has estimated that if the full range of tax increases and spending cuts were allowed to take effect—a scenario widely referred to as the fiscal cliff—a shallow recession would occur early next year. . . .

That is according to the Chairman of the Federal Reserve Board of Governors Ben Bernanke in his testimony as recently as this morning. He talked about a shallow recession occurring next year and the endangerment of the recovery that is under way if we have this confluence of events happen at the end of the year.

He went on to say:

> These estimates do not incorporate the additional negative effects likely to result from public uncertainty about how these matters will be resolved.

In other words, the economic uncertainty that is associated with all these things happening at the end of the year are impacting the economy today as people are looking at how they are going to make investment decisions, and that our economy is likely to experience negative effects from that public uncertainty above and beyond the direct impacts that CBO has incorporated into its analysis.

So let's be very clear about what the fiscal cliff means. We are not talking about a slight slowdown of a few tenths of a percent. What we are facing is the difference between positive growth on the one hand—which will mean more jobs and higher incomes—and a potential recession on the other hand. We can, and must, provide Americans some certainty as to what their taxes are going to be next year.

The House of Representatives has already agreed to hold a vote to extend all of the existing tax rates before the August recess in order to avert the fiscal cliff. They are going to act on this sometime before we go out in August to extend all of the rates before the end of the year so there is certainty for those who are making economic decisions.

Unfortunately, thus far the Senate and the Senate Democratic leadership has only agreed to hold a vote on a plan to raise taxes on nearly 1 million small businesses. This tax increase on individuals earning more than $200,000 a year and families making more than $250,000 a year will raise taxes on more than half of all income in America earned by S corporations, sole proprietorships, LLCs, partnerships, and other passthrough businesses that pay their taxes at the individual rates.

A point of clarification: That applies to a lot of mom-and-pop businesses in this country. We are talking about that restaurant owner, that electrician, many of whom are organized in the fashion in which their income flows through their individual tax return and they pay at the individual tax rate. The Joint Committee on Taxation has estimated that the number of businesses that would be impacted by that is 940,000. So almost 1 million small businesses would see their taxes go up as a result of the fiscal cliff and tax rates expiring at the end of the year for those individuals who are making more than $200,000 and families making more than $250,000 a year.

According to the National Federation of Independent Business, the small businesses most likely to be hit by the Democratic tax increase employ 25 percent of the total workforce. So we are talking not just about the small businesses that are going to be faced with higher taxes, but we are also talking about a huge portion of the American workforce in this country. Twenty-five percent of the employees in this country work for those small businesses that, according to the Joint Committee on Taxation, will see their taxes go up as a result of the President's proposal.

We essentially have in front of us three choices:

We can let all the tax rates expire, which we know is going to plunge our economy back into a recession; we can do what our Democratic colleagues want to do, which is to raise taxes on successful small businesses and entrepreneurs, slowing our economy even further and risking—according to the Congressional Budget Office and the Chairman of the Federal Reserve

Board—a recession; or, we could do what the House of Representatives will soon pass and what I would suggest, and that is we can prevent a tax increase from hitting anyone and give the lackluster economic recovery at least a chance to gain some steam.

That is what we ought to do. We ought to do what the House of Representatives is going to do, and that is to extend the rates for a year so that people in this country have some certainty as to what their tax rate is going to be at the end of the year.

I hope my colleagues here in the Senate—and the Senate Democrats in particular—will realize the severity of the fiscal cliff, and come to the table to prevent this massive tax increase and the unbalanced and troubling cuts that will occur to our national security if we don't take steps to avert this fiscal cliff.

We have to prevent the dangerous cuts to our national defense that are scheduled to go into effect under sequestration by finding savings elsewhere in the budget. In order to do that, we need a detailed plan from the administration as to how they plan to implement the sequester.

Members of Congress on both sides of the aisle have called for more transparency on the sequester from this administration, but they have so far failed to produce a plan. That is simply unacceptable. I will continue to work to see that a requirement be enacted so the administration will finally be transparent with the American people and give all Members of Congress a clear idea as to where the cuts are going to be applied.

Our economy is weak. We know that growth in the first quarter was a mere 1.9 percent. Expectations for the second quarter have been downgraded. We have witnessed now for 41 straight months unemployment above 8 percent. We have 23 million Americans who are either unemployed or underemployed and 5.4 million Americans who have been unemployed for a long period of time.

We have a weak economy. The amazing thing about this debate is that 2 years ago the President of the United States said that raising taxes would strike a blow to the economy. That was at a time when we had 3.1 percent economic growth. We now have, as I said, according to the estimates, 1.9 percent economic growth for the first quarter of this year, and expectations for the second quarter have already been downgraded. So with 41 straight months of unemployment above 8 percent, 23 million Americans underemployed or unemployed, and the weakest recovery literally since the end of World War II, now is not the time to raise taxes.

Who in their right mind would think it would make any sense at all to raise taxes when you have an economy that is growing at such an anemic rate, particularly given the fact that 2 years ago, when we had more robust economic growth, the President said at that time that it would strike a blow to our economy if we raised taxes. Here we are with economic conditions that are much worse, circumstances that have deteriorated since then, and he is proposing a tax increase on 1 million small businesses that will have a ripple effect all across our economy and hurt job creation at a time we cannot afford that.

There was another study, an analysis that came out today done by Ernst & Young in which they analyzed the tax hikes that would occur on small business next year and came to the conclusion that it would cost 700,000 jobs in our economy, that it would cost us 1.3 percent of economic growth—which is again consistent with what the Congressional Budget Office has said—and that it would reduce wages to people in this country by 2 percent.

So you now have the Ernst & Young study out there which suggests that not only does this impact the small businesses out there that are going to see their taxes go up, but it puts at risk and in jeopardy jobs for hard-working Americans and a wage base that would actually shrink if, in fact, we drive the car over this fiscal cliff.

We cannot afford to do that. It is irresponsible to have people out there saying that they are so anxious to prove some point or to win some argument on raising taxes that they are willing to see this country run the risk of plunging into a recession and raising the number of people who are unemployed in this country. It really is.

I have to say that when I saw some of the remarks and some of these stories and some of the reporting about statements that are being made by our colleagues on the other side and Members of their staff with regard to the fiscal cliff and the willingness on the part of many of our colleagues to suggest that this country could go through and endure even more difficult economic times than what we are already experiencing, even higher unemployment than what we are already seeing, it was really pretty remarkable and truly unfortunate.

I hope folks will walk back from that position, walk back from those remarks, and enter into a discussion about how we might be able to provide the necessary economic certainty for our job creators and our small businesses, how we can get people back to work, how we can grow and expand this economy.

Frankly, extending the tax rate should only be the first part, the short-term solution. The long-term solution is to get tax reform, comprehensive tax reform. People on both sides of the aisle agree with that. If we could enter into a discussion about how we could reform our Tax Code in such a way that it broadens the tax base, lowers the rates, does away with loopholes and deductions, coupled with entitlement reform—that we all agree has to be dealt with or we are going to continue to see the country on a fiscal trajectory that is completely unsustainable over time, is going to lead to the situation we see many European countries dealing with today—that is what we ought to be focused on.

We ought to be providing certainty to our businesses, extending rates at least for now until such time hopefully next year when we all agree we need to sit down and solve this tax mess we have in this country, this Tax Code that has become way too complicated, and come up with something that is more simple, more clear, more fair, and something that makes us more competitive in the global marketplace. Right now, we are losing to a lot of countries around the world simply because we have a tax code that makes American businesses noncompetitive in the international marketplace.

Tax reform, entitlement reform, a comprehensive energy policy, regulatory reform—it is not that hard to fix this if we have the will, the political will to do it. But we cannot start by saying to small businesses in this country that we are going to raise your taxes next year, run the risk of plunging the country into a recession and increasing the number of people in this country who are unemployed.

That is the exact wrong prescription. We ought to be providing certainty, extending the rates, and getting into a discussion and hopefully action on legislation that would reform the American Tax Code to make us more competitive in the world, do away with the costly, overreaching, excessive, and burdensome regulations that are making it more difficult and more expensive to do business in this country; an energy plan that makes sense, that relies upon American sources of energy; and a spending plan, a budget—something the Senate has not done now for 3 years, an actual budget. Lo and behold, go figure that we could actually do a budget in this country that puts us on a more sustainable fiscal path by reforming entitlement programs, that will actually save Social Security and Medicare for future generations of Americans. That is the long-term prescription for what ails America. But certainly in the short term it makes matters much, much worse when we talk about piling a tax increase on the very people we are looking to, to create jobs and get this economy back on track.

I hope this Congress will come to its senses about this and that we will vote down any proposal that would raise taxes on hard-working small businesses and entrepreneurs in this country and instead give them the certainty they

need for the months ahead, until such time as we can deal with the issue of tax reform.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

THE DREAM ACT

Mr. DURBIN. Mr. President, 11 years ago I introduced the DREAM Act to allow a select group of immigrant students with great potential to contribute more fully to America. The DREAM Act said that in order to qualify, they had to earn their way to a legal status and they had to have come to the United States as children, be long-term U.S. residents, have good moral character, graduate from high school, and agree to serve in our military or at least complete 2 years of college.

These young people literally came to the United States as infants and children. They grew up in this country. They went to school with our kids. They are the valedictorians, the athletes, and even the ROTC leaders in schools across America. They did not make the decision to come here; they were just kids. Their parents made the decision. As Homeland Security Secretary Janet Napolitano said, immigrants who were brought here illegally as children ''lacked the intent to violate the law.'' It is not the American way anyway to punish children for the wrongdoing of their parents.

I am going to continue to work on this DREAM Act. It has been 11 years. I will work on it as long as I have to to get it done; it is that important. But the young people who are eligible, who would be eligible for it, cannot wait any longer. Many have already been deported to countries they never remembered and with languages they do not speak. There are still some at the risk of deportation.

That is why the Obama administration decision a few weeks ago to stop the deportation of young people who would be eligible for the DREAM Act was the right thing to do. The administration says we will allow these immigrant students to apply for a form of relief known as deferred action that puts their deportations on hold and allows them, on a temporary renewable basis to live and work legally in America. I strongly, strongly support this decision. I think it was a humane decision by the President of the United States on behalf of these young people.

When the history of the civil rights era we have lived through since the 1960s is written, this will be an important chapter. The administration's deportation policy has strong bipartisan support. It was 2 years ago that Republican Senator RICHARD LUGAR of Indiana joined me in a letter to the President asking me to do this. Last year, Senator LUGAR joined me, along with 22 other Senators, to sign a letter to the President asking the same thing, and what do the American people think about President Obama's decision on the DREAM Act students? It turns out that 64 percent of likely voters—including 66 percent of Independents—support the policy, compared to 30 percent who oppose it.

Earlier, my colleague and friend from Iowa Senator GRASSLEY gave a speech on the Senate floor about this decision by the President. At one point in time, Senator GRASSLEY was a cosponsor of the DREAM Act. We wouldn't know it from his speech today. He has changed his position on this bill just like so many other Republicans. Let me take a few minutes to respond to his specific points.

He claimed the President's policy to not deport the DREAM Act students is going to hurt the American economy. I couldn't disagree more. Granting deferred action of DREAM Act students will make us a stronger country giving these talented immigrants a chance to be part of America and its future.

Studies have found DREAM Act students can contribute literally trillions of dollars to the U.S. economy given a chance to be a part of it. We are not talking about importing new foreign workers into the United States to compete with Americans, we are talking about taking young people who are educated in our schools at our expense, trained and ready to give something to America and giving them a chance. They are going to be tomorrow's doctors, engineers, teachers, and nurses. We shouldn't squander their talents and all the years we invested in educating them by deporting them at this important point in their lives.

Senator GRASSLEY said President Obama ''circumvented Congress to significantly change the law all by himself.'' With all due respect, I don't think that is how it happened. The Obama administration's new deportation policy is lawful and appropriate. Throughout history, all governments—and our Federal Government—have had to decide whom to prosecute and not to prosecute. It is called prosecutorial discretion. It is based on law enforcement priorities and resources. Every administration, Democratic and Republican, has stopped deportations of low-priority cases, as they should.

Just last month, the Supreme Court reaffirmed that the Federal Government has broad authority to decide whom to deport. Justice Anthony Kennedy, appointed by George H.W. Bush, wrote the opinion for the Court. This is what he said:

> A principal feature of the removal system is the broad discretion exercised by immigration officials . . . Discretion in the enforcement of immigration law embraces immediate human concerns. Unauthorized workers trying to support their families, for example, likely pose less danger than alien smugglers or aliens who commit a serious crime.

The administration's policy is not just legal, it is realistic and smart. Today there are millions of undocumented immigrants in the United States. It is physically and literally impossible to deport them. So the Department of Homeland Security has to decide priorities. Shouldn't the highest priority be to deport those who are most dangerous to the United States? I think even the Senator from Iowa would have to concede that point. The Obama administration has made that its priority.

Senator GRASSLEY calls the administration's deportation policy an amnesty. That is not right. The DREAM Act students will not receive permanent legal status or citizenship under the President's policy. They have temporary renewable legal status. It is temporary renewable legal status.

During his speech, Senator GRASSLEY read a quote from an interview the President gave last year to support his claim that the President had changed his position on the DREAM Act, but he only read part of the quote. Here is what Senator GRASSLEY read:

> This notion that somehow I can just change the law unilaterally is just not true . . . the fact of the matter is there are laws on the books that I have to enforce. And I think there's been a great disservice done to the cause of getting the DREAM Act passed and getting comprehensive immigration passed by perpetuating the notion that somehow, by myself, I can go and do these things. It's just not true.

That is what Senator GRASSLEY read. Here is the rest of the quote.

> What we can do is prioritize enforcement—since there are limited enforcement resources—and say, we're not going to go chasing after this young man or anybody else who has been acting responsibly, and would otherwise qualify for legal status if the DREAM Act passed.

That is what the President said. I wish Senator GRASSLEY had read that in the RECORD. The President has done what he has the authority to do as our Chief Executive Officer to exercise prosecutorial discretion.

I personally discussed this with Secretary Napolitano. She has assured me that the Department of Homeland Security is going to follow the President's lead but is going to have strict enforcement of fraud. If any young person commits fraud in this process, there will be a price to be paid. Senator GRASSLEY should know that, and he shouldn't question it absent evidence to the contrary.

I might say it is sad we have reached this point that so few Republicans

would stand for these young people. There was a time when Senator HATCH was the lead sponsor in this bill, and I was begging him to cosponsor it. Then it reached a point where he only voted for it, and then it reached a point where he voted against it.

Senator GRASSLEY has voted for this bill in the past too. In 2006, when the Republicans lost control of Congress, the DREAM Act passed the Senate out of an amendment to the comprehensive immigration bill 62 to 36. There were 23 Republicans who voted for it. Unfortunately, the Republican leaders in the House refused to take up that bill in 2006. Republican support for the DREAM Act has diminished over the years. I have to say I noted the lack of volume and firepower in criticizing the President on this DREAM Act decision. I think many of our Republican colleagues realized the American people do support this two to one, and it is the right thing to do.

I am going to do what I have done on 48 other occasions and try to make this DREAM Act discussion more than an abstract conversation. I wish to make sure people understand who is involved in these decision processes.

This is a photograph of Maria Gomez. Her parents brought her from Mexico to Los Angeles when she was 8 years old. She started school in the third grade with English as a second language. By the time she was in sixth grade, 3 years later, she was an honor student.

In middle school, Maria discovered art and architecture. She began her dream of becoming an architect. In high school, Maria was active in community service and extracurricular activities, captain of the school spirit squad, president of the garden club, and a member of the California Scholarship Federation. She graduated 10th in her class with a 3.9-grade point average.

Maria was accepted by every college she applied to. Her dream was to attend UC Berkeley, the only State college in California that offers architecture to undergraduate students, but she couldn't afford it. Maria, and the other DREAM Act students, are not eligible for any Federal assistance to go to school. Instead, she decided to live at home and to attend UCLA. She was a commuter student. She rode the bus to and from UCLA, 2½ hours each way each day.

While she was a full-time student, she worked to clean houses and did babysitting to help pay for tuition. She graduated from UCLA with a major in sociology and a minor in public policy. She was the first member of her family to graduate from college. She was determined to achieve her dream of becoming an architect. She enrolled in the Master of Architecture Program at UCLA. She was the only Latino student in the program. She struggled financially. At the time, she had to eat at the UCLA food bank. Because she couldn't afford housing near the campus, she spent many nights in a sleeping bag on the floor of the school's printing room.

Last year, Maria received her master's degree in architecture and urban design. She said:

> I grew up believing in the American dream and I worked hard to earn my place in the country that nurtured and educated me. . . . Like the thousands of other undocumented students and graduates across America, I am looking for one thing, and one thing only: the opportunity to give back to my community, my state, and the country that is my home, the United States.

I ask my colleagues who are critical of the DREAM Act and President Obama's new policy: Would you prefer that we deport Maria Gomez back to Mexico at this point in her life, a country that she has not lived in since she was a small child? She grew up here. She has overcome amazing odds to become successful. This determined young woman can make America a better nation.

Thanks to President Obama's new policy, Maria is going to be able to work. I hope she will be able to get a license as an architect in her State. A future President could change this policy so Maria's future is still in doubt because we haven't enacted the DREAM Act. Maria is not the only one. There are tens of thousands similar to her.

The DREAM Act would give Maria, and others similar to her, the opportunity to be our future architects, engineers, teachers, doctors, and soldiers.

Today, I again ask my colleagues to support the DREAM Act. The President's new deportation policy is a step in the right direction, but ultimately it is our responsibility. He has done his part. We need to pass this humane and thoughtful bill and give people such as Maria Gomez a chance to make America a better place to live.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein up to 10 minutes each.

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

ADDITIONAL STATEMENTS

RECOGNIZING THOMPSON-MARKWARD HALL

● Mr. CONRAD. Mr. President, I am pleased to honor the 125th Anniversary of Thompson-Markward Hall, which was formerly known as the Young Women's Christian Home. Many young women working as interns or beginning staffers, including many from my office throughout the years, have found a safe place to live and meet friends as they establish their professional careers. The Thompson-Markward Hall, located across from the Hart Senate Office Building on Capitol Hill, provides a valuable service to young women working in Washington and our Congressional community. Its remarkable story is one very much worth sharing.

In 1833, Mrs. Mary G. Wilkinson recognized the need in the District of Columbia for suitable lodging for young ladies of good character and meager means. She vowed that there should someday be a home for young women coming alone to Washington seeking employment, where they could be protected and cared for until they became established in the community. She began what developed into the Young Woman's Christian Home by housing two such young women in her home.

In 1887, the Young Woman's Christian Home was chartered by Congress and incorporated ''to provide a temporary home for young women coming to and being in the District of Columbia, who shall, from any cause, be in want of and willing to accept temporary home, care and assistance . . .'' By 1890, the Home was receiving an annual appropriation of $1,000 from Congress.

Over the years, the Young Woman's Christian Home underwent renovations and changed locations. In 1931, Mrs. Flora Markward Thompson, a devoted Life Member of the Board of Trustees, passed away, leaving instructions for the executors of her estate to establish a suitable memorial to her mother and her husband. The executors decided that the most suitable memorial could be entrusted to the Young Woman's Christian Home. The Home then became known as Thompson-Markward Hall now most commonly known as TMH—to perpetually remember Mrs. Thompson's generous gift.

Despite the many changes throughout the years, the original spirit and mission of the founders and early benefactors remain. Today, TMH continues to be a ''home away from home'' for 120 young women in Washington for work or school.

As TMH celebrates the 125th anniversary of its Congressional charter, its roots are strong and the devotion to its founder's mission remains firm and constant. I ask the United States Senate to join me in congratulating Thompson-Markward Hall on this important milestone.●

CONGRATULATING MASSACHUSETTS GENERAL HOSPITAL

● Mr. KERRY. Mr. President, today I can finally congratulate everyone at Massachusetts General Hospital, MGH, on a special and well-deserved distinction long in the making: MGH has been

named America's Best Hospital by U.S. News & World Report.

I say ''finally'' because I have been patiently keeping my promise not to publicly share the news now these last 6 days since Dr. Slavin called me to pass along the great news in advance. Now he has confirmation that in a Washington, DC, full of leaks, there is at least one U.S. Senator who still knows how to keep a secret.

Today's public announcement confirms what all of us in Massachusetts have always known—that if you need to find first-rate care for a loved one with a serious and complicated condition, then you go to the Massachusetts General Hospital. It comes as no surprise to us that this revered Massachusetts institution would hold the honor of best hospital in the Nation.

Today's announcement is one two centuries in the making. It started with the dream of Rev. John Bartlett, who in 1810 wanted to establish a state-of-the-art medical facility for the physically and mentally ill which would train the Nation's finest doctors. That dream was carried by Drs. James Jackson and John Collins Warren, who advocated in the Massachusetts Legislature for a charter and collected donations as small as 25 cents and as large as $20,000 to make the dream a reality. Finally, in 1821, the institution currently known as Mass General opened its doors to patients and became the first teaching hospital of Harvard Medical School.

Since then, MGH has been providing cutting-edge care to patients from all over the world. It was the home to many firsts: the first public demonstration of surgical anesthesia, the identification of appendicitis, the establishment of the first medical social service, and the first replantation of a severed arm by a surgical team.

But more than firsts, Mass General has provided a place of hope for all those who needed help. It is the employees of MGH who have made this possible from generation to generation. I have seen on my visits to the hospital that it is the people—the nurses, doctors, orderlies, administrators, security guards, and medical students—who make MGH the Nation's best.

I know firsthand of MGH's exceptional work particularly well from two people whose insights mean the world to me: my wife Teresa, who has been a patient at MGH as she was treated for breast cancer, and through my daughter Vanessa, who has made MGH her home as a doctor. Both have shared story after story not just about first-rate care but about deeply caring doctors and nurses and skilled professionals who always put patients first. That is the heart of MGH, and it is no secret that without team members who are constantly looking for the next breakthrough in medicine and a better way to care for patients, tomorrow's innovations would not be possible.

It is even more of a testament to the power of MGH's work that they have become the Nation's best hospital in a State with near universal health coverage. We now have the best health care coverage rate in the Nation with 98.1 percent of residents having health insurance, including 99.8 percent of all children.

We must continue to raise the bar as we implement the Affordable Care Act and provide this guarantee of coverage nationwide. MGH should serve as a model to all hospitals across the country that you can provide universal coverage while still providing the highest quality care to your patients. I know MGH will remain at the top of this list for years to come because they have proven that covering more patients and providing quality outcomes are not mutually exclusive goals.

There is much celebrating to be done in Boston, but there is still much more work to be done to improve the health of all Americans. I am convinced that MGH and our other great institutions in Massachusetts will continue to meet the challenge by setting the standard for delivering the highest quality health care. I congratulate Dr. Peter Slavin, Dr. David Torchiana, and everyone who works at MGH for their efforts in making this hospital the best in the Nation and, I believe, the best in the world.●

REMEMBERING THE LIVES OF HAN BROTHER AND SISTER

● Ms. MURKOWSKI. Mr. President, it is with a heavy heart that I come before you today to share the news of a profound tragedy and loss of two Alaska Native siblings. Isaac Juneby, a military veteran and former Chief of Eagle, a Han Gwich'in Village in Alaska close to the Canadian border, and his sister Ellen Juneby Rada, who died as a result of domestic violence, were both laid to rest and their lives honored and celebrated with a potlatch in Eagle Village, July 11, 2012.

Ellen Florence Juneby Rada, 58 years old, was the mother of two grown sons. She was found beaten, seriously injured and unconscious in a homeless camp in Fairbanks and was transported to the Alaska Native Medical Center for treatment. Ellen was taken off life support on July 2 and passed away on Sunday, July 8.

Isaac Juneby was born on July 9, 1941, in Eagle Village. He had traveled to Anchorage from Eagle to hold vigil at the bedside of his comatose sister and died in an automobile accident on July 1, 2012. Following Isaac's sudden accidental death another Juneby sibling, Adeline Juneby Potts, flew to Anchorage from Minnesota to join her family and due to emotional stress suffered a heart attack and was hospitalized. Fortunately, Adeline is recovering rapidly.

There are no words to describe the grief this family has suffered due to the heartbreaking events that unfolded over such a short period of time. The loss is felt not just by the Juneby family, but by the entire Alaska Native community. Our State may be small in population, but it is large in community spirit. I think I can safely say the entire State of Alaska is touched by this tragedy.

I would like to say a few words about Isaac Juneby, whose loss will have a lasting impact not only to the village of Eagle, but across the entire Native community. Isaac was one of the few remaining speakers of Han, an endangered northern Athabascan language with only about a handful of remaining speakers left in Alaska and the Yukon, a territory of Canada. He was a man that everyone seemed to know and love. Isaac had an almost tangible joy about him that drew people in and endeared him to many. His nickname ''the Senator'' was well earned. Isaac was always quick with a joke and had an infectious smile that made everyone around him happy. But most of all he loved life and his people.

Isaac was incredibly proud of his family and his heritage. He exemplified a man who could easily navigate both worlds: the traditional and the modern. He had an easygoing and friendly manner that won him many lifelong friends, but he also had a disciplined and serious side. Isaac was an accomplished man who earned a bachelor's degree in rural development from the University of Alaska in 1987. He wrote poetry, published books and recorded language lessons in Han Gwich'in Athabascan to preserve the dialect for future generations. Isaac and Sandi, his best friend and wife of 35 years, were planning to move to Fairbanks so Isaac could complete a master's degree in ethnology. He wanted to learn more about the Han.

Over the years Isaac held a number of important positions for Native organizations, the State, and the Federal Government and remained a resident of Eagle Village even through the very challenging times, like during the disaster of 2008, when a major flood devastated the community. Isaac was also instrumental in completing the essential paperwork that helped Eagle Village become the first IRA village in Alaska, one with a federally recognized tribal government.

People will remember Isaac not only for his good humor but for his great strength and determination. Isaac was proud to celebrate over 25 years of sobriety and was known to say that it was God who freed him from alcohol. The Rev. Scott Fisher, pastor at St. Matthew's Episcopal Church got it right when he said ''Isaac was the last of the good guys. There was a strength and a gentleness running through him. He knew what was right and what was

wrong. He was not a cardboard saint. He was real. He had a rock solid core of wisdom in him.''

Isaac's humor and his positive outlook on life served as an inspiration to so many who had the honor and privilege to know him. With the passing of Isaac Juneby, Alaska has lost a beloved Native elder and chief, a father, a culture bearer, a brother, an honored Army veteran, a husband, an inspirational man, an uncle, and a good friend. On this day I ask that we honor the lives of an extraordinary family and remember them during this time of such profound loss.●

COMMISSIONING OF THE USS ''MISSISSIPPI''

● Mr. WICKER. Mr. President, on Saturday, June 2, 2012, I was present at the commissioning of the USS *Mississippi* in Pascagoula, MS. The USS *Mississippi* is a Virginia class submarine, part of the ''next generation'' of attack subs. The submarine was constructed by General Dynamics Electric Boat in Groton, CT, as well as Newport News Shipbuilding, a division of Huntington Ingalls in Newport News, VA.

This is a mighty submarine that bears a mighty proud name. The citizens of the state of Mississippi enthusiastically embrace the fifth Navy vessel in our Republic's history that bears the name USS *Mississippi*. The naming of the submarine as USS *Mississippi* recognizes our State's long-standing tradition of shipbuilding in support of our Nation's defense. It also honors the spirit of the people of Mississippi who have made great strides in recovering from the devastation of Hurricane Katrina.

It is appropriate that this ship was completed a full year ahead of schedule. Mississippians have always been early to step forward in the service of their country. It is a fact that volunteers from our State have always been known to step forward quickly and eagerly to serve their country. So for many the words USS *Mississippi* will stand for patriotism and readiness.

For those who remember Katrina and Deep Water Horizon, the words USS *Mississippi* may mean ''resilience'' or ''quiet resolve.'' Within the ranks of the U.S. Navy, USS *Mississippi* will be associated with the words ''state-of-the-art,'' the best in the world. For them, that is what USS *Mississippi* will mean. And for the Ship's Sponsor Allison Stiller, she will think of the word ''tenacity.'' And no doubt our adversaries, wherever they may be, will hear the words USS *Mississippi* and think ''strength'' and perhaps they will think the word ''freedom.''

Within the borders of this traditional ''Bible Belt'' state, we will think about our Founding Father's reliance on Almighty God. I can assure CPT John McGrath, his Commissioning Crew, and those who will serve on this submarine that you will be prayed for each and every day. These prayers may be a quiet whispered prayer at night or early in the morning or they may be the majestic words of William Whiting, who wrote this hymn:

Eternal Father, strong to save,
Whose arm hath bound the restless wave,
Who bidd'st the mighty ocean deep
Its own appointed limits keep;
Oh, hear us when we cry to Thee,
For those in peril on the sea
Most Holy Spirit! Who didst brood
Upon the chaos dark and rude,
And bid its angry tumult cease,
And give, for wild confusion, peace;
Oh, hear us when we cry to Thee,
For those in peril on the sea!

With apologies to the author and perhaps to those who know this hymn well, I have attempted to pen an extra verse:

From Pascagoula's shores we send
The finest sailors known to men,
Proud *Mississippi*'s name they bear;
Lord, bless and keep them free from care,
Protect them when they call to Thee,
Our sons and daughters now at sea.

Congratulations to Captain McGrath and his Commissioning Crew, God bless the United States, and God bless those who will serve on the USS *Mississippi*.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE FORMER LIBERIAN REGIME OF CHARLES TAYLOR THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13348 ON JULY 22, 2004—PM 56

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the national emergency and related measures dealing with the former Liberian regime of Charles Taylor are to continue in effect beyond July 22, 2012.

Although Liberia has made advances to promote democracy, and the Special Court for Sierra Leone recently convicted Charles Taylor for war crimes and crimes against humanity, the actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, could still challenge Liberia's efforts to strengthen its democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.
THE WHITE HOUSE, *July 17, 2012*.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3393. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 1201. A bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes (Rept. No. 112–187).

S. 1324. A bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes (Rept. No. 112–188).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KOHL (for himself, Mr. COONS, and Mr. WHITEHOUSE):

S. 3389. A bill to modify chapter 90 of title 18, United States Code, to provide Federal jurisdiction for theft of trade secrets; to the Committee on the Judiciary.

By Mr. RUBIO (for himself and Mr. NELSON of Florida):

S. 3390. A bill to direct the Secretary of Agriculture to convey to Miami-Dade County certain Federal land in the State of Florida for the purpose of building a fire station; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR (for herself, Mrs. SHAHEEN, and Mr. BOOZMAN):

S. 3391. A bill to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN of Ohio (for himself, Mr. SANDERS, Mr. HARKIN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. ROCKEFELLER, and Mrs. MCCASKILL):

S. 3392. A bill to amend the Securities Exchange Act of 1934, to require the disclosure of the total number of the domestic and foreign employers of issuers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REID:

S. 3393. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; read the first time.

By Mr. JOHNSON of South Dakota (for himself, Mr. SHELBY, Mr. BROWN of Ohio, Mr. JOHANNS, Mrs. MCCASKILL, Mr. CRAPO, Mr. TESTER, and Mrs. HAGAN):

S. 3394. A bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY:

S. 3395. A bill to amend the Federal Crop Insurance Act to extend certain supplemental agricultural disaster assistance programs; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the names of the Senator from Arizona (Mr. KYL), the Senator from South Dakota (Mr. THUNE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 202

At the request of Mr. PAUL, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 1372

At the request of Mr. REED, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1372, a bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes.

S. 1863

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1863, a bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation.

S. 1872

At the request of Mr. CASEY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1880

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1935

At the request of Mrs. HAGAN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2078

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 2078, a bill to enable Federal and State chartered banks and thrifts to meet the credit needs of the Nation's home builders, and to provide liquidity and ensure stable credit for meeting the Nation's need for new homes.

S. 2173

At the request of Mr. DEMINT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2173, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 2205

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2234

At the request of Mr. BLUMENTHAL, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2234, a bill to prevent human trafficking in government contracting.

S. 2283

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2283, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes.

S. 2347

At the request of Mr. CARDIN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 3085

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3085, a bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3203

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3203, a bill to amend title 10, United States Code, to limit increases in the certain costs of health care services under the health care programs of the Department of Defense, and for other purposes.

S. 3204

At the request of Mr. JOHANNS, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from Massachusetts (Mr. KERRY), the Senator from Delaware (Mr. COONS) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3318

At the request of Mrs. BOXER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 3318, a bill to amend title 38, United States Code, to prohibit the use of the phrases GI Bill and Post-9/11 GI Bill to give a false impression of approval or endorsement by the Department of Veterans Affairs, and for other purposes.

S. 3319

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 3319, a bill to amend the National Trails System Act to revise the route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along the north shore of Lake Superior, in the Superior National Forest, and in the Chippewa National Forest, and for other purposes.

S. 3365

At the request of Mr. KOHL, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 3365, a bill to authorize the Attorney General to award grants to State courts to develop and implement State court interpreter programs.

S. 3369

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3369, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 3372

At the request of Mr. WEBB, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3372, a bill to amend section 704 of title 18, United States Code.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S.J. RES. 43

At the request of Mr. MCCONNELL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S.J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S.J. RES. 47

At the request of Mr. WARNER, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S.J. Res. 47, a joint resolution amending title 36, United States Code, to designate July 26 as United States Intelligence Professionals Day.

S. CON. RES. 48

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Con. Res. 48, a concurrent resolution recognizing 375 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces.

AMENDMENT NO. 2509

At the request of Mr. HATCH, the names of the Senator from Utah (Mr. LEE), the Senator from Kansas (Mr. MORAN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of amendment No. 2509 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2510

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 2510 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL (for himself, Mr. COONS, and Mr. WHITEHOUSE):

S. 3389. A bill to modify chapter 90 of title 18, United States Code, to provide Federal jurisdiction for theft of trade secrets; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today to introduce the Protecting American Trade Secrets and Innovation Act of 2012. This legislation will help American companies protect their valuable trade secrets by giving them the additional option of seeking redress in Federal courts when they are victims of economic espionage or trade secret theft. Stolen trade secrets cost American companies billions of dollars each year and threaten their ability to innovate and compete globally. Our bill ensures that companies have the most effective and efficient ways to combat trade secret theft and recoup their losses, helping them to maintain their global competitive edge.

Today, as much as 80 percent of companies' assets are intangible, the majority of them in the form of trade secrets. This includes everything from financial, business, scientific, technical, economic, or engineering information, to formulas, designs, prototypes, processes, procedures, and codes. Trade secrets are often the lifeblood of a business. If they are stolen and wind up in the hands of competitors, it can wipe out years of research and development and cost millions of dollars in losses. The chief executive of GM recently said that he worries about trade secret theft ''every day.'' This comes as no surprise considering the loss to Ford Motor Company in 2006 when an employee stole 4,000 documents which he took to China and used for the benefit of his new employer Beijing Automotive Company, a competitor to Ford. The damage to Ford was estimated to be between $50 million and $100 million.

In 1996, Congress enacted the Economic Espionage Act, which made economic espionage and trade secret theft a Federal crime. Nearly 15 years later, trade secret theft and economic espionage continue to pose a threat to U.S. companies, yet there is no Federal civil remedy for victims. To complement the criminal enforcement of economic espionage and State trade secret laws, the Protecting American Trade Secrets and Innovation Act would provide another avenue for companies to protect their trade secrets. The bill enables victims of trade secret theft to seek injunctive relief, putting an immediate halt to trade secret misappropriation, and compensation for their losses in Federal court. It will help fill a gap in Federal intellectual property law by providing legal protections for non-patentable, non-copyrightable innovations, on the condition that the owner of the innovation has taken reasonable measures to keep the innovation a secret.

Today, companies that fall victim to economic espionage and trade secret theft often can only bring civil actions in State court, under a patchwork of State laws, to stop the harm or seek compensation for losses. While State courts may be a suitable venue in some cases, major trade secret cases will often require tools available more readily in Federal court, such as nationwide service of process for subpoenas, discovery and witness depositions. In addition, for trade secret holders operating nationwide, a single Federal statute can be more efficient than navigating 50 different State laws. Finally, our bill permits judges to issue seizure orders to prevent defendants from destroying evidence. In sum, our bill demonstrates a Federal commitment to trade secret protection by expanding the legal options for victims of economic espionage and trade secret theft.

This legislation will not inundate Federal courts with minor trade secret cases because it includes limits so that only the most serious cases requiring Federal courts will be permitted. These limitations require the victim of trade secret theft to certify that the dispute requires either a substantial need for nationwide service of process or the misappropriation of trade secrets from the U.S. to another country. Finally, it is important to emphasize that our legislation is not intended to replace State trade secret laws, but to complement them to ensure that victims of economic espionage and trade secret misappropriation can get the most prompt, effective and efficient justice.

We cannot take lightly the threat of trade secrets theft to American businesses, American jobs, and American innovation. This legislation is another simple and straightforward step we can take to help companies defend themselves against trade secret theft. It demonstrates our commitment at the Federal level to protect all forms of a

business's intellectual property and their innovative spirit.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3389

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting American Trade Secrets and Innovation Act of 2012''.

SEC. 2. FEDERAL JURISDICTION FOR THEFT OF TRADE SECRETS.

(a) IN GENERAL.—Section 1836 of title 18, United States Code, is amended to read as follows:

''§ 1836. Civil proceedings

''(a) PRIVATE CIVIL ACTIONS.—

''(1) IN GENERAL.—A person may bring a civil action under this subsection if the person is aggrieved by—

''(A) a violation of section 1831(a) or 1832(a); or

''(B) a misappropriation of a trade secret that is related to or included in a product that is produced for or placed in interstate or foreign commerce.

''(2) PLEADINGS.—A complaint filed in a civil action brought under this subsection shall—

''(A) describe with specificity the reasonable measures taken to protect the secrecy of the alleged trade secrets in dispute; and

''(B) include a sworn representation by the party asserting the claim that the dispute involves either substantial need for nationwide service of process or misappropriation of trade secrets from the United States to another country.

''(3) CIVIL EX PARTE SEIZURE ORDER.—

''(A) IN GENERAL.—In a civil action brought under this subsection, the court may, upon ex parte application and if the court finds by clear and convincing evidence that issuing the order is necessary to prevent irreparable harm, issue an order providing for—

''(i) the seizure of any property (including computers) used or intended to be used, in any manner or part, to commit or facilitate the commission of the violation alleged in the civil action; and

''(ii) the preservation of evidence in the civil action.

''(B) SCOPE OF ORDERS.—An order issued under subparagraph (A) shall—

''(i) authorize the retention of the seized property for a reasonably limited period, not to exceed 72 hours under the initial order, which may be extended by the court after notice to the affected party and an opportunity to be heard;

''(ii) require that any copies of seized property made by the requesting party be made at the expense of the requesting party;

''(iii) require the requesting party to return the seized property to the party from which the property were seized at the end of the period authorized under clause (i), including any extension; and

''(iv) include an appropriate protective order with respect to discovery and use of any property that has been seized, which shall provide for appropriate procedures to ensure that confidential, private, proprietary, or privileged information contained in the seized property is not improperly disclosed or used.

''(C) SEIZURES.—A party injured by a seizure under an order under this paragraph—

''(i) may bring a civil action against the applicant for the order; and

''(ii) shall be entitled to recover appropriate relief, including—

''(I) damages for lost profits, cost of materials, and loss of good will;

''(II) if the seizure was sought in bad faith, punitive damages; and

''(III) unless the court finds extenuating circumstances, to recover a reasonable attorney's fee.

''(4) REMEDIES.—In a civil action brought under this subsection, a court may—

''(A) issue—

''(i) an order for appropriate injunctive relief against any violation described in paragraph (1), including the actual or threatened misappropriation of trade secrets;

''(ii) if determined appropriate by the court, an order requiring affirmative actions to be taken to protect a trade secret; and

''(iii) if the court determines that it would be unreasonable to prohibit use of a trade secret, an order requiring payment of a reasonable royalty for any use of the trade secret;

''(B) award—

''(i) damages for actual loss caused by the misappropriation of a trade secret; and

''(ii) damages for any unjust enrichment caused by the misappropriation of the trade secret that is not addressed in computing damages for actual loss;

''(C) if the trade secret described in paragraph (1)(B) is willfully or maliciously misappropriated, award exemplary damages in an amount not more than the amount of the damages awarded under subparagraph (B); and

''(D) if a claim of misappropriation is made in bad faith, a motion to terminate an injunction is made or opposed in bad faith, or a trade secret is willfully and maliciously misappropriated, award reasonable attorney's fees to the prevailing party.

''(b) JURISDICTION.—The district courts of the United States shall have original jurisdiction of civil actions brought under this section.

''(c) PERIOD OF LIMITATIONS.—A civil action under this section may not be commenced later than 3 years after the date on which the misappropriation is discovered or by the exercise of reasonable diligence should have been discovered. For purposes of this subsection, a continuing misappropriation constitutes a single claim of misappropriation.''.

(b) DEFINITIONS.—Section 1839 of title 18, United States Code, is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(5) the term 'misappropriation' means—

''(A) acquisition of a trade secret of another by a person who knows or has reason to know that the trade secret was acquired by improper means; or

''(B) disclosure or use of a trade secret of another without express or implied consent by a person who—

''(i) used improper means to acquire knowledge of the trade secret;

''(ii) at the time of disclosure or use, knew or had reason to know that the knowledge of the trade secret was—

''(I) derived from or through a person who had used improper means to acquire the trade secret;

''(II) acquired under circumstances giving rise to a duty to maintain the secrecy of the trade secret or limit the use of the trade secret; or

''(III) derived from or through a person who owed a duty to the person seeking relief to maintain the secrecy of the trade secret or limit the use of the trade secret; or

''(iii) before a material change of the position of the person, knew or had reason to know that—

''(I) the trade secret was a trade secret; and

''(II) knowledge of the trade secret had been acquired by accident or mistake; and

''(6) the term 'improper means'—

''(A) includes theft, bribery, misrepresentation, breach or inducement of a breach of a duty to maintain secrecy, or espionage through electronic or other means; and

''(B) does not include reverse engineering or independent derivation.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 90 of title 18, United States Code, is amended by striking the item relating to section 1836 and inserting the following:

''1836. Civil proceedings.''.

(d) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to modify the rule of construction under section 1838 of title 18, United States Code, or to preempt any other provision of law.

By Mr. REID:

S. 3393. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families; read the first time.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 3393

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Middle Class Tax Cut Act''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—TEMPORARY EXTENSION OF TAX RELIEF

SEC. 101. TEMPORARY EXTENSION OF 2001 TAX RELIEF.

(a) TEMPORARY EXTENSION.—

(1) IN GENERAL.—Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking ''December 31, 2012'' both places it appears and inserting ''December 31, 2013''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001.

(b) APPLICATION TO CERTAIN HIGH-INCOME TAXPAYERS.—

(1) INCOME TAX RATES.—

(A) TREATMENT OF 25- AND 28- PERCENT RATE BRACKETS.—Paragraph (2) of section 1(i) is amended to read as follows:

''(2) 25- AND 28- PERCENT RATE BRACKETS.—The tables under subsections (a), (b), (c), (d), and (e) shall be applied—

''(A) by substituting '25%' for '28%' each place it appears (before the application of subparagraph (B)), and

''(B) by substituting '28%' for '31%' each place it appears.''.

(B) 33-PERCENT RATE BRACKET.—Subsection (i) of section 1 is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) 33-PERCENT RATE BRACKET.—

''(A) IN GENERAL.—In the case of taxable years beginning after December 31, 2012—

''(i) the rate of tax under subsections (a), (b), (c), and (d) on a taxpayer's taxable income in the fourth rate bracket shall be 33 percent to the extent such income does not exceed an amount equal to the excess of—

''(I) the applicable amount, over

''(II) the dollar amount at which such bracket begins, and

''(ii) the 36 percent rate of tax under such subsections shall apply only to the taxpayer's taxable income in such bracket in excess of the amount to which clause (i) applies.

''(B) APPLICABLE AMOUNT.—For purposes of this paragraph, the term 'applicable amount' means the excess of—

''(i) the applicable threshold, over

''(ii) the sum of the following amounts in effect for the taxable year:

''(I) the basic standard deduction (within the meaning of section 63(c)(2)), and

''(II) the exemption amount (within the meaning of section 151(d)(1) (or, in the case of subsection (a), 2 such exemption amounts).

''(C) APPLICABLE THRESHOLD.—For purposes of this paragraph, the term 'applicable threshold' means—

''(i) $250,000 in the case of subsection (a),

''(ii) $225,000 in the case of subsection (b),

''(iii) $200,000 in the case of subsections (c), and

''(iv) ½ the amount applicable under clause (i) (after adjustment, if any, under subparagraph (E)) in the case of subsection (d).

''(D) FOURTH RATE BRACKET.—For purposes of this paragraph, the term 'fourth rate bracket' means the bracket which would (determined without regard to this paragraph) be the 36-percent rate bracket.

''(E) INFLATION ADJUSTMENT.—For purposes of this paragraph, with respect to taxable years beginning in calendar years after 2012, each of the dollar amounts under clauses (i), (ii), and (iii) of subparagraph (C) shall be adjusted in the same manner as under paragraph (1)(C), except that subsection (f)(3)(B) shall be applied by substituting '2008' for '1992'.''.

(2) PHASEOUT OF PERSONAL EXEMPTIONS AND ITEMIZED DEDUCTIONS.—

(A) OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.—Section 68 is amended—

(i) by striking ''the applicable amount'' the first place it appears in subsection (a) and inserting ''the applicable threshold in effect under section 1(i)(3)'',

(ii) by striking ''the applicable amount'' in subsection (a)(1) and inserting ''such applicable threshold'',

(iii) by striking subsection (b) and redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively, and

(iv) by striking subsections (f) and (g).

(B) PHASEOUT OF DEDUCTIONS FOR PERSONAL EXEMPTIONS.—

(i) IN GENERAL.—Paragraph (3) of section 151(d) is amended—

(I) by striking ''the threshold amount'' in subparagraphs (A) and (B) and inserting ''the applicable threshold in effect under section 1(i)(3)'',

(II) by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C), and

(III) by striking subparagraphs (E) and (F).

(ii) CONFORMING AMENDMENTS.—Paragraph (4) of section 151(d) is amended—

(I) by striking subparagraph (B),

(II) by redesignating clauses (i) and (ii) of subparagraph (A) as subparagraphs (A) and (B), respectively, and by indenting such subparagraphs (as so redesignated) accordingly, and

(III) by striking all that precedes ''in a calendar year after 1989,'' and inserting the following:

''(4) INFLATION ADJUSTMENT.—In the case of any taxable year beginning''.

(c) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section shall apply to taxable years beginning after December 31, 2012.

(d) APPLICATION OF EGTRRA SUNSET.—Each amendment made by subsection (b) shall be subject to title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 to the same extent and in the same manner as if such amendment was included in title I of such Act.

SEC. 102. TEMPORARY EXTENSION OF 2003 TAX RELIEF.

(a) EXTENSION.—

(1) IN GENERAL.—Section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003 is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in the enactment of the Jobs and Growth Tax Relief Reconciliation Act of 2003.

(b) 20-PERCENT CAPITAL GAINS RATE FOR CERTAIN HIGH INCOME INDIVIDUALS.—

(1) IN GENERAL.—Paragraph (1) of section 1(h) is amended by striking subparagraph (C), by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F) and by inserting after subparagraph (B) the following new subparagraphs:

''(C) 15 percent of the lesser of—

''(i) so much of the adjusted net capital gain (or, if less, taxable income) as exceeds the amount on which a tax is determined under subparagraph (B), or

''(ii) the excess (if any) of—

''(I) the amount of taxable income which would (without regard to this paragraph) be taxed at a rate below 36 percent, over

''(II) the sum of the amounts on which a tax is determined under subparagraphs (A) and (B),

''(D) 20 percent of the adjusted net capital gain (or, if less, taxable income) in excess of the sum of the amounts on which tax is determined under subparagraphs (B) and (C),''.

(2) MINIMUM TAX.—Paragraph (3) of section 55(b) is amended by striking subparagraph (C), by redesignating subparagraph (D) as subparagraph (E), and by inserting after subparagraph (B) the following new subparagraphs:

''(C) 15 percent of the lesser of—

''(i) so much of the adjusted net capital gain (or, if less, taxable excess) as exceeds the amount on which tax is determined under subparagraph (B), or

''(ii) the excess described in section 1(h)(1)(C)(ii), plus

''(D) 20 percent of the adjusted net capital gain (or, if less, taxable excess) in excess of the sum of the amounts on which tax is determined under subparagraphs (B) and (C), plus''.

(c) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking ''15 percent'' and inserting ''20 percent'':

(A) Section 531.

(B) Section 541.

(C) Section 1445(e)(1).

(D) The second sentence of section 7518(g)(6)(A).

(E) Section 53511(f)(2) of title 46, United States Code.

(2) Sections 1(h)(1)(B) and 55(b)(3)(B) are each amended by striking ''5 percent (0 percent in the case of taxable years beginning after 2007)'' and inserting ''0 percent''.

(3) Section 1445(e)(6) is amended by striking ''15 percent (20 percent in the case of taxable years beginning after December 31, 2010)'' and inserting ''20 percent''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided, the amendments made by subsections (b) and (c) shall apply to taxable years beginning after December 31, 2012.

(2) WITHHOLDING.—The amendments made by paragraphs (1)(C) and (3) of subsection (c) shall apply to amounts paid on or after January 1, 2013.

(e) APPLICATION OF JGTRRA SUNSET.—Each amendment made by subsections (b) and (c) shall be subject to section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003 to the same extent and in the same manner as if such amendment was included in title III of such Act.

SEC. 103. TEMPORARY EXTENSION OF 2010 TAX RELIEF.

(a) AMERICAN OPPORTUNITY TAX CREDIT.—

(1) IN GENERAL.—Section 25A(i) is amended by striking ''or 2012'' and inserting ''2012, or 2013''.

(2) TREATMENT OF POSSESSIONS.—Section 1004(c)(1) of division B of the American Recovery and Reinvestment Tax Act of 2009 is amended by striking ''and 2012'' each place it appears and inserting ''2012, and 2013''.

(b) CHILD TAX CREDIT.—Section 24(d)(4) is amended—

(1) by striking ''AND 2012'' in the heading and inserting ''2012, AND 2013'', and

(2) by striking ''or 2012'' and inserting ''2012, or 2013''.

(c) EARNED INCOME TAX CREDIT.—Section 32(b)(3) is amended—

(1) by striking ''AND 2012'' in the heading and inserting ''2012, AND 2013'', and

(2) by striking ''or 2012'' and inserting ''2012, or 2013''.

(d) TEMPORARY EXTENSION OF RULE DISREGARDING REFUNDS IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.—Subsection (b) of section 6409 is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2012.

(2) RULE DISREGARDING REFUNDS IN THE ADMINISTRATION OF CERTAIN PROGRAMS.—The amendment made by subsection (d) shall apply to amounts received after December 31, 2012.

SEC. 104. TEMPORARY EXTENSION OF ELECTION TO EXPENSE CERTAIN DEPRECIABLE BUSINESS ASSETS.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) is amended—

(A) by striking ''and'' at the end of subparagraph (C),

(B) by redesignating subparagraph (D) as subparagraph (E),

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) $250,000 in the case of taxable years beginning in 2013, and'', and

(D) in subparagraph (E), as so redesignated, by striking ''2012'' and inserting ''2013''.

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended—

(A) by striking ''and'' at the end of subparagraph (C),

(B) by redesignating subparagraph (D) as subparagraph (E),

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) $800,000 in the case of taxable years beginning in 2013, and'', and

(D) in subparagraph (E), as so redesignated, by striking ''2012'' and inserting ''2013''.

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2013'' and inserting ''2014''.

(c) ELECTION.—Section 179(c)(2) is amended by striking ''2013'' and inserting ''2014''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

TITLE II—ESTATE TAX RELIEF

SEC. 201. MODIFICATIONS TO ESTATE, GIFT, AND GENERATION-SKIPPING TRANSFER TAXES.

(a) MODIFICATIONS TO ESTATE TAX.—

(1) EXCLUSION AMOUNT.—Paragraph (3) of section 2010(c) is amended to read as follows:

''(3) BASIC EXCLUSION AMOUNT.—For purposes of this section, the basic exclusion amount is $3,500,000.''.

(2) MAXIMUM ESTATE TAX RATE.—The table in subsection (c) of section 2001 is amended by striking ''Over $500,000'' and all that follows and inserting the following:

Over $500,000 but not over $750,000.	$155,800, plus 37 percent of the excess of such amount over $500,000.
Over $750,000 but not over $1,000,000.	$248,300, plus 39 percent of the excess of such amount over $750,000.
Over $1,000,000 but not over $1,250,000.	$345,800, plus 41 percent of the excess of such amount over $1,000,000.
Over $1,250,000 but not over $1,500,000.	$448,300, plus 43 percent of the excess of such amount over $1,250,000.
Over $1,500,000	$555,800, plus 45 percent of the excess of such amount over $1,500,000.''.

(b) MODIFICATIONS OF ESTATE AND GIFT TAXES TO REFLECT DIFFERENCES IN CREDIT RESULTING FROM DIFFERENT TAX RATES AND EXCLUSION AMOUNTS.—

(1) CHANGING TAX RATES.—Notwithstanding section 304 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall not apply to the amendments made by section 302(d) of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

(2) DECREASING EXCLUSIONS.—

(A) ESTATE TAX ADJUSTMENT.—Section 2001 is amended by adding at the end the following new subsection:

''(h) ADJUSTMENT TO REFLECT CHANGES IN EXCLUSION AMOUNT.—

''(1) IN GENERAL.—If, with respect to any gift to which subsection (b)(2) applies, the applicable exclusion amount in effect at the time of the decedent's death is less than such amount in effect at the time such gift is made by the decedent, the amount of tax computed under subsection (b) shall be reduced by the amount of tax which would have been payable under chapter 12 at the time of the gift if the applicable exclusion amount in effect at such time had been the applicable exclusion amount in effect at the time of the decedent's death and the modifications described in subsection (g) had been applicable at the time of such gifts.

''(2) LIMITATION.—The aggregate amount of gifts made in any calendar year to which the reduction under paragraph (1) applies shall not exceed the excess of—

''(A) the applicable exclusion amount in effect for such calendar year, over

''(B) the applicable exclusion amount in effect at the time of the decedent's death.

''(3) APPLICABLE EXCLUSION AMOUNT.—The term 'applicable exclusion amount' means, with respect to any period, the amount determined under section 2010(c) for such period, except that in the case of any period for which such amount includes the deceased spousal unused exclusion amount (as defined in section 2010(c)(4)), such term shall mean the basic exclusion amount (as defined under section 2010(c)(3), as in effect for such period).''.

(B) GIFT TAX ADJUSTMENT.—Section 2502 is amended by adding at the end the following new subsection:

''(d) ADJUSTMENT TO REFLECT CHANGES IN EXCLUSION AMOUNT.—

''(1) IN GENERAL.—If the taxpayer made a taxable gift in an applicable preceding calendar period, the amount of tax computed under subsection (a) shall be reduced by the amount of tax which would have been payable under chapter 12 for such applicable preceding calendar period if the applicable exclusion amount in effect for such preceding calendar period had been the applicable exclusion amount in effect for the calendar year for which the tax is being computed and the modifications described in subsection (g) had been applicable for such preceding calendar period.

''(2) LIMITATION.—The aggregate amount of gifts made in any applicable preceding calendar period to which the reduction under paragraph (1) applies shall not exceed the excess of—

''(A) the applicable exclusion amount for such preceding calendar period, over

''(B) the applicable exclusion amount for the calendar year for which the tax is being computed.

''(3) APPLICABLE PRECEDING CALENDAR YEAR PERIOD.—The term 'applicable preceding calendar year period' means any preceding calendar year period in which the applicable exclusion amount exceeded the applicable exclusion amount for the calendar year for which the tax is being computed.

''(4) APPLICABLE EXCLUSION AMOUNT.—The term 'applicable exclusion amount' means, with respect to any period, the amount determined under section 2010(c) for such period, except that in the case of any period for which such amount includes the deceased spousal unused exclusion amount (as defined in section 2010(c)(4)), such term shall mean the basic exclusion amount (as defined under section 2010(c)(3), as in effect for such period).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying, and generation-skipping transfers and gifts made, after December 31, 2012.

(d) APPLICATION OF EGTRRA SUNSET.—Section 901 of the Economic Growth and Tax Relief Reconciliation Act shall apply to the amendments made by subsection (a).

TITLE III—ALTERNATIVE MINIMUM TAX RELIEF

SEC. 301. TEMPORARY EXTENSION OF INCREASED ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT.

(a) IN GENERAL.—Paragraph (1) of section 55(d) is amended—

(1) by striking ''$72,450'' and all that follows through ''2011'' in subparagraph (A) and inserting ''$78,750 in the case of taxable years beginning in 2012'', and

(2) by striking ''$47,450'' and all that follows through ''2011'' in subparagraph (B) and inserting ''$50,600 in the case of taxable years beginning in 2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 302. TEMPORARY EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking ''or 2011'' and inserting ''2011, or 2012'', and

(2) by striking ''2011'' in the heading thereof and inserting ''2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

TITLE IV—BUDGETARY EFFECTS

SEC. 401. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con Res. 21 (110th Congress).

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 24, 2012, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to assess the opportunities for, current level

of investment in, and barriers to the expanded usage of natural gas as a fuel for transportation.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, U.S. Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Meagan_Gins@energy.senate.gov.

For further information, please contact Jennifer Nekuda Malik at 202–224–5479, or Kevin Rennert at 202–224–7826, or Meagan Gins at 202–224–0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to hold a hearing entitled, ''Dodd-Frank Wall Street Reform and Consumer Protection Act: 2 Years Later,'' during the session of the Senate on July 17, 2012, at 10 a.m. in room SR–328A of the Russell Senate Office Building.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 17, 2012, at 10 a.m., to conduct a committee hearing entitled ''The Semiannual Monetary Policy Report to Congress.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 17, 2012, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 17, 2012, at 9:30 a.m., to hold a hearing entitled, ''The Next Ten Years in the Fight Against Human Trafficking: Attacking the Problem with the Right Tools.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 17, 2012, at 2:30 p.m.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 17, 2012, at 9:30 a.m., to conduct a hearing entitled ''U.S. Vulnerabilities to Money Laundering, Drugs, and Terrorist Financing: HSBC Case History.''

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

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that for the duration of today's session, Alex Link, Rob Famigletti, and Samantha Freeman, fellows on my Judiciary Committee staff, be granted floor privileges.

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

COMMENDING EFFORTS TO PROMOTE AND ENHANCE PUBLIC SAFETY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 483, and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 483) commending efforts to promote and enhance public safety on the need for yellow corrugated stainless steel tubing bonding.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 483) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 483

Whereas yellow corrugated stainless steel tubing (referred to in this preamble as ''CSST'') is flexible gas piping used to convey natural gas or propane to household appliances in homes and businesses;

Whereas since 1990, yellow CSST has been installed in more than 6,000,000 homes and businesses in the United States;

Whereas field reports and research suggest that if direct or indirect lightning strikes a structure, the risk for electrical arcing between the metal components in a structure with yellow CSST may be reduced by means of equipotential bonding and grounding;

Whereas proper bonding of CSST is defined in section 7.13.2 of the 2009 edition of the NFPA 54: National Fuel Gas Code, and is referenced in info note 2 in section 250.104 of the 2011 edition of the NFPA 70: National Electric Code;

Whereas the National Association of State Fire Marshals supports the proper bonding of yellow CSST to current National Fire Protection Association Code to reduce the possibility of gas leaks and fires from lightning strikes;

Whereas the National Association of State Fire Marshals is working to educate relevant stakeholders, including fire, building, and housing officials, consumers, homeowners, and construction professionals about the need to properly bond yellow CSST in legacy installations and in all new installations in accordance with the most recent building codes and manufacturer installation instructions;

Whereas the bonding of yellow CSST in legacy installations is an important public safety matter that merits alerting homeowners, relevant State and local fire, building, and housing officials, and construction professionals such as electricians, contractors, plumbers, inspectors, and home-improvement specialists: Now, therefore, be it

Resolved, That the Senate—

(1) commends efforts to promote and enhance public safety and consumer awareness on proper bonding of yellow corrugated stainless steel tubing (referred to in this resolution as ''CSST'') as defined in the National Fire Protection Association Code; and

(2) encourages further educational efforts for the public, relevant building and housing officials, consumers, homeowners, and construction professionals on the need to properly bond yellow CSST retroactively and moving forward in houses that contain the product.

MEASURE READ THE FIRST TIME—S. 3393

Mr. DURBIN. Mr. President, I understand S. 3393 introduced earlier today by Senator REID is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 3393) to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families.

Mr. DURBIN. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. The objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, JULY 18, 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Wednesday,

July 18; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized and the first hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

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

PROGRAM

Mr. DURBIN. Today, the majority leader filed cloture on the motion to proceed to S. 3364, the Bring Jobs Home Act. If no agreement is reached, the cloture vote will be on Thursday.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:57 p.m., adjourned until Wednesday, July 18, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

BIDTAH N. BECKER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2018, VICE PERRY R. EATON, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

SEAN J. HISLOP
KINK A. KEEGAN III
LUCAS P. NEFF

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

CHAD S. ABBEY
BECKY A. ABELL
MARGARET J. ABUZEID
DOUGLAS R. ADAMS
MARY T. A. ADAMS
NICHELL ADEGBITEMARAVENTANO
CHINENYE J. ADIMORA
DAVID K. ADKINSON
UZONDU F. AGOCHUKWU
LATANYA AGURS
CRAIG R. AINSWORTH
NICHOLAS N. ALLAN
MICHAEL J. ALLEN
SAMUEL F. ALMQUIST
JAMIE N. ANDREWS
LORI L. ANGERSONBEDNASH
AMANDA L. ANTLE
TODD M. ANTON
JENNIFER R. ASARIAS
AARON G. AVALLONE
BRADLEY C. BANDERA
CHRISTOPHER S. BARANYK
HEATHER M. BEAUPARLANT
MICHAEL J. BELTRAN
JOHN S. BERRY IV
JOHNATHON A. BERRY
SANJAY S. BHATIA
SAMUEL N. BLACKER
LUKE R. BLOOMQUIST
TIMOTHY E. BORDEN
DONNELL K. BOWEN
MICHAEL M. BRAUN
EVAN G. BROWN
SHAUN R. BROWN
CHELSEA D. BRUNDAGE
CHRISTINA BRZEZNIAK
KRISTINA R. BURKE
ROBERT J. BUSH
NICOLAS R. CAHANDING
CHARLES J. CALAIS
TATJANA P. CALVANO
MACARIO CAMACHO, JR.
JOHN D. A. CAMPAGNA
PATRICK M. CAREY
TIMOTHY W. CAREY
DEREK M. CARLSON
JOHN P. CASAS
BRIAN V. CASHIN
LAURA M. CASHIN
MARLIN CAUSEY
ASHLEY H. CHATIGNY
MICHAEL K. CHEEZUM
WEICHIN CHEN
YINTING CHEN
FONGKUEI F. CHENG
GEOFFREY C. CHIN
STEVEN CHOI
KEVIN S. CLIVE
CHRISTOPHER J. COCHRANE
KATHERINE E. COCKER
MONICA L. COLOMBO
ANTHONY W. COOPER II
JONATHAN A. CRAUN
DAVID A. CRAWFORD
HECTOR O. CRESPOSOTO
RYAN N. CRETE
KEVIN P. CROTTY
REGINO P. CUBE
CLAIREIDA A. CUNDIFF
JASON I. DAILEY
VERONICA C. DAMASCO
TAM Q. DANG
RAJESH K. DANIELS
MICHAEL S. DEGON
LINDSAY J. DELLAVALLE
JASON M. DESADIER
PETER J. DILLON, JR.
JOHN T. DISTELHORST
TAMMY L. DONOWAY
ROY D. EDWARDS
TAIWONA L. ELLIOTT
MICHAEL K. ELM
KATISHA D. ENG
SARAH M. ESTRADA
PETER D. EVERSON
DAVID M. FERRARO
LAYNE M. FIELDER
LERA L. FINA
RYAN P. FLANAGAN
JASON A. FOERTER
TOMAS FORAL
CHRISTOPHER J. FORSTER
JUSTIN T. FOWLER
BRANDON A. FRANCIS
BENJAMIN FREEMAN
ANTHONY D. FREILER
NATHAN K. FRIEDLINE
BRANDON D. FRYE
BONNIE J. GENEMAN
PATRICK J. GOLDEN
LYNN E. GOWER
BRENDAN C. GRAHAM
LINDSEY J. GRAHAM
ERIC S. GRENIER
ALLEN D. HAIGHT
JAMES J. HAM
TRAVIS J. HAMILTON
MARK O. HARDIN
JOSHUA J. HARDMAN
DAUSEN J. HARKER
HILLARY M. HARPER
LISA M. HARRIS
ALAN K. HECKLER
RYAN J. HEITMANN
JAMES A. HENRY
JENNIFER H. HEPPS
JOSEPHINE P. HORITA
JORDANNA M. HOSTLER
JOHN H. HOTCHKISS IV
CHRISTOPHER M. HOUSE
ROBERT C. HOWARD
MICHAEL J. HUDSON
JEANNIE HUH
CHAD D. HULSOPPLE
JOHN D. HUNSAKER
RYAN C. INOCENCIO
LUIS C. ISAZA
JOHN W. JACO
ANETA JEDRZEJCZYK
SHELDON L. JENSEN
BENJAMIN L. JONES
CANDICE E. JONESCOX
ANTON Y. JORGENSEN
JOSEPH S. JUNG
YI S. KAM
DAVID KASSOP
CHARLOTTE M. KASTL
CHARLES C. KEY
ERIN A. KEYSER
KELLY G. KILCOYNE
MOON J. KIM
REN M. KINOSHITA
DEANNA M. KLESNEY
AMY M. KLUI
MATTHEW W. KLUK
KENDRAL R. KNIGHT
RYAN M. KNIGHT
JEFFREY B. KNOX
NICHOLAS D. KORTAN
DONALD J. KOSATKA
WILLIAM J. KROSKI
JOSEPH S. K. KUSHI
RYAN M. KWOK
SALVATORE V. LABRUZZO
RUSSELL W. LAKE
PRASAD LAKSHMINARASIMHIAH
BRYAN D. LALIBERTE
MATTHEW T. LAQUER
TIMOTHY N. LAUGHY
KARL A. LAUTENSCHLAGER
MELANIE N. LEADLEY
GEORGE L. LEE III
YOUNG E. LEE
SCOTT L. LEIFSON
JEFFREY D. LEININGER
GRACE M. LIDL
DUSTIN J. LITTLE
TIMOTHY W. LIVENGOOD
KIMBERLY M. LOCHNER
AMY M. LOYD
CHARLES D. MAGEE
GIL G. MAGPANTAY
RENEE L. MAKOWSKI
JOHN MANDEVILLE
PEDRO A. MANIBUSAN
KELLY M. MANN
CHARLOTTE S. MARCUS
DEANDRA A. MARTIN
JUAN M. MARTINEZROSS
SHAUN A. MARTINHO
JAMES A. MAXEY
CHAD B. MCBRIDE
KIRK D. MCBRIDE
ANGELLETTA N. MCCRANEY
BRENDAN J. MCCRISKIN
DEANNA C. MCCULLOUGH
DEVIN P. MCFADDEN
OWEN MCGRANE
BRIAN J. MCGRATH
COLLEEN M. MCMANAMAN
LUKE E. MEASE
MARIDELLE B. MILLENDEZ
SETH L. MILLER
TIMOTHY J. MILLER
JAMIE R. MINGS
ELLIOTT I. MITNIK
PETER M. MOFFETT
ILA C. M. MOFFITT
DANIEL B. MORILLA
ANDREW D. MOSIER
AMY L. MURPHY
JOSEPH MY
KATHRYN E. MYHRE
ANNA L. NAIG
SIDDHARTA P. NANDI
DOMENICK P. NARDI
JUSTIN D. NEEDHAM
THOMAS G. NESSLER III
CHARLES T. NGUYEN
PHUOC T. NGUYEN
CLAUDIA E. NICHOLAS
MATTHEW C. NICHOLS
MATTHEW C. NUCKOLS
MOROHUNRANTI O. OGUNTOYE
MICHELLE A. OJEMUYIWA
CAMERON L. OLDEROG
DEBORAH L. ONDRASIK
NICHOLAS R. ONDRASIK
SCOTT C. OSBORN
ALYSSA M. PARK
ANISH A. PATEL
TERESA D. PEARCE
NEIL G. PERERA
AIXA PEREZRODRIGUEZ
DAVID J. PETERSON
KRISTINE J. PFEIFFER
VALERIE L. PIRES
JASON L. PIZZOLA
WILLIAM H. PORR
ERIC W. PORRITT
MAX D. PUSZ
BRADDEN R. PYRON
SARAH J. RABIE
MEGHAN F. RALEIGH
MARCUS J. RAMPTON
ANTHONY J. RECUPERO
JEFFREY L. REHA
MATTHEW D. RENSBERRY
JEREMY N. RICH
JAY J. RICHARDS
GRETCHEN D. RICKARDS
BRITTANY L. RITCHIE
JOHN D. RITCHIE
REIS B. RITZ
IAN M. RIVERA
JESSICA C. RIVERA
MICAH J. ROBERTS
SAMANTHA B. RODGERS
SHARON ROMANO
THOMAS R. RONAY

CHRISTOPHER L. ROZELLE
CHRISTINA B. RUMAYOR
FARHAD SAFI
NATHAN L. SALINAS
CATHERINE M. SAMPERT
JOHN P. SANDERS
STEVEN A. SATTERLY
TERESA SAULTES
DANIELLE L. SCHER
CHRISTIAN C. SCHRADER
SHANNON C. SCHUERGER
JOSEPH SCLAFANI
MELISSA B. SCORZA
THOMAS J. SEITER, JR.
HARSHA SETTY
PIERRE N. SHEPHERD
JESSE R. SHERRATT
JOON K. SHIM
COLLEEN P. SHOLAR
MERICA SHRESTHA
BRIDGET A. SINNOTT
GREGORY R. SKERRETT
JENNIFER N. SLIM
DAWN M. SLOAN
STIRLING B. SMITH
DANIEL J. SONG
BETHANY E. SONOBE
JASON A. SORELL
ALYSSA A. SOUMOFF
ANNE P. SPILLANE
ERIN L. SPILLANE
SARAH R. SPRAITZAR
SHANKAR K. SRIDHARA
DAVID STANLEY
JASON R. STONE
KAREN S. STRENGE
JONATHAN M. STROBEL
DAVID F. SULKOWSKI
KATHRYN L. SULKOWSKI
JOHN SYMONS
BENJAMIN D. TABAK
TIMOTHY J. TAUSCH
BETHANY N. TEER
SHAYNA D. THOMPSON
ROSS N. THORMAHLEN
LAUREL A. THURSTON
KYLE J. TOBLER
ERIC B. TOMICH
KRISTEN L. TOREN
DANIEL D. TRAN
ALI A. TURABI
PATRICK S. TWOMEY
ALFREDO E. URDANETA
JOHN VENEZIA
JACOB L. WAGNER
RYAN M. WALK
BIN WANG
JOHNETTA D. WASHINGTON
BRIAN R. WATERMAN
TIMOTHY R. WATERS
RICHARD C. WEBB
MARISSA L. WEBER
DANIEL WEINSTEIN
CHRISTOPHER R. WELTON
SHAWN R. WEST
BENJAMIN J. WESTBROOK
JEFFERY A. WHITE
JOSEPH M. WHITE
SABRINA V. WHITEHURST
JUSTIN L. WILKIE
ALICIA M. WILLIAMS
ROGER S. WILLIAMS
DOUGLAS G. WILSON
ERIC D. WIRTZ
MARIUSZ WOJNARSKI
CHRISTINE L. WOLFE
ELIZABETH A. WOODS
ALAN I. C. WU
WILLIAM C. WU
MICHAEL A. ZACCHILLI
HANNA D. ZEMBRZUSKA
CONG Z. ZHAO
JARED K. ZOTZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JEFFREY E. AYCOCK
JEREMY P. BATEMAN
NATHAN N. BATRICE
JAXIMILLIAN P. BAYLOSIS
BRENDAN E. BELL
KAILEHIA N. BINNS
AARON J. BROOKS
KENNETH B. CAREY
MATTHEW E. CARLSON
MATTHEW T. CARPENTER
BRIAN B. CHOI
JEFFREY M. CLARK
AARON J. COLBY
BRANDON G. COLEMAN
BRANDEN L. DAILEY
PATRICK C. DANIEL, JR.
JASMIN G. DEGUZMAN
CHAD T. EARDLEY
JENNIFER L. ELZINGA
AARON C. ERCOLE
JAMES M. GIESEN
KRISTY L. HAYES
ELIZABETH A. HEYN
HAE J. HONG
JAIME A. HUGHES
CASSANDRE JOSEPH
CHRISTOPHER M. KEPROS
MIN C. KIM
SEWHAN KIM
JOHN D. KING
CHRISTOPHER P. KITTLE
JACQUELINE S. LAPIN
TIN M. LE
TUNG V. LE
JUSTIN P. LEWIS
SHELDON X. LU
ADAM J. LYTLE
CABEL A. MCDONALD
MICHAEL J. MCNAUGHT
MATTHEW A. MEYER
CLAUDIA P. MILLAN
EDWARD L. MONTOYA
RICK C. MOSER
HEATHER R. A. OLMO
DANIEL R. PERRINGTON
ERIC J. SETTER
LYNN SHERMAN
YOUNG K. SON
RICHARD W. STANDAGE
BLAKE C. STUART
MICHAEL R. VILLACARLOS
JAYLON L. WAITE
DIANA W. WEBER
NATHAN G. WOODS
ROBERT B. YANKOVICH
LARA M. YEGHIASARIAN
JASON C. YI
ERIC W. YOUNG

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRENT A. BECKLEY
SCOTT P. BROWN
LOWELL E. KRUSE
JOHNATHAN H. LEHMAN
JAMES P. MCHUGH
MICHAEL G. POOLER
ROBERT M. TYSZKO
STEPHEN J. WARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRIAN J. EASTRIDGE

HOUSE OF REPRESENTATIVES—*Tuesday, July 17, 2012*

The House met at noon and was called to order by the Speaker pro tempore (Mr. CULBERSON).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 17, 2012.

I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 16, 2012.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 16, 2012 at 2:12 p.m.:

That the Senate passed with an amendment H.R. 2527.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

Stir our spirits, O Lord, that we may praise You with full attention and be wholehearted in all the tasks You set before us this day.

We can see Your deeds unfolding in our history and in every act of justice and kindness. Bless those who have blessed us, and be close to those most in need of Your compassion and love.

Fear of You, O Lord, is the beginning of wisdom. Bless the Members of this people's House with such wisdom. As they resume the work of this assembly, guide them to grow in understanding in attaining solutions to our Nation's needs that are imbued with truth and justice.

May all that is done here this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BURGESS led the Pledge of Allegiance as follows:

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

SEQUESTRATION DEVASTATES DEFENSE

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

Mr. WILSON of South Carolina. Mr. Speaker, The Hill newspaper published a special report a few weeks ago, bringing more attention to the very real threat of defense sequestration.

Many people are under the false impression that defense spending represents a significantly larger portion of the Federal budget than it truly does. The current budget of the Department of Defense represents 15.1 percent of the Federal budget. This chart shows that defense spending has declined over the last 20 years.

Sequestration represents a $1.2 trillion cut. Half of the $1.2 trillion comes from the defense budget. I do not believe that half of these cuts should come from 15.1 percent of the budget.

Additionally, sequestration will affect all areas of our national economy. It is projected that sequestration could cost 1 million American jobs and cause the unemployment rate to rise by an entire percentage point. We should pass the bill by Armed Services Committee Chairman BUCK MCKEON, which addresses the issue without tax increases.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Congratulations, Mary and Jerry Howard of Lexington, South Carolina, on your 50th anniversary.

ABORTION RIGHTS FOR THE WOMEN OF THE DISTRICT OF COLUMBIA

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

Ms. NORTON. Mr. Speaker, my request to testify was summarily refused on a bill to be marked up tomorrow to deny only women in my district, the District of Columbia, the right to an abortion after 20 weeks of pregnancy as guaranteed by Roe v. Wade. So I testify for 1 minute today.

TRENT FRANKS, the chairman and sponsor of H.R. 3803 must have thought that one unfairness deserves another. The bill is of a piece with Republican attacks all year—to deny contraceptives in health insurance, and to defund Planned Parenthood.

The bill is unprincipled, or it would not apply only to the District of Columbia. Its bogus science is matched by the absence of a need. Recent figures show almost three-quarters of abortions in the District occurred under 10

weeks of pregnancy, only one past 21 weeks.

LISA JACKSON AND PRESIDENT OBAMA WAGE WAR ON ASTHMATICS

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

Mr. BURGESS. Mr. Speaker, this year, a common over-the-counter emergency asthma inhaler was forced off the pharmacy shelves due to an international treaty agreement. Now, patients who suffer from asthma and who find themselves awake at 2 a.m. with unexpected attacks and who don't have access to immediate inhalers, well, they've got a problem. It used to be a problem they could solve with a quick trip down to the 24-hour pharmacy. Now they have to go to the emergency room.

Although a replacement inhaler has been before the FDA's approval board, they've taken no action. When the ban on the available over-the-counter inhaler went into effect, most people expected the replacement would be available with no disruption, but this has not been the case. Because of the FDA's intransigence, our patients have nowhere to go.

I don't know why the FDA has not acted. I've asked them. They won't tell me. There is a simple solution:

The Environmental Protection Agency has within its authority the ability to waive the ban on the over-the-counter inhaler, allowing existing stock to be sold. Yet, despite multiple letters to the EPA and to President Obama and despite questions during committee hearings, they remain unresponsive.

Why has the EPA not approved the waiver? Again, you'll have to ask them. They are not telling me.

The minuscule number of chlorofluorocarbons that exists in the over-the-counter inhaler will have negligible affects on our ozone layer, especially considering the limited supply left.

The EPA should be on the side of the patients. Lisa Jackson and President Obama need to stop this senseless war on asthmatics.

IN HONOR OF STAFF SERGEANT RICARDO SEIJA, AN AMERICAN HERO

(Ms. CASTOR of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor an American hero who is being laid to rest back home in Tampa, Florida, today. Staff Sergeant Ricardo Seija was killed on Sunday, July 8, when his armored vehicle struck an improvised explosive device. Staff Sergeant Seija was 31 years old.

Known as Ricky, Sergeant Seija was a graduate of Leto High School. He joined the Army in 2000 and was assigned to the 978th Military Police Company, 93rd Military Police Battalion, Fort Bliss, Texas.

His mother, Ignacia, said, ''Since he was a child, he wanted to defend his country. He very much loved liberty. He wanted a free country without war, without problems.''

''Ricky died like a hero, fighting for his country,'' she said, ''not just for his country but for all of us who live in America. He loved this country very much.''

He is survived by his wife, Sunny; son, Ricardo; his mother and father, Ignacia and Ricardo Seija of Tampa; and two older brothers, Jose and Eduardo.

On behalf of the Tampa Bay community, I salute Staff Sergeant Seija for his service and for his ultimate sacrifice to our great country, and I ask that all Americans recognize this remarkable patriot.

WHERE ARE THE JOBS?

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

Ms. FOXX. As the Nation sits beneath 41 straight months of unemployment above 8 percent, it remains painfully clear that the President's policies have failed and have made our economy worse. ''Painful'' is, indeed, the operative word.

As we slog through the worst unemployment crisis since the Great Depression, Americans continue to ask, ''Where are the jobs?''

More than 23 million of our fellow Americans are unemployed. Almost 500,000 net jobs have evaporated since the President's so-called ''stimulus'' was enacted, and entrepreneurship—that cornerstone of the American Dream—has reached a 17-year low. This is President Obama's record, and these facts do not lie.

House Republicans have a plan for America's job creators to help get our Nation back to work. Dozens of bipartisan bills have passed the House and are sitting on HARRY REID's doorstep. It is time he and the Democratic-controlled Senate put the American people before politics and pass these bills.

IN REMEMBRANCE OF DR. ANNA SCHWARTZ

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

Mr. BRADY of Texas. Last month, the United States lost one of its most preeminent economic minds.

Anna J. Schwartz, perhaps the most pioneering economist in her generation, passed away at the age of 96. Dr. Schwartz had a considerable impact on how academics and others think about monetary policy.

She was best known for coauthoring, along with Milton Friedman, ''A Monetary History of the United States.'' The book's thesis attributed the worst depth of the Great Depression to the Federal Reserve's restricting the supply of money when it should have expanded it. Its conclusions revolutionized our understanding of that era.

''Anna did all of the work, and I got most of the recognition,'' Friedman observed, who received the Nobel Prize in Economic Sciences in 1976.

I ask the House to join me in paying tribute to this most inspiring woman and in expressing both our gratitude and condolences to her family.

THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE FORMER LIBERIAN REGIME OF CHARLES TAYLOR—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–124)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the national emergency and related measures dealing with the former Liberian regime of Charles Taylor are to continue in effect beyond July 22, 2012.

Although Liberia has made advances to promote democracy, and the Special Court for Sierra Leone recently convicted Charles Taylor for war crimes and crimes against humanity, the actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, could still challenge Liberia's efforts to strengthen its democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual

and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.

THE WHITE HOUSE, *July 17, 2012*.

RECESS

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

Accordingly (at 2 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 5 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

HAQQANI NETWORK TERRORIST DESIGNATION ACT OF 2012

Mr. GRIFFIN of Arkansas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1959) to require a report on the designation of the Haqqani Network as a foreign terrorist organization and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Haqqani Network Terrorist Designation Act of 2012''.

SEC. 2. REPORT ON DESIGNATION OF THE HAQQANI NETWORK AS A FOREIGN TERRORIST ORGANIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) A report of the Congressional Research Service on relations between the United States and Pakistan states that ''[t]he terrorist network led by Jalaluddin Haqqani and his son Sirajuddin, based in the FATA, is commonly identified as the most dangerous of Afghan insurgent groups battling U.S.-led forces in eastern Afghanistan''.

(2) The report further states that, in mid-2011, the Haqqanis undertook several high-visibility attacks in Afghanistan. First, a late June assault on the Intercontinental Hotel in Kabul by 8 Haqqani gunmen and suicide bombers left 18 people dead. Then, on September 10, a truck bomb attack on a United States military base by Haqqani fighters in the Wardak province injured 77 United States troops and killed 5 Afghans. A September 13 attack on the United States Embassy compound in Kabul involved an assault that sparked a 20-hour-long gun battle and left 16 Afghans dead, 5 police officers and at least 6 children among them.

(3) The report further states that ''U.S. and Afghan officials concluded the Embassy attackers were members of the Haqqani network''.

(4) In September 22, 2011, testimony before the Committee on Armed Services of the Senate, Chairman of the Joint Chiefs of Staff Admiral Mullen stated that ''[t]he Haqqani network, for one, acts as a veritable arm of Pakistan's Inter-Services Intelligence agency. With ISI support, Haqqani operatives plan and conducted that [September 13] truck bomb attack, as well as the assault on our embassy. We also have credible evidence they were behind the June 28th attack on the Intercontinental Hotel in Kabul and a host of other smaller but effective operations''.

(5) In October 27, 2011, testimony before the Committee on Foreign Affairs of the House of Representatives, Secretary of State Hillary Clinton stated that ''we are taking action to target the Haqqani leadership on both sides of the border. We're increasing international efforts to squeeze them operationally and financially. We are already working with the Pakistanis to target those who are behind a lot of the attacks against Afghans and Americans. And I made it very clear to the Pakistanis that the attack on our embassy was an outrage and the attack on our forward operating base that injured 77 of our soldiers was a similar outrage.''.

(6) At the same hearing, Secretary of State Clinton further stated that ''I think everyone agrees that the Haqqani Network has safe havens inside Pakistan; that those safe havens give them a place to plan and direct operations that kill Afghans and Americans.''.

(7) On November 1, 2011, the United States Government added Haji Mali Kahn to a list of specially designated global terrorists under Executive Order 13224. The Department of State described Khan as ''a Haqqani Network commander'' who has ''overseen hundreds of fighters, and has instructed his subordinates to conduct terrorist acts.'' The designation continued, ''Mali Khan has provided support and logistics to the Haqqani Network, and has been involved in the planning and execution of attacks in Afghanistan against civilians, coalition forces, and Afghan police''. According to Jason Blazakis, the chief of the Terrorist Designations Unit of the Department of State, Khan also has links to al-Qaeda.

(8) Five other top Haqqani Network leaders have been placed on the list of specially designated global terrorists under Executive Order 13224 since 2008, and three of them have been so placed in the last year. Sirajuddin Haqqani, the overall leader of the Haqqani Network as well as the leader of the Taliban's Mira shah Regional Military Shura, was designated by the Secretary of State as a terrorist in March 2008, and in March 2009, the Secretary of State put out a bounty of $5,000,000 for information leading to his capture. The other four individuals so designated are Nasiruddin Haqqani, Khalil al Rahman Haqqani, Badruddin Haqqani, and Mullah Sangeen Zadran.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Haqqani Network meets the criteria for designation as a foreign terrorist organization as set forth in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(2) the Secretary of State should so designate the Haqqani Network as a foreign terrorist organization under such section 219.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress—

(A) a detailed report on whether the Haqqani Network meets the criteria for designation as a foreign terrorist organization as set forth in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(B) if the Secretary determines that the Haqqani Network does not meet the criteria set forth under such section 219, a detailed justification as to which criteria have not been met.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) CONSTRUCTION.—Nothing in this Act may be construed to infringe upon the sovereignty of Pakistan to combat militant or terrorist groups operating inside the boundaries of Pakistan.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. GRIFFIN) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. GRIFFIN of Arkansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 1959, as amended, currently under consideration.

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

There was no objection.

Mr. GRIFFIN of Arkansas. Mr. Speaker, I yield myself such time as I my consume.

I thank my Senate colleague, Mr. BURR of North Carolina, and chairman of the House Intelligence Committee, Mr. ROGERS of Michigan, for their work on this issue.

This bill directs the Secretary of State to submit a report to Congress detailing whether the Haqqani Network meets the criteria for designation as a foreign terrorist organization according to current Federal law. If the Secretary determines that the Haqqani Network does not meet the criteria, the Secretary shall provide a detailed justification as to which criteria have not been met. The bill also provides a sense of Congress that the Secretary of State should designate the network as a foreign terrorist organization.

The Haqqani Network is an insurgent group fighting against U.S.-led NATO forces and the Government of Afghanistan. Maulvi Jalaluddin Haqqani and

his son lead the network, which is now based in Pakistan but operates on both sides of the Afghanistan-Pakistan border.

For about 2 years, the Pakistani Government has sought to facilitate a compromise between the Haqqani Network and the Government of Afghanistan. However, the network has close links with al Qaeda and is believed to provide al Qaeda operatives with safe haven in Haqqani-controlled areas. The Pakistani Government is believed to be the only entity with the influence to bring the Haqqani Network to the negotiating table.

The Obama administration has been considering formally designating the Haqqani Network as a foreign terrorist organization under U.S. law, but has yet to act. Seven Haqqani leaders have been under U.S. sanctions since 2008; and in 2011, Secretary Clinton designated operational commander Badruddin Haqqani under Executive Order 13224, thereby blocking movement of his assets, but not those of the umbrella Haqqani Network.

Since 2008, several attacks have been linked or attributed to the Haqqani Network. In addition to kidnappings of journalists and bombings of hotels and embassies, the Haqqani Network is blamed for the attacks on the U.S. Embassy and nearby NATO bases in Kabul in September 2011. U.S. Ambassador Ryan Crocker blamed the Haqqani Network for the 19-hour Kabul attack which killed four police officers, three coalition soldiers, and four civilians. Two dozen more soldiers and civilians were injured.

The Obama administration insists on negotiating with the Haqqani Network despite unsuccessful attempts in the past. Secretary Clinton has indicated that these negotiations may be necessary again in order to establish sustainable peace in Afghanistan. However, the Haqqani Network has been permitted to evade designation as a foreign terrorist organization. Congress' frustration with the Obama administration's overdue review of the Haqqani Network is clearly evidenced by this legislation.

According to U.S. military commanders, the Haqqani Network is highly resilient and is one of the biggest threats to the U.S.-led NATO forces and the Afghan Government in the current war in Afghanistan. This straightforward legislation simply directs the Secretary of State to analyze whether the Haqqani Network meets the standards for designation as a foreign terrorist organization under Federal law and report those findings back to Congress. It also expresses the sense of Congress that the Haqqani Network should be designated as a foreign terrorist network. The bill does not, however, require that the President designate the Haqqani Network as a foreign terrorist organization. This is a carefully limited bill, and, as I noted earlier, similar legislation was passed by the Senate without opposition.

I urge my colleagues to support this bipartisan, bicameral legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 16, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning S. 1959, the ''Haqqani Network Terrorist Designation Act of 2012,'' which is scheduled to be considered by the House this week.

As you know, pursuant to House Rule X, the Committee on Foreign Affairs maintains jurisdiction over matters concerning foreign relations, the U.S. diplomatic service, and the protection of Americans abroad. The Office of the Parliamentarian has indicated that S. 1959, which concerns the Secretary of State's designation of the Pakistan-based Haqqani Network as a Foreign Terrorist Organization under U.S. law, implicates Foreign Affairs jurisdiction.

In order to expedite Floor consideration of this bill, the Foreign Affairs Committee will forego consideration of this measure. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees, or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to S. 1959, and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of the bill.

Sincerely,

ILEANA ROS-LEHTINEN
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 16, 2012.

Hon. ILEANA ROS-LEHTINEN,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROS-LEHTINEN: Thank you for your letter of even date herewith regarding S. 1959, the ''Haqqani Network Terrorist Designation Act of 2012,'' which was referred to the Committee on the Judiciary on December 19, 2011.

It is my understanding that the Committee on Foreign Affairs would receive a sequential referral on S. 1959 if it were to seek one. I am, therefore, most appreciative of your decision to forego consideration of the bill so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Foreign Affairs is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this reply letter memorializing our mutual understanding in the Congressional Record during floor consideration of S. 1959.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. DEUTCH. Mr. Speaker, I rise in cautious support of S. 1959, the Haqqani Network Terrorist Designation Act.

Despite its name, this bill does not require the U.S. Department of State to formally designate the Haqqani Network as a terrorist organization. Rather, it imposes a one-time reporting requirement on the State Department to explain whether the Haqqani Network meets the statutory requirements for that designation. More importantly, the bill preserves the authority of the State Department to make this determination without congressional interference.

Let's be clear: the Haqqani Network is a dangerous organization and sworn enemy of the United States. From its base along the Afghanistan-Pakistan border, the network of insurgents led by Jalaluddin Haqqani and his family has, for years, fought U.S. and allied forces in eastern Afghanistan. The Haqqanis are responsible for several high-profile acts of terror—including an attack on the United States Embassy on September 13, 2011, that left 16 Afghans dead.

One tool—one tool out of many—for fighting an organization like the Haqqani Network is to designate the group a terrorist organization under section 219 of the Immigration and Nationality Act. Once a group receives that formal designation, the full weight of the Federal Government is brought to bear, including criminal penalties for the provision of material support to the organization, restrictions on travel, and seizure of assets. Designating an organization a terrorist organization is often an appropriate tool when the circumstances are unambiguous.

But the circumstances in eastern Afghanistan and northwest Pakistan are anything but unambiguous. The United States is engaged in delicate negotiations with the Government of Pakistan as it prepares to draw down troops and end the war in Afghanistan. In just the last few weeks, our diplomatic corps has achieved the monumental task of reopening our lines of communication with the Pakistani Government. It may be that, in this context, there is a diplomatic or strategic benefit to holding back on the formal designation of the Haqqani Network as a terrorist organization—perhaps just for the time being.

The State Department has already designated several individuals in the Haqqani Network as terrorists. If there's a reason that Secretary of State Clinton has not yet formally designated the entire network, then we ought to defer to her judgment.

Still, a modest reporting requirement as to some of the legal reasoning behind that decision is a fair request. Even if the Haqqani Network meets the statutory criteria for designation as a foreign terrorist organization—even if that tool is available to us—Secretary Clinton will make that decision when she determines that it is useful and appropriate to do so.

I thank the Speaker, and I yield back the balance of my time.

Mr. GRIFFIN of Arkansas. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. GRIFFIN) that the House suspend the rules and pass the bill, S. 1959, as amended.

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

A motion to reconsider was laid on the table.

□ 1710

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 2013

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6018) to authorize appropriations for the Department of State for fiscal year 2013, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6018

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Relations Authorization Act, Fiscal Year 2013''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

Except as otherwise provided in this Act, the term ''appropriate congressional committees'' means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under ''Administration of Foreign Affairs'' to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign affairs of the United States, and for other purposes authorized by law:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For ''Diplomatic and Consular Programs'', $8,983,778,000 for fiscal year 2013.

(A) WORLDWIDE SECURITY PROTECTION.—Of such amounts, not less than $1,591,201,000 is authorized to be appropriated for worldwide security protection.

(B) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of such amounts, not less than $24,147,000 for fiscal year 2013 is authorized to be appropriated for the Bureau of Democracy, Human Rights and Labor.

(2) CAPITAL INVESTMENT FUND.—For ''Capital Investment Fund'', $59,380,000 for fiscal year 2013.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For ''Embassy Security, Construction and Maintenance'', $1,570,000,000 for fiscal year 2013.

(4) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—For ''Educational and Cultural Exchange Programs'', $598,800,000 for fiscal year 2013.

(5) CONFLICT STABILIZATION OPERATIONS.—

(A) IN GENERAL.—For ''Conflict Stabilization Operations'', $8,500,000 for fiscal year 2013.

(B) TRANSFER.—Subject to subparagraph (C) of this paragraph, of the amount authorized to be appropriated pursuant to paragraph (1), up to $35,000,000 is authorized to be transferred to, and merged with, the amount specified in subparagraph (A) of this paragraph.

(C) NOTIFICATION.—If the Secretary of State exercises the transfer authority described in subparagraph (B), the Secretary shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(6) REPRESENTATION ALLOWANCES.—For ''Representation Allowances'', $7,300,000 for fiscal year 2013.

(7) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For ''Protection of Foreign Missions and Officials'', $27,000,000 for fiscal year 2013.

(8) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For ''Emergencies in the

Diplomatic and Consular Service'', $9,300,000 for fiscal year 2013.

(9) REPATRIATION LOANS.—For ''Repatriation Loans'', $1,447,000 for fiscal year 2013.

(10) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—

(A) IN GENERAL.—For ''Payment to the American Institute in Taiwan'', $21,108,000 for fiscal year 2013.

(B) TRANSFER.—Subject to subparagraph (C) of this paragraph, of the amount authorized to be appropriated pursuant to paragraph (1), up to $15,300,000 is authorized to be transferred to, and merged with, the amount specified in subparagraph (A) of this paragraph.

(C) NOTIFICATION.—If the Secretary of State exercises the transfer authority described in subparagraph (B), the Secretary shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(11) OFFICE OF THE INSPECTOR GENERAL.—For ''Office of the Inspector General'', $129,086,000 for fiscal year 2013, including for the Special Inspector General for Iraq Reconstruction and the Special Inspector General for Afghanistan Reconstruction, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)) as such section relates to the inspection of the administration of activities and operations of each Foreign Service post.

SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

There are authorized to be appropriated for ''Contributions to International Organizations'', $1,551,000,000 for fiscal year 2013, for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

SEC. 103. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

There are authorized to be appropriated for ''Contributions for International Peacekeeping Activities'', $1,828,182,000 for fiscal year 2013 for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

SEC. 104. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under ''International Commissions'' for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For ''International Boundary and Water Commission, United States and Mexico''—

(A) for ''Salaries and Expenses'', $44,722,000 for fiscal year 2013; and

(B) for ''Construction'', $31,453,000 for fiscal year 2013.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For ''International Boundary Commission, United States and Canada'', $2,279,000 for fiscal year 2013.

(3) INTERNATIONAL JOINT COMMISSION.—For ''International Joint Commission'', $7,012,000 for fiscal year 2013.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For ''International Fisheries Commissions'', $36,300,000 for fiscal year 2013.

(5) BORDER ENVIRONMENT COOPERATION COMMISSION.—For ''Border Environment Cooperation Commission'', $2,396,000 for fiscal year 2013.

SEC. 105. PEACE CORPS.

There are authorized to be appropriated for the Peace Corps $375,000,000 for fiscal year 2013, of which not less than $5,150,000 is authorized to be appropriated for the Office of the Inspector General of the Peace Corps.

SEC. 106. NATIONAL ENDOWMENT FOR DEMOCRACY.

There are authorized to be appropriated for the ''National Endowment for Democracy'' for authorized activities $122,764,000 for fiscal year 2013.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

SEC. 201. INTERNATIONAL LITIGATION FUND.

Paragraph (3) of section 38(d) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(d)) is amended by striking ''by the Department of State from another agency of the United States Government or pursuant to'' and inserting ''by the Department of State as a result of a decision of an international tribunal, from another agency of the United States Government, or pursuant to''.

SEC. 202. ACTUARIAL VALUATIONS.

The Foreign Service Act of 1980 is amended—

(1) in section 818 (22 U.S.C. 4058)—

(A) in the first sentence, by striking ''Secretary of the Treasury'' and inserting ''Secretary of State''; and

(B) by amending the second sentence to read as follows: ''The Secretary of State is authorized to expend from money to the credit of the Fund such sums as may be necessary to administer the provisions of this subchapter, including actuarial advice, but only to the extent and in such amounts as are provided in advance in appropriations Acts.'';

(2) in section 819 (22 U.S.C. 4059), in the first sentence, by striking ''Secretary of the Treasury'' the second place it appears and inserting ''Secretary of State'';

(3) in section 825(b) (22 U.S.C. 4065(b)), by striking ''Secretary of the Treasury'' and inserting ''Secretary of State''; and

(4) section 859(c) (22 U.S.C. 4071h(c))—

(A) by striking ''Secretary of the Treasury'' and inserting ''Secretary of State''; and

(B) by striking ''and shall advise the Secretary of State of'' and inserting ''that will provide''.

SEC. 203. SPECIAL AGENTS.

(a) IN GENERAL.—Paragraph (1) of section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)) is amended to read as follows:

''(1) conduct investigations concerning—

''(A) illegal passport or visa issuance or use;

''(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Department of State; and

''(C) Federal offenses committed within the special maritime and territorial jurisdiction of the United States as defined in paragraph (9) of section 7 of title 18, United States Code, except as that jurisdiction relates to the premises of United States military missions and related residences;''.

(b) RULE OF CONSTRUCTION.—Nothing in paragraph (1) of section 37(a) the State Department Basic Authorities Act of 1956 (as amended by subsection (a) of this section) shall be construed to limit the investigative authority of any other Federal department or agency.

SEC. 204. DIPLOMATIC SECURITY PROGRAM CONTRACTING.

Section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''With respect'' and inserting ''Except as provided in subsection (d), with respect''; and

(B) in paragraph (3), by striking ''subsection (d)'' and inserting ''subsection (e)'';

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively;

(3) by inserting after subsection (c) the following new subsection:

''(d) AWARD OF LOCAL GUARD AND PROTECTIVE SERVICE CONTRACTS IN HIGH RISK AREAS.—With respect to local guard contracts for Foreign Service buildings located in high risk areas which exceed $250,000, the Secretary of State shall—

''(1) comply with paragraphs (1), (2), (4), (5), and (6) of subsection (c) in the award of such contracts;

''(2) in evaluating proposals for such contracts, award contracts to the firm representing the best value to the Government in accordance with the best value tradeoff process described in subpart 15.1 of the Federal Acquisition Regulation (48 C.F.R. 15.101–1); and

''(3) ensure that in all contracts awarded under this subsection, contractor personnel providing local guard or protective services are classified as—

''(A) employees of the offeror;

''(B) if the offeror is a joint venture, as the employees of one of the persons or parties constituting the joint venture; or

''(C) as employees of a subcontractor to the offeror, and not as independent contractors to the offeror or any other entity performing under such contracts.''; and

(4) in subsection (e), as redesignated by paragraph (2) of this section—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(5) the term 'high risk areas' means—

''(A) an area subject to a contingency operation as defined in section 101(a)(13) of title 10, United States Code; or

''(B) an area determined by the Assistant Secretary of Diplomatic Security to present an increased threat of serious damage or harm to United States diplomatic facilities or personnel.''.

SEC. 205. ACCOUNTABILITY REVIEW BOARDS.

Paragraph (3) of section 301(a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)) is amended—

(1) by striking the heading and inserting ''FACILITIES IN HIGH-RISK AREAS''; and

(2) in subparagraph (A)—

(A) by amending clause (i) to read as follows:

''(i) involves serious injury, loss of life, or significant destruction of property at, or related to, a United States Government mission in an area subject to a contingency operation (as defined in section 101(a)(13) of title 10, United States Code), or in an area previously determined by the Assistant Secretary of State for Diplomatic Security to present an increased threat of serious damage or harm to United States diplomatic facilities or personnel; and''; and

(B) in clause (ii), by striking ''2009'' and inserting ''2015''.

SEC. 206. PHYSICAL SECURITY OF CERTAIN SOFT TARGETS.

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended, in the third sentence, by inserting ''physical security enhancements and'' after ''may include''.

SEC. 207. REWARDS PROGRAM UPDATE AND TECHNICAL CORRECTIONS.

(a) ENHANCED AUTHORITY.—Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended—

(1) in subsection (a)(2), by inserting ''serious violations of international humanitarian law, transnational organized crime,'' after ''international narcotics trafficking,'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Attorney General'' and inserting ''heads of other relevant departments or agencies'';

(B) in paragraphs (4) and (5), by striking ''paragraph (1), (2), or (3)'' each place it appears and inserting ''paragraph (1), (2), (3), (8), or (9)'';

(C) in paragraph (6)—

(i) by inserting ''or transnational organized crime group'' after ''terrorist organization''; and

(ii) by striking ''or'' at the end;

(D) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking '', including the use by the organization of illicit narcotics production or international narcotics trafficking'' and inserting ''or transnational organized crime group, including the use by such organization or group of illicit narcotics production or international narcotics trafficking'';

(ii) in subparagraph (A), by inserting ''or transnational organized crime'' after ''international terrorism''; and

(iii) in subparagraph (B)—

(I) by inserting ''or transnational organized crime group'' after ''terrorist organization''; and

(II) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following new paragraphs:

''(8) the arrest or conviction in any country of any individual for participating in, primarily outside the United States, transnational organized crime;

''(9) the arrest or conviction in any country of any individual conspiring to participate in or attempting to participate in transnational organized crime; or

''(10) the arrest or conviction in any country, or the transfer to or conviction by an international criminal tribunal (including a hybrid or mixed tribunal), of any foreign national accused of war crimes, crimes against humanity, or genocide, as defined under the statute of such tribunal.''; and

(3) in subsection (k)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (4) the following new paragraphs:

''(5) TRANSNATIONAL ORGANIZED CRIME.—The term 'transnational organized crime' means—

''(A) racketeering activity (as such term is defined in section 1961 of title 18, United States Code) that involves at least one jurisdiction outside the United States; or

''(B) any other criminal offense punishable by a term of imprisonment of at least four years under Federal, State, or local law that involves at least one jurisdiction outside the United States and that is intended to obtain, directly or indirectly, a financial or other material benefit.

''(6) TRANSNATIONAL ORGANIZED CRIME GROUP.—The term 'transnational organized crime group' means a group of persons that includes one or more citizens of a foreign country, exists for a period of time, and acts in concert with the aim of engaging in transnational organized crime.''.

(b) ADVANCE NOTIFICATION FOR INTERNATIONAL CRIMINAL TRIBUNAL REWARDS.—Section 36(g) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(g)) is amended by adding at the end the following new paragraph:

''(3) ADVANCE NOTIFICATION FOR INTERNATIONAL CRIMINAL TRIBUNAL REWARDS.—Not less than 15 days before publicly announcing that a reward may be offered for the arrest or conviction in any country, or the transfer to or conviction by an international criminal tribunal (including a hybrid or mixed tribunal), of a foreign national accused of war crimes, crimes against humanity, or genocide (as defined under the statute of such tribunal), the Secretary shall submit to the appropriate congressional committees a report, which may be submitted in classified form if necessary, specifying the reasons why such arrest or conviction or transfer of such foreign national is in the national interests of the United States.''.

(c) ENHANCING PUBLICITY OF REWARDS INFORMATION.—The Department of State and the Broadcasting Board of Governors shall make themselves available to the appropriate congressional committees for periodic briefings on their cooperative efforts to publicize rewards authorized under section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708).

(d) TECHNICAL CORRECTION.—Section 36(e)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended by striking ''The Secretary shall authorize a reward of $50,000,000 for the capture or death or information leading to the capture or death of Osama bin Laden.''.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the use of activity precluded under the American Servicemembers' Protection Act of 2002 (Public Law 107–206).

(f) FUNDING.—To carry out this section, the Secretary of State shall use amounts appropriated or otherwise made available to the Emergencies in the Diplomatic and Consular Service account of the Department of State.

SEC. 208. CYBERSECURITY EFFORTS OF THE DEPARTMENT OF STATE.

(a) COORDINATOR FOR CYBER ISSUES OF THE DEPARTMENT OF STATE.—

(1) IN GENERAL.—The Secretary of State is authorized to establish within the office of the Secretary of State a Coordinator for Cyber Issues (in this section referred to as the ''Coordinator''), who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) PRINCIPAL DUTIES.—The Coordinator should—

(A) be the principal official within the senior management of the Department responsible for cyberspace and cybersecurity issues;

(B) be the principal advisor to the Secretary of State on international cyberspace and cybersecurity issues;

(C) report directly to the Secretary;

(D) perform such duties and exercise such powers as the Secretary shall prescribe; and

(E) coordinate United States cyberspace and cybersecurity foreign policy in each country or region that the Secretary considers significant with respect to efforts of the United States Government to enhance cybersecurity globally.

(3) ADDITIONAL DUTIES.—In addition to the duties described in paragraph (2), the Coordinator should—

(A) provide strategic direction and coordination for Department of State policy and programs aimed at addressing and responding to cyberspace and cybersecurity issues overseas;

(B) work with relevant Federal departments and agencies, including the Department of Homeland Security, the Department of Defense, the Department of the Treasury, the Department of Justice, the Department of Commerce, and the intelligence community, in the development of interagency plans regarding international cyberspace and cybersecurity issues;

(C) conduct internal exercises for the Department of State to plan for responses to a cyber attack;

(D) consult, where appropriate, with the private sector on international cyberspace and cybersecurity issues; and

(E) build multilateral cooperation to develop international norms, common policies, and responses to secure the integrity of cyberspace.

(4) RANK AND STATUS OF AMBASSADOR.—The Coordinator should have the rank and status of Ambassador-at-Large.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and Committee on Foreign Relations of the Senate a report that includes the following:

(1) A description of the Department of State's internal cybersecurity efforts, including the following:

(A) A description of the nature and scope of major incidents of cybercrime against the Department of State.

(B) A description of action taken to ensure that all individuals trained by the Department of State are adequately prepared to detect and respond to existing and foreseeable vulnerabilities in the Department's information security.

(C) An assessment of whether the Department of State's staffing levels, facilities, financial resources, and technological equipment are sufficient to provide effective cybersecurity training and protection against incidents of cybercrime.

(D) A description of action taken to develop and implement response plans to mitigate and isolate disruption caused by incidents of cybercrime.

(E) A description of action taken to enhance cooperation on cybersecurity issues with other Federal departments and agencies.

(F) A description of any deployments of interagency teams from the Department of State, the United States Agency for International Development, and other Federal departments and agencies that have been deployed to foreign countries to respond to incidents of cybercrime.

(2) A description of the actions that the Department of State is taking to work with other countries and international organizations to strengthen cooperative efforts to—

(A) combat cybercrime and enhance information security;

(B) pressure countries identified as countries of cybersecurity concern under subsection (c) to take effective action to end incidents of cybercrime; and

(C) assist cybersecurity capacity-building in less developed countries.

(c) LIST OF COUNTRIES OF CYBERSECURITY CONCERN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall determine if a country is a country of cybersecurity concern if the Secretary of State finds that with respect to such a country—

(A) during the two-year period preceding the date of the Secretary of State's determination, there is significant credible evidence that there has been a pattern of incidents of cybercrime—

(i) against the United States Government or United States persons, or that disrupt United States electronic commerce or otherwise negatively impact the trade or intellectual property interests of the United States; and

(ii) that are attributable to persons or property based in such country; and

(B) the government of such country has demonstrated a pattern of being uncooperative with efforts to combat cybercrime by—

(i) failing to conduct its own reasonable criminal investigations, prosecutions, or other proceedings with respect to the incidents of cybercrime described in subparagraph (A);

(ii) failing to cooperate with the United States, any other party to the Convention on Cybercrime, or INTERPOL, in criminal investigations, prosecutions, or other proceedings with respect to such incidents, in accordance with chapter III of the Convention on Cybercrime; or

(iii) not adopting or implementing legislative or other measures in accordance with chapter II of the Convention on Cybercrime with respect to criminal offenses related to computer systems or computer data.

(2) SUBMISSION OF LIST.—

(A) IN GENERAL.—Upon making the determinations under paragraph (1), the Secretary of State shall submit to Congress a list of—

(i) each country that is a country of cybersecurity concern;

(ii) the basis for each such determination; and

(iii) any actions the Department of State is taking to address the concerns described in such paragraph.

(B) FORM.—The Secretary of State may submit the list described in this paragraph (or any portion of such list) in classified form if the Secretary determines that such is appropriate.

(d) STRATEGY FOR UNITED STATES ENGAGEMENT ON INTERNATIONAL CYBER ISSUES.—

(1) IN GENERAL.—The Coordinator, in consultation with the heads of appropriate Federal departments and agencies with relevant technical expertise or policy mandates pertaining to cyberspace and cybersecurity issues, shall, not later than 180 days after the date of the enactment of this Act, develop and submit to congressional committees specified in subsection (b) a strategy to support the objective of promoting United States engagement on international cyber issues.

(2) CONTENTS.—The strategy developed under paragraph (1) shall—

(A) include—

(i) efforts to be undertaken;

(ii) specific and measurable goals;

(iii) benchmarks and timeframes for achieving the objectives referred to in subsection (d)(3)(B); and

(iv) progress made towards achieving the benchmarks and timeframes described in clause (iii); and

(B) to the greatest extent practicable, draw upon the expertise of technology, security, and policy experts, private sector actors, international organizations, and other appropriate entities.

(3) COMPONENTS.—The strategy developed under paragraph (1) should include—

(A) assessments and reviews of existing strategies for international cyberspace and cybersecurity policy and engagement;

(B) short- and long-term objectives for United States cyberspace and cybersecurity engagement; and

(C) a description of programs, activities, and policies to foster United States Government collaboration and coordination with other countries and organizations to bolster an international framework of cyber norms, governance, and deterrence, including consideration of the utility of negotiating a multilateral framework to provide internationally acceptable principles to better mitigate cyberwarfare, including noncombatants.

(e) DEFINITIONS.—In this section:

(1) COMPUTER DATA.—The term ''computer data'' means any representation of facts, information, or concepts in a form suitable for processing in a computer system, including a program suitable to cause a computer system to perform a function.

(2) COMPUTER SYSTEMS.—The term ''computer systems'' means any device or group of interconnected or related devices, one or more of which, pursuant to a program, performs automatic processing of data.

(3) CONVENTION ON CYBERCRIME.—The term ''Convention on Cybercrime'' refers to the Council of Europe Convention on Cybercrime, done at Budapest on November 23, 2001, as ratified by the United States Senate with any relevant reservations or declarations.

(4) CYBERCRIME.—The term ''cybercrime'' refers to criminal offenses relating to computer systems or computer data described in the Convention on Cybercrime.

(5) ELECTRONIC COMMERCE.—The term ''electronic commerce'' has the meaning given such term in section 1105(3) of the Internet Tax Freedom Act (47 U.S.C. 151 note).

(6) INFORMATION SECURITY.—The term ''information security'' refers to—

(A) the confidentiality, integrity, or availability of an information system, or the information such system processes, stores, or transmits; and

(B) the security policies, security procedures, or acceptable use policies with respect to an information system.

(7) INTERPOL.—The term ''INTERPOL'' means the International Criminal Police Organization.

(8) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States, or of any jurisdiction within the United States.

SEC. 209. CENTER FOR STRATEGIC COUNTERTERRORISM COMMUNICATIONS OF THE DEPARTMENT OF STATE.

(a) STATEMENT OF POLICY.—As articulated in Executive Order 13584, issued on September 9, 2011, it is the policy of the United States to actively counter the actions and ideologies of al-Qa'ida, its affiliates and adherents, other terrorist organizations, and violent extremists overseas that threaten the interests and national security of the United States.

(b) ESTABLISHMENT OF CENTER FOR STRATEGIC COUNTERTERRORISM COMMUNICATIONS.—There is authorized to be established within the Department of State, under the direction of the Secretary of State, the Center for Strategic Counterterrorism Communications (in this section referred to as the ''CSCC'').

(c) MISSION.—The CSCC may coordinate, orient, and inform government-wide public communications activities directed at audiences abroad and targeted against violent extremists and terrorist organizations, especially al-Qa'ida and its affiliates and adherents.

(d) COORDINATOR OF THE CENTER FOR STRATEGIC COUNTERTERRORISM COMMUNICATIONS.—The head of the CSCC should be the Coordinator. The Coordinator of the CSCC should—

(1) report to the Under Secretary for Public Diplomacy and Public Affairs; and

(2) collaborate with the Bureau of Counterterrorism of the Department of State, other Department bureaus, and other United States Government agencies.

(e) DUTIES.—The CSCC may—

(1) monitor and evaluate extremist narratives and events abroad that are relevant to the development of a United States strategic Counterterrorism narrative designed to counter violent extremism and terrorism that threaten the interests and national security of the United States;

(2) develop and promulgate for use throughout the executive branch United States strategic Counterterrorism narrative developed in accordance with paragraph (1), and public communications strategies to counter the messaging of violent extremists and terrorist organizations, especially al-Qa'ida and its affiliates and adherents;

(3) identify current and emerging trends in extremist communications and communications by al-Qa'ida and its affiliates and adherents in order to coordinate and provide guidance to the United States Government regarding how best to proactively promote a United States strategic counterterrorism narrative developed in accordance with paragraph (1) and related policies, and to respond to and rebut extremist messaging and narratives when communicating to audiences outside the United States;

(4) facilitate the use of a wide range of communications technologies by sharing expertise and best practices among United States Government and non-government sources;

(5) identify and request relevant information from United States Government agencies, including intelligence reporting, data, and analysis; and

(6) identify shortfalls in United States capabilities in any areas relevant to the CSCC's mission, and recommend necessary enhancements or changes.

(f) STEERING COMMITTEE.—

(1) IN GENERAL.—The Secretary of State may establish a Steering Committee composed of senior representatives of United States Government agencies relevant to the CSCC's mission to provide advice to the Secretary on the operations and strategic orientation of the CSCC and to ensure adequate support for the CSCC.

(2) MEETINGS.—The Steering Committee should meet not less often than once every six months.

(3) LEADERSHIP.—The Steering Committee should be chaired by the Under Secretary of State for Public Diplomacy. The Coordinator for Counterterrorism of the Department of State should serve as Vice Chair. The Coordinator of the CSCC should serve as Executive Secretary.

(4) COMPOSITION.—

(A) IN GENERAL.—The Steering Committee may include one senior representative designated by the head of each of the following agencies:

(i) The Department of Defense.

(ii) The Department of Justice.

(iii) The Department of Homeland Security.

(iv) The Department of the Treasury.

(v) The National Counterterrorism Center of the Office of the Director of National Intelligence.

(vi) The Joint Chiefs of Staff.

(vii) The Counterterrorism Center of the Central Intelligence Agency.

(viii) The Broadcasting Board of Governors.

(ix) The Agency for International Development.

(B) ADDITIONAL REPRESENTATION.—Representatives from United States Government agencies not specified in subparagraph (A) may be invited to participate in the Steering Committee at the discretion of the Chair.

Subtitle B—Consular Services and Related Matters

SEC. 211. EXTENSION OF AUTHORITY TO ASSESS PASSPORT SURCHARGE.

Paragraph (2) of section 1(b) of the Act of June 4, 1920 (41 Stat. 750; chapter 223; 22 U.S.C. 214(b)), is amended by striking ''2010'' and inserting ''2015''.

SEC. 212. BORDER CROSSING CARD FEE FOR MINORS.

Section 410(a)(1)(A) of the Department of State and Related Agencies Appropriations Act, 1999 (contained in division A of Public Law 105–277) is amended by striking ''a fee of $13'' and inserting ''a fee equal to one-half the fee that would otherwise apply for processing a machine readable combined border crossing identification card and nonimmigrant visa''.

Subtitle C—Reporting Requirements

SEC. 221. REPORTING REFORM.

The following provisions of law are repealed:

(1) Subsections (c)(4) and (c)(5) of section 601 of Public Law 96–465.

(2) Section 585 in the matter under section 101(c) of division A of Public Law 104–208.

(3) Section 11(b) of Public Law 107–245.

TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

SEC. 301. SUSPENSION OF FOREIGN SERVICE MEMBERS WITHOUT PAY.

(a) SUSPENSION.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended by adding at the end the following new subsection:

''(c)(1) In order to promote the efficiency of the Service, the Secretary may suspend a member of the Foreign Service without pay when the member's security clearance is suspended or when there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed.

''(2) Any member of the Foreign Service for whom a suspension is proposed in accordance with paragraph (1) shall be entitled to—

''(A) written notice stating the specific reasons for the proposed suspension;

''(B) a reasonable time to respond orally and in writing to the proposed suspension;

''(C) representation by an attorney or other representative; and

''(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

''(3) Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11.

''(4) In the case of a grievance filed under paragraph (3)—

''(A) the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and

''(B) the Foreign Service Grievance Board may not exercise the authority provided under section 1106(8).

''(5) In this subsection:

''(A) The term 'reasonable time' means—

''(i) with respect to a member of the Foreign Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

''(ii) with respect to a member of the Foreign Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

''(B) The term 'suspend' or 'suspension' means the placing of a member of the Foreign Service in a temporary status without duties and pay.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) AMENDMENT OF SECTION HEADING.—Section 610 of the Foreign Service Act of 1980, as amended by subsection (a) of this section, is further amended, in the section heading, by inserting ''; SUSPENSION'' before the period at the end.

(2) CLERICAL AMENDMENT.—The item relating to section 610 in the table of contents in section 2 of the Foreign Service Act of 1980 is amended to read as follows:

''Sec. 610. Separation for cause; suspension.''.

SEC. 302. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.

Section 305(d) of the Foreign Service Act of 1980 (22 U.S.C. 3945(d)) is repealed.

SEC. 303. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949) is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsection (b) or (c)'';

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by inserting ''(A),'' after ''if''; and

(ii) by inserting before the semicolon at the end the following: '', or (B), the career candidate is serving in the uniformed services, as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. 4301 et seq.), and the limited appointment expires in the course of such service'';

(B) in paragraph (4), by striking ''and'' at the end;

(C) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(D) by adding after paragraph (5) the following new paragraph:

''(6) in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appointment (A), for a period of time not to exceed 12 months (if such period of time does not permit additional review by boards under section 306), or (B), for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section.''; and

(3) by adding at the end the following new subsection:

''(c) Non-career Foreign Service employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment if there is a one year break in service between each such appointment. The Secretary may in cases of special need waive the requirement for a one year break in service.''.

SEC. 304. LIMITATION OF COMPENSATORY TIME OFF FOR TRAVEL.

Section 5550b of title 5, United States Code, is amended by adding at the end the following new subsection:

''(c) The maximum amount of compensatory time off earned under this section may not exceed 104 hours during any leave year (as defined by regulations established by the Office of Personnel Management).''.

SEC. 305. DEPARTMENT OF STATE ORGANIZATION.

The Secretary of State may, after consultation with the appropriate congressional committees, transfer to such other officials or offices of the Department of State as the Secretary may determine from time to time any authority, duty, or function assigned by statute to the Coordinator for Counterterrorism, the Coordinator for Reconstruction and Stabilization, or the Coordinator for International Energy Affairs.

SEC. 306. REEMPLOYMENT OF ANNUITANTS IN HIGH-RISK POSTS.

Paragraph (2)(A) of section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(2)(A)) is amended by striking ''2010'' and inserting ''2013''.

SEC. 307. OVERSEAS COMPARABILITY PAY LIMITATION.

(a) IN GENERAL.—Subject to the limitation described in subsection (b), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1904), shall remain in effect through September 30, 2013.

(b) LIMITATION.—The authority described in subsection (a) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

TITLE IV—UNITED STATES INTERNATIONAL BROADCASTING

SEC. 401. AUTHORIZATION OF APPROPRIATIONS FOR INTERNATIONAL BROADCASTING.

The following amounts are authorized to be appropriated to carry out United States international broadcasting activities under the United States Information and Educational Exchange Act of 1948, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, and the Foreign Affairs Reform and Restructuring Act of 1998, and to carry out other authorities in law consistent with such purposes:

(1) For ''International Broadcasting Operations'', $744,500,000 for fiscal year 2013.

(2) For ''Broadcasting Capital Improvements'', $7,030,000 for fiscal year 2013.

SEC. 402. PERSONAL SERVICES CONTRACTING PROGRAM.

Section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003, (Public Law 107–228; 22 U.S.C. 6206 note), is amended by striking ''2009'' and inserting ''2015''.

SEC. 403. TECHNICAL AMENDMENT RELATING TO CIVIL IMMUNITY FOR BROADCASTING BOARD OF GOVERNORS MEMBERS.

Section 304(g) of the United States International Broadcasting Act of 1994 (22 U.S.C.

6203(g)) is amended by striking ''Incorporated and Radio Free Asia'' and inserting ''Incorporated, Radio Free Asia, and Middle East Broadcasting Networks''.

TITLE V—ARMS EXPORT CONTROL ACT AMENDMENTS AND RELATED PROVISIONS

Subtitle A—General Provisions

SEC. 501. AUTHORITY TO TRANSFER EXCESS DEFENSE ARTICLES.

Section 516(g)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)(1)) is amended—

(1) by inserting ''authorized to be'' before ''transferred''; and

(2) by striking ''425,000,000'' and inserting ''450,000,000''.

SEC. 502. ANNUAL MILITARY ASSISTANCE REPORT.

(a) INFORMATION RELATING TO MILITARY ASSISTANCE AND MILITARY EXPORTS.—Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is amended—

(1) in the matter preceding paragraph (1), by striking '', by category, whether such defense articles—'' and inserting ''the following:'';

(2) in paragraph (1)—

(A) by inserting ''Whether such defense articles'' before ''were''; and

(B) by striking the semicolon at the end and inserting a period;

(3) in paragraph (2)—

(A) by inserting ''Whether such defense articles'' before ''were''; and

(B) by striking ''; or'' at the end and inserting a period; and

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

''(3) Whether such defense articles were exported without a license under section 38 of the Arms Export Control Act pursuant to an exemption established under the International Traffic in Arms Regulations, other than defense articles exported in furtherance of a letter of offer and acceptance under the Foreign Military Sales program or a technical assistance or manufacturing license agreement, including the specific exemption in the regulation under which the export was made.

''(4) A detailed listing, by United States Munitions List sub-category and type, as well as by country and by international organization, of the actual total dollar value of major defense equipment and defense articles delivered pursuant to licenses authorized under section 38 of the Arms Export Control Act for the previous fiscal year.

''(5) In the case of defense articles that are firearms controlled under category I of the United States Munitions List, a statement of the aggregate dollar value and quantity of semiautomatic assault weapons, or spare parts for such weapons, the manufacture, transfer, or possession of which is unlawful under section 922 of title 18, United States Code, that were licensed for export during the period covered by the report.''.

(b) INFORMATION NOT REQUIRED.—Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) INFORMATION NOT REQUIRED.—Each such report may exclude information relating to—

''(1) exports of defense articles (including excess defense articles), defense services, and international military education and training activities authorized by the United States on a temporary basis;

''(2) exports of such articles, services, and activities to United States Government end users located in foreign countries; and

''(3) and the value of manufacturing license agreements or technical assistance agreements licensed under section 38 of the Arms Export Control Act.''.

SEC. 503. ANNUAL REPORT ON FOREIGN MILITARY TRAINING.

Section 656(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416(a)(1)) is amended by striking ''January 31'' and inserting ''March 1''.

SEC. 504. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS.

(a) FOREIGN MILITARY SALES.—

(1) IN GENERAL.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''$50,000,000'' and inserting ''$100,000,000'';

(ii) by striking ''$200,000,000'' and inserting ''$300,000,000''; and

(iii) by striking ''$14,000,000'' and inserting ''$25,000,000''; and

(B) in the matter following subparagraph (P)—

(i) by inserting ''of any defense articles or defense services under this Act for $200,000,000 or more, any design and construction services for $300,000,000 or more, or any major defense equipment for $75,000,000 or more,'' after ''The letter of offer shall not be issued, with respect to a proposed sale''; and

(ii) by inserting ''of any defense articles or services under this Act for $100,000,000 or more, any design and construction services for $200,000,000 or more, or any major defense equipment for $50,000,000 or more,'' after ''or with respect to a proposed sale''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended—

(A) in paragraph (5)(C), by striking ''Subject to paragraph (6), if'' and inserting ''If''; and

(B) by striking paragraph (6).

(b) COMMERCIAL SALES.—Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended—

(1) in paragraph (1)—

(A) by striking ''Subject to paragraph (5), in'' and inserting ''In'';

(B) by striking ''$14,000,000'' and inserting ''$25,000,000''; and

(C) by striking ''$50,000,000'' and inserting ''$100,000,000'';

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting after ''for an export'' the following: ''of any major defense equipment sold under a contract in the amount of $75,000,000 or more or of defense articles or defense services sold under a contract in the amount of $200,000,000 or more, (or, in the case of a defense article that is a firearm controlled under category I of the United States Munitions List, $1,000,000 or more)''; and

(B) in subparagraph (C), by inserting after ''license'' the following: ''for an export of any major defense equipment sold under a contract in the amount of $50,000,000 or more or of defense articles or defense services sold under a contract in the amount of $100,000,000 or more, (or, in the case of a defense article that is a firearm controlled under category I of the United States Munitions List, $1,000,000 or more)'';

(3) by striking paragraph (5); and

(4) by redesignating paragraph (6) as paragraph (5).

SEC. 505. RETURN OF DEFENSE ARTICLES.

Section 21(m)(1)(B) of the Arms Export Control Act (22 U.S.C. 2761(m)(1)(B)) is amended by adding at the end before the semicolon the following: '', unless the Secretary of State has provided prior approval of such retransfer''.

SEC. 506. ANNUAL ESTIMATE AND JUSTIFICATION FOR SALES PROGRAM.

(a) IN GENERAL.—Section 25(a)(1) of the Arms Export Control Act (22 U.S.C. 2765(a)(1)) is amended by striking '', together with an indication of which sales and licensed commercial exports'' and inserting ''and''.

(b) ADDITIONAL AMENDMENT.—Section 25(a)(3) of the Arms Export Control Act (22 U.S.C. 2765(a)(3)) is amended by adding at the end before the semicolon the following: '', as well as any plan for regional security cooperation developed in consultation with Embassy Country Teams and the Department of State''.

SEC. 507. UPDATING AND CONFORMING PENALTIES FOR VIOLATIONS OF SECTIONS 38 AND 39 OF THE ARMS EXPORT CONTROL ACT.

(a) IN GENERAL.—Section 38(c) of the Arms Export Control Act (22 U.S.C. 2778(c)) is amended to read as follows:

''(c) VIOLATIONS OF THIS SECTION AND SECTION 39.—

''(1) UNLAWFUL ACTS.—It shall be unlawful for any person to violate, attempt to violate, conspire to violate, or cause a violation of any provision of this section or section 39, or any rule or regulation issued under either section, or a treaty referred to in subsection (j)(1)(c)(i), including any rule or regulation issued to implement or enforce a treaty referred to in subsection (j)(1)(c)(i) or an implementing arrangement pursuant to such a treaty, or who, in a registration or license application or required report, makes any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein not misleading.

''(2) CRIMINAL PENALTIES.—A person who willfully commits an unlawful act described in paragraph (1) shall upon conviction—

''(A) be fined for each violation in an amount not to exceed $1,000,000, or

''(B) in the case of a natural person, imprisoned for not more than 20 years or both.''.

(b) MECHANISMS TO IDENTIFY VIOLATORS.—Section 38(g) of the Arms Export Control Act (22 U.S.C. 2778(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by inserting ''or have otherwise been charged with,'' after ''indictment for,'';

(ii) in clause (xi), by striking ''; or'' at the end and inserting a comma;

(iii) in clause (xii), by striking the semicolon at the end and inserting a comma; and

(iv) by adding at the end the following:

''(xiii) section 542 of title 18, United States Code, relating to entry of goods by means of false statements,

''(xiv) section 554 of title 18, United States Code, relating to smuggling goods from the United States,

''(xv) section 1831 of title 18, United States Code, relating to economic espionage,

''(xvi) section 545 of title 18, United States Code, relating to smuggling goods into the United States,

''(xvii) section 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–3), relating to prohibited foreign trade practices by persons other than issuers or domestic concerns,

''(xviii) section 2339B of title 18, United States Code, relating to providing material support or resources to dedicated foreign terrorist organizations, or

''(xix) sections 2339C and 2339D of title 18, United States Code, relating to financing terrorism and receiving terrorism training;''; and

(B) in subparagraph (B), by inserting '', have been otherwise charged,'' after ''indictment''; and

(2) in paragraph (3)(A), by inserting ''or otherwise charged with'' after ''indictment for''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to violations of sections 38 and 39 of the Arms Export Control Act committed on or after that date.

SEC. 508. CLARIFICATION OF PROHIBITIONS RELATING TO STATE SPONSORS OF TERRORISM AND THEIR NATIONALS.

Section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)) is amended—

(1) by inserting ''or to the nationals of that country whose substantive contacts with that country give reasonable grounds for raising risk of diversion, regardless of whether such persons maintain such nationality or the nationality of another country not covered by this section'' after ''with respect to a country''; and

(2) by adding at the end the following: ''For purposes of this subsection, the term 'national' means an individual who acquired citizenship by birth from a country that is subject to section 126.1 of title 22, Code of Federal Regulations (or any successor regulations).''.

SEC. 509. EXEMPTION FOR TRANSACTIONS WITH COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.

Section 40(h) of the Arms Export Control Act (22 U.S.C. 2780(h)) is amended—

(1) in the heading—

(A) by striking ''EXEMPTION'' and inserting ''EXEMPTIONS''; and

(B) by adding ''AND CERTAIN FEDERAL LAW ENFORCEMENT ACTIVITIES'' after ''REPORTING REQUIREMENTS''; and

(2) by adding at the end before the period the following: ''or with respect to Federal law enforcement activities undertaken to further the investigation of violations of this Act''.

SEC. 510. REPORT ON FOREIGN MILITARY FINANCING PROGRAM.

Section 23 of the Arms Export Control Act (22 U.S.C. 2763) is amended by adding at the end the following:

''(i) REPORT.—

''(1) IN GENERAL.—The President shall transmit to the appropriate congressional committees as part of the supporting materials of the annual congressional budget justification a report on the implementation of this section for the prior fiscal year.

''(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include a description of the following:

''(A) The extent to which the use of the authority of this section is based on a well-formulated and realistic assessments of the capability requirements of foreign countries and international organizations.

''(B) The extent to which the provision of grants under the authority of this section are consistent with United States conventional arms transfer policy.

''(C) The extent to which the Department of State has developed and implemented specific plans to monitor and evaluate outcomes under the authority of this section, including at least one country or international organization assessment each fiscal year.

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives; and

''(B) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.''.

SEC. 511. CONGRESSIONAL NOTIFICATION OF REGULATIONS AND AMENDMENTS TO REGULATIONS UNDER SECTION 38 OF THE ARMS EXPORT CONTROL ACT.

(a) IN GENERAL.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

''(k) CONGRESSIONAL NOTIFICATION.—The President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a copy of regulations or amendments to regulations issued to carry out this section at least 30 days before publication of the regulations or amendments in the Federal Register unless, after consulting with such Committees, the President determines that there is an emergency that requires a shorter period of time for submittal of such regulations or amendments.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the date of the enactment of this Act and applies with respect the issuance of regulations or amendments to regulations made on or after the date of the enactment of this Act.

SEC. 512. DIPLOMATIC EFFORTS TO STRENGTHEN NATIONAL AND INTERNATIONAL ARMS EXPORT CONTROLS.

Not later than one year after the date of the enactment of this Act, and annually thereafter for 4 years, the President shall transmit to the appropriate congressional committees a report on United States diplomatic efforts to strengthen national and international arms export controls, including a detailed description of any senior-level initiative, to ensure that those arms export controls are comparable to and supportive of United States arms export controls, particularly with respect to countries of concern to the United States.

SEC. 513. REVIEW AND REPORT OF INVESTIGATIONS OF VIOLATIONS OF SECTION 3 OF THE ARMS EXPORT CONTROL ACT.

(a) REVIEW.—The Inspector General of the Department of State shall conduct a review of investigations by the Department of State during each of fiscal years 2013 through 2017 of any and all possible violations of section 3 of the Arms Export Control Act (22 U.S.C. 2753) with respect to misuse of United States-origin defense items to determine whether the Department of State has fully complied with the requirements of such section, as well as its own internal procedures (and whether such procedures are adequate), for reporting to Congress any information regarding the unlawful use or transfer of United States-origin defense articles, defense services, and technology by foreign countries, as required by such section.

(b) REPORT.—The Inspector General of the Department of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate for each of fiscal years 2013 through 2017 a report that contains the findings and results of the review conducted under subsection (a). The report shall be submitted in unclassified form to the maximum extent possible, but may include a classified annex.

SEC. 514. REPORTS ON COMMERCIAL AND GOVERNMENTAL MILITARY EXPORTS UNDER THE ARMS EXPORT CONTROL ACT; CONGRESSIONAL ACTIONS.

(a) CONGRESSIONAL CONSULTATION.—

(1) GOVERNMENT SALES.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended by adding at the end the following: ''The President shall consult fully and completely with the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate before submitting a certification under this subsection.''.

(2) COMMERCIAL SALES.—Section 36(c)(1) of the Arms Export Control Act (22 U.S.C. 2776(c)(1)) is amended by adding at the end the following: ''The President shall consult fully and completely with the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate before submitting a certification under this subsection.''.

(b) REQUIREMENT TO PROVIDE ADVANCE NOTIFICATION AND CONSULTATION ON CERTAIN SALES AND EXPORTS.—Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following new subsection:

''(i)(1)(A) Not later than 60 calendar days prior to the submission of a certification under subsection (b), (c), or (d) of this section, the President shall provide advance notification in writing to, and consult with, the chairs and ranking minority members of the appropriate congressional committees of the offer to sell or export the defense articles or defense services with respect to which such a certification is required to be submitted pursuant to any such subsection.

''(B)(i) The requirement of subparagraph (A) to provide 60 calendar days advance notification in writing to the chairs and ranking minority members of the appropriate congressional committees shall not apply if the chairs and ranking minority members of the appropriate congressional committees have agreed, at their discretion, to waive such requirement.

''(ii) The requirements of subparagraph (A) shall not apply if the President states in the certification that an emergency exists that requires the sale or export of defense articles or defense services to be in the national security interests of the United States in accordance with subsection (b), (c), or (d) of this section.

''(2)(A) A certification submitted under subsection (b), (c), or (d) of this section shall be subject to the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961.

''(B) The requirement of subparagraph (A) shall not apply if the President transmits to the chairs and ranking minority members of the appropriate congressional committees a report in writing that contains a determination of the President that extraordinary circumstances exist which necessitates the obviation of such requirement and a detailed description of such circumstances.''.

(c) DEFINITION.—Section 36(e) of the Arms Export Control Act (22 U.S.C. 2776(e)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2) (as redesignated) the following new paragraph:

''(1) the term 'appropriate congressional committee' means—

''(A) the Committee on Foreign Affairs of the House of Representatives; and

''(B) the Committee on Foreign Relations of the Senate;''.

(d) CONFORMING AMENDMENTS.—Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended—

(1) in subsections (a), (b)(1), (c)(1), and (f), by striking ''Speaker of the House of Representatives and to the chairman of the

Committee on Foreign Relations of the Senate'' and inserting ''chairs of the appropriate congressional committees'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''such committee or the Committee on Foreign Affairs of the House of Representatives'' and inserting ''either chair of the appropriate congressional committees'';

(B) in paragraph (4), by striking ''Congress'' and inserting ''chairs of the appropriate congressional committees''; and

(C) in paragraph (5)—

(i) in subparagraph (A), by striking ''chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate'' and inserting ''chairs of the appropriate congressional committees'';

(ii) in subparagraph (B), by striking ''Congress'' and inserting ''chairs of the appropriate congressional committees''; and

(iii) in subparagraph (C), by striking ''Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate'' and inserting ''chairs of the appropriate congressional committees''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''such committee or the Committee on Foreign Affairs of the House of Representatives'' and inserting ''either chair of the appropriate congressional committees'';

(B) in subparagraphs (A) and (C) of paragraph (2), by striking ''Congress receives'' and inserting ''chairs of the appropriate congressional committees receive''; and

(C) in paragraph (4), by striking ''Congress'' each place it appears and inserting ''the chairs of the appropriate congressional committees''.

Subtitle B—Miscellaneous Provisions

SEC. 521. TREATMENT OF MILITARILY INSIGNIFICANT PARTS AND COMPONENTS.

It shall be the policy of the United States, pursuant to section 38(f) of the Arms Export Control Act (22 U.S.C. 2778) to prioritize the removal of those militarily insignificant parts, components, accessories, and attachments from the United States Munitions List that, even if specifically designed for a defense article controlled on the United States Munitions List, would warrant no more than anti-terrorism controls under the Export Administration Act of 1979 (as continued in effect under the International Emergency Economic Powers Act) or any successor Act.

SEC. 522. SPECIAL EXPORT LICENSING FOR UNITED STATES ALLIES.

Section 38 of the Arms Export Control Act (22 U.S.C. 2778), as amended by this Act, is further amended by adding the following new subsection:

''(l) SPECIAL EXPORT LICENSING FOR UNITED STATES ALLIES.—The President may establish special licensing procedures for the export of replacement components, parts, accessories, attachments, equipment, firmware, software or technology that are not designated as major defense equipment or significant military equipment to the North Atlantic Treaty Organization, any member country of that Organization, or any other country described in section 36(c)(2)(A) of this Act.''.

SEC. 523. IMPROVING AND STREAMLINING LICENSING UNDER UNITED STATES GOVERNMENT ARMS EXPORT CONTROL PROGRAMS.

In implementing reforms of United States arms export control programs, the President should prioritize the development of a new framework to improve and streamline licensing under such programs, including by seeking to revise the Special Comprehensive Export Authorizations for the North Atlantic Treaty Organization, any member country of that Organization, or any other country described in section 36(c)(2)(A) of the Arms Export Control Act (22 U.S.C. 2776(c)(2)(A)) under section 126.14 of title 15, Code of Federal Regulations (relating to the International Traffic in Arms Regulations).

SEC. 524. AUTHORITY TO REMOVE SATELLITES AND RELATED COMPONENTS FROM THE UNITED STATES MUNITIONS LIST.

(a) AUTHORITY.—Subject to subsection (b), the President is authorized to remove commercial satellites and related components and technology from the United States Munitions List pursuant to section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)).

(b) DETERMINATION.—The President may exercise the authority provided in subsection (a) only if the President submits to the appropriate congressional committees a determination that the transfer of commercial satellites and related components and technology from the United States Munitions List does not pose an unacceptable risk to the national security of the United States. Such determination shall include a description of the risk-mitigating controls, procedures, and safeguards the President will put in place to reduce such risk to an absolute minimum.

(c) PROHIBITION.—No license or other authorization for export shall be granted for the transfer, retransfer, or reexport of any commercial satellite or related component or technology contained on the Commerce Control List maintained under part 774 of title 15, Code of Federal Regulations to any person or entity of the following:

(1) The People's Republic of China.

(2) Cuba.

(3) Iran.

(4) North Korea.

(5) Sudan.

(6) Syria.

(7) Any country with respect to which the United States would deny the application for licenses and other approvals for exports and imports of defense articles under section 126.1 of title 15, Code of Federal Regulations (relating to the International Traffic in Arms Regulations).

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of National Intelligence shall submit to the appropriate congressional committees on efforts of state sponsors of terrorism, other foreign countries, or entities to illicitly acquire commercial satellites and related components and technology.

(2) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

(e) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committees on Foreign Relations, Armed Services, and Intelligence of the Senate; and

(2) the Committees on Foreign Affairs, Armed Services, and Intelligence of the House of Representatives.

SEC. 525. REPORT ON LICENSES AND OTHER AUTHORIZATIONS TO EXPORT COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY CONTAINED ON THE COMMERCE CONTROL LIST.

(a) IN GENERAL.—Not later than 60 days after the end of each calendar quarter, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Finance, and Urban Affairs of the Senate a report containing a listing of all licenses and other authorizations to export commercial satellites and related components and technology contained on the Commerce Control List maintained under part 774 of title 15, Code of Federal Regulations.

(b) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

SEC. 526. REVIEW OF UNITED STATES MUNITIONS LIST.

Section 38(f)(1) of the Arms Export Control Act (22 U.S.C. 2778) is amended by striking the last sentence and inserting the following: ''Such notice shall include, to the extent practicable, an enumeration of the item or items to be removed and describe the nature of any controls to be imposed on that item under any other provision of law.''.

SEC. 527. REPORT ON COUNTRY EXEMPTIONS FOR LICENSING OF EXPORTS OF MUNITIONS AND RELATED TECHNICAL DATA.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Attorney General, the Secretary of Commerce, and the Secretary of Homeland Security shall submit to the appropriate congressional committees a report that includes—

(1) an assessment of the extent to which the terms and conditions of exemptions for foreign countries from the licensing requirements of the Commerce Munitions List (or analogous controls for commercial satellites and related components and technology) contain strong safeguards; and

(2) a compilation of sufficient documentation relating to the export of munitions, commercial spacecraft, and related technical data to facilitate law enforcement efforts to effectively detect, investigate, deter and enforce criminal violations of any provision of the Export Administration Regulations, including efforts on the part of state sponsors of terrorism, other countries or entities to illicitly acquire such controlled United States technology.

(b) DEFINITIONS.—In this section—

(1) the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Homeland Security of the House of Representatives; and

(B) the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the term ''munitions'' means—

(A) items transferred from the United States Munitions List to the Commerce Control List and designated as ''600 series'' items on the Commerce Control List under the Export Administration Regulations, as proposed by the Bureau of Industry and Security of the Department of Commerce on July 15, 2011 (76 F.R. 41958); or

(B) any successor regulations.

SEC. 528. END-USE MONITORING OF MUNITIONS.

(a) ESTABLISHMENT OF MONITORING PROGRAM.—In order to ensure accountability with respect to the export of munitions and related technical data on the Commerce Munitions List, the President shall establish a program to provide for the end-use monitoring of such munitions and related technical data.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress a report describing the actions taken to implement this

section, including a detailed accounting of the costs and number of personnel associated with the program established under subsection (a).

(c) MUNITIONS.—In this section, the term ''munitions'' means—

(1) items transferred from the United States Munitions List to the Commerce Control List and designated as ''600 series'' items on the Commerce Control List under the Export Administration Regulations, as proposed by the Bureau of Industry and Security of the Department of Commerce on July 15, 2011 (76 F.R. 41958); or

(2) any successor regulations.

SEC. 529. DEFINITIONS.

In this subtitle:

(1) COMMERCE MUNITIONS LIST.—The term ''Commerce Munitions List'' means—

(A) items transferred from the United States Munitions List to the Commerce Control List and designated as ''600 series'' items on the Commerce Control List under the Export Administration Regulations, as proposed by the Bureau of Industry and Security of the Department of Commerce on July 15, 2011 (76 F.R. 41958); or

(B) any successor regulations.

(2) COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY.—The term ''commercial satellites and related components and technology'' means—

(A) communications satellites that do not contain classified components, including remote sensing satellites with performance parameters below thresholds identified on the United States Munitions List; and

(B) systems, subsystems, parts, and components associated with such satellites and with performance parameters below thresholds specified for items that would remain on the United States Munitions List.

(3) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' means—

(A) the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(B) any successor regulations.

(4) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means a country the government of which has been determined by the Secretary of State, for purposes of section 6(j) of the Export Administration Act of 1979 (as continued in effect under the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(5) UNITED STATES MUNITIONS LIST.—The term ''United States Munitions List'' means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 6018.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the ranking member—and, indeed, all of the Members on both sides of the aisle—for all of the work that has gone into the drafting of this carefully targeted State Department authorization bill for fiscal year 2013.

Despite significant efforts by the Committee on Foreign Affairs, the Department of State has been operating without legislative authority for nearly a decade. The last authorization bill to become law, coauthored by our esteemed former Chairmen Henry Hyde and Tom Lantos, was enacted in September of 2002. The lack of authorities in the intervening years has eroded Congress' foreign policy leverage with the Department of State. By enacting this bill, Congress will repair this lapse, strengthen our foreign policy oversight, and fulfill our obligation to the American public.

The text authorizes basic operations for the State Department, the Broadcasting Board of Governors, and the Peace Corps at fiscally responsible levels coordinated with the Appropriations Committee. This bill does not include any foreign aid authorities.

H.R. 6018 contains important management reforms to increase the efficiency, the accountability, and the safety of our personnel overseas. It reflects bipartisan concern that Congress needs to have a stronger oversight role in the State Department's expanding activities to promote cybersecurity with other governments around the world. It establishes important jurisdiction and oversight authority for the Department's Strategic Counterterrorism Communications Center, which is already operational.

By maintaining current funding for independent audits, inspections, and investigations of the State Department and the Peace Corps, H.R. 6018 ensures that, while we are tightening our belts, we will continue to ferret out waste, fraud, and abuse on behalf of the American taxpayer.

This bill will help American businesses by removing unreasonable obstacles and streamlining the arms export control process for exporting selected equipment and parts. At the same time, it will enhance U.S. security by increasing safeguards against the transfer of sensitive U.S. technologies to state sponsors of terrorism, to China, and to other countries subject to U.S. arms embargoes.

For all of these reasons, Mr. Speaker, H.R. 6018 deserves the bipartisan support that it has received so far and passage by the House this evening.

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

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

I rise in strong support of H.R. 6018, the Fiscal Year 2013 Foreign Relations Authorization Act.

This bill establishes the basis for our Embassies to function and our diplomats to promote U.S. national interests around the world. It provides some of the authorities and resources our State Department needs to promote peaceful international cooperation, protect U.S. national security, and demonstrate the values and principles that define us as a nation.

All around the world, our foreign and civil service officers operate on the front lines of the fight against global terrorism, putting their lives at risk to protect the lives of innocents. By shortchanging our diplomats, we only increase the likelihood of armed confrontation. Skillful diplomacy is also essential for opening foreign markets to American goods and services, which promotes economic growth and creates jobs here at home.

On balance, I do support this bill. It's not perfect. The authorization numbers are well below the FY13 requested levels, lower than what I think is needed to exert strong and effective global leadership, and in a perfect world, I would have preferred a more comprehensive bill that authorizes the full range of our global activities. But the distinguished chairman and her staff have worked with us diligently over the past few weeks to make the changes necessary to arrive at a text that we can wholeheartedly support, so I thank the chairman for her hard work on the bill and for the comity and respect she demonstrated throughout the process.

I urge my colleagues to support this bill and reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, we have no further requests for time, so when the gentleman yields back, I will make some closing statements and yield back as well.

Mr. BERMAN. Mr. Speaker, consider my opening to be my closing, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. In closing, I'd like to thank all of the Members who have worked with us to help put the State Department back on the books for the first time in a decade. I want to thank also the Appropriations, the Budget, and the Intelligence Committees for their helpful consultations throughout this process.

Finally, and most especially, I want to thank the ranking member, my good friend from California (Mr. BERMAN). He has dedicated so many hours, both he and his staff, in making this important bill possible, and I thank him for that.

In particular, I'd like to thank Rick Kessler, Doug Campbell, Daniel Silverberg, Shanna Winters, David

Fite, Diana Ohlbaum, Brent Woolfork, Daniel Harsha, our esteemed staff director, Dr. Yleem Poblete, and indeed, all of our hardworking Foreign Affairs staff for their expert assistance, as well as Doug Anderson and Jamie McCormick.

With that, Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of H.R. 6018, the State Department Authorization Act and to thank Chairman ROS-LEHTINEN and Ranking Member BERMAN for working together to bring this important, bipartisan bill to the floor.

This act authorizes funds for our embassies to function and for our diplomats to promote U.S. national interests abroad.

Congress has not sent a State Authorization bill to the President's desk in years. To get this bill on the suspension calendar, it had to be scrubbed of all controversial provisions. As a consequence, the bill contains no authorization for foreign assistance programs and includes no proposals for much needed foreign aid reform. The bill does, however, include a number of provisions to provide for and protect our men and women serving to advance American interests around the world. The bill authorizes funding for the State Department, the Broadcasting Board of Governors and the multilateral organizations to which the U.S. is a party, such as the United Nations.

Our national security rests on four pillars: the strength of our democracy and economy, defense, diplomacy, and development. Whether in Yemen, where there are growing concerns about that nation becoming a safe haven for al Qaeda or in Afghanistan, where a strong diplomatic presence is helping to facilitate the transition of security responsibility from the coalition forces to the government of Afghanistan, the men and women who serve in our diplomatic corps are on the front lines, in cooperation with our armed forces, protecting U.S. national security.

Mr. Speaker, the men and women who work at the State Department provide vital services to the nation. Both Foreign Service Officers and Civil Service employees monitor and analyze developments throughout the world, and proudly represent our nation and advance our interests around the globe. It is essential that they have the resources they need to perform their jobs on behalf of our nation.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 6018, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2165) to enhance strategic cooperation between the United States and Israel, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2165

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States-Israel Enhanced Security Cooperation Act of 2012''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since 1948, United States Presidents and both houses of Congress, on a bipartisan basis and supported by the American people, have repeatedly reaffirmed the special bond between the United States and Israel, based on shared values and shared interests.

(2) The Middle East is undergoing rapid change, bringing with it hope for an expansion of democracy but also great challenges to the national security of the United States and our allies in the region, particularly to our most important ally in the region, Israel.

(3) The Government of the Islamic Republic of Iran is continuing its decades-long pattern of seeking to foment instability and promote extremism in the Middle East, particularly in this time of dramatic political transition.

(4) At the same time, the Government of the Islamic Republic of Iran continues to enrich uranium in defiance of multiple United Nations Security Council resolutions.

(5) A nuclear-weapons capable Iran would fundamentally threaten vital United States interests, encourage regional nuclear proliferation, further empower Iran, the world's leading state sponsor of terror, and pose a serious and destabilizing threat to Israel and the region.

(6) Over the past several years, with the assistance of the Governments of the Islamic Republic of Iran and Syria, Hizbollah and Hamas have increased their stockpile of rockets, with more than 60,000 now ready to be fired at Israel. The Government of the Islamic Republic of Iran continues to add to its arsenal of ballistic missiles and cruise missiles, which threaten Iran's neighbors, Israel, and United States Armed Forces in the region.

(7) As a result, Israel is facing a fundamentally altered strategic environment.

(8) Pursuant to chapter 5 of title 1 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576), the authority to make available loan guarantees to Israel is currently set to expire on September 30, 2012.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States:

(1) To reaffirm our unwavering commitment to the security of the State of Israel as a Jewish state. As President Barack Obama stated on December 16, 2011, ''America's commitment and my commitment to Israel and Israel's security is unshakeable.'' And as President George W. Bush stated before the Israeli Knesset on May 15, 2008, on the 60th anniversary of the founding of the State of Israel, ''The alliance between our governments is unbreakable, yet the source of our friendship runs deeper than any treaty.''.

(2) To help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation.

(3) To veto any one-sided anti-Israel resolutions at the United Nations Security Council.

(4) To support Israel's inherent right to self-defense.

(5) To pursue avenues to expand cooperation with the Government of Israel both in defense and across the spectrum of civilian sectors, including high technology, agriculture, medicine, health, pharmaceuticals, and energy.

(6) To assist the Government of Israel with its ongoing efforts to forge a peaceful, negotiated settlement of the Israeli-Palestinian conflict that results in two states living side-by-side in peace and security, and to encourage Israel's neighbors to recognize Israel's right to exist as a Jewish state.

(7) To encourage further development of advanced technology programs between the United States and Israel given current trends and instability in the region.

SEC. 4. UNITED STATES ACTIONS TO ASSIST IN THE DEFENSE OF ISRAEL AND PROTECT UNITED STATES INTERESTS.

It is the sense of Congress that the United States Government should take the following actions to assist in the defense of Israel:

(1) Seek to enhance the capabilities of the Governments of the United States and Israel to address emerging common threats, increase security cooperation, and expand joint military exercises.

(2) Provide the Government of Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend against the urgent threat posed to Israel and United States forces in the region.

(3) Provide the Government of Israel assistance specifically for the production and procurement of the Iron Dome defense system for purposes of intercepting short-range missiles, rockets, and projectiles launched against Israel.

(4) Provide the Government of Israel defense articles and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions.

(5) Provide the Government of Israel additional excess defense articles, as appropriate, in the wake of the withdrawal of United States forces from Iraq.

(6) Examine ways to strengthen existing and ongoing efforts, including the Gaza Counter Arms Smuggling Initiative, aimed at preventing weapons smuggling into Gaza pursuant to the 2009 agreement following the Israeli withdrawal from Gaza, as well as measures to protect against weapons smuggling and terrorist threats from the Sinai Peninsula.

(7) Offer the Air Force of Israel additional training and exercise opportunities in the United States to compensate for Israel's limited air space.

(8) Work to encourage an expanded role for Israel with the North Atlantic Treaty Organization (NATO), including an enhanced presence at NATO headquarters and exercises.

(9) Expand already-close intelligence cooperation, including satellite intelligence, with Israel.

SEC. 5. ADDITIONAL STEPS TO DEFEND ISRAEL AND PROTECT AMERICAN INTERESTS.

(a) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

(1) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''more than 8 years after'' and inserting ''more than 10 years after''.

(2) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''fiscal years 2011 and 2012'' and inserting ''fiscal years 2013 and 2014''.

(b) EXTENSION OF LOAN GUARANTEES TO ISRAEL.—Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading ''LOAN GUARANTEES TO ISRAEL''—

(1) in the matter preceding the first proviso, by striking ''September 30, 2011'' and inserting ''September 30, 2015''; and

(2) in the second proviso, by striking ''September 30, 2011'' and inserting ''September 30, 2015''.

SEC. 6. REPORTS REQUIRED.

(a) REPORT ON ISRAEL'S QUALITATIVE MILITARY EDGE (QME).—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the status of Israel's qualitative military edge in light of current trends and instability in the region.

(2) SUBSTITUTION FOR QUADRENNIAL REPORT.—If submitted within one year of the date that the first quadrennial report required by section 201(c)(2) of the Naval Vessel Transfer Act of 2008 (Public Law 110–429; 22 U.S.C. 2776 note) is due to be submitted, the report required by paragraph (1) may substitute for such quadrennial report.

(b) REPORTS ON OTHER MATTERS.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on each of the following matters:

(1) Taking into account the Government of Israel's urgent requirement for F–35 aircraft, actions to improve the process relating to its purchase of F–35 aircraft, particularly with respect to cost efficiency and timely delivery.

(2) Efforts to expand cooperation between the United States and Israel in homeland security, counter-terrorism, maritime security, energy, cyber-security, and other related areas.

(3) Actions to integrate Israel into the defense of the Eastern Mediterranean.

SEC. 7. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) QUALITATIVE MILITARY EDGE.—The term ''qualitative military edge'' has the meaning given the term in section 36(h)(2) of the Arms Export Control Act (22 U.S.C. 2776(h)(2)).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. I ask unanimous consent, Mr. Speaker, that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on Senate bill 2165.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the United States-Israel Enhanced Security Cooperation Act of 2012.

I would like to thank the distinguished majority leader and the minority whip, Mr. CANTOR and Mr. HOYER, for sponsoring the House version of this legislation, as well as Senators BOXER and ISAKSON, who sponsored the Senate version that this House is considering today.

□ 1720

For over 64 years, since the United States recognized Israel just 11 minutes after its creation, the democratic, Jewish State of Israel has been one of our closest allies.

Our shared commitment to peace and to freedom have been the foundation of a special bond that has reinforced the safety and the security of both of our countries. We have forged a defense partnership that has yielded advanced technologies and policies that have benefited both of our nations and helped to keep our citizens secure. Our fates are tied together. A threat to one of our countries is a threat to both.

And so, as the Iranian regime continues to race toward nuclear weapons and sponsor violent extremists like Hamas and Hezbollah, we must work together to counter this growing threat, Mr. Speaker.

And while the United States and Israel are targeted by many of the same threats, Israel's proximity to the Iran-Syria-Hamas-Hezbollah nexus leaves us no room for error. Our goal, with this legislation, is to ensure that Israel has the ability to protect its citizens against the dangers that touch their lives every day, against the rockets, against the bombs, against the missiles that their enemies stockpile while making well-publicized threats every day against the Jewish state.

How do we achieve this goal, Mr. Speaker? By increasing the totality of our bilateral security relations. That means increasing joint missile defense systems, joint military exercises, and intelligence cooperation. We get to learn from them, and they get to learn from us, and we all sleep a little more soundly knowing that we have done all we can to help our citizens.

It also means providing increased excess defense articles and munitions to Israel. With a host of entities stirring the pot of hostility against the Jewish state, it is critical that the United States stand foursquare with Israel.

This legislation also extends authority to provide loan guarantees to the Israeli government that provide the Jewish state with a cushion of support in times of need, and at no cost to the American taxpayer.

Mr. Speaker, our ally, Israel, needs our help, and we are situated to lend a friend this hand while strengthening our own security in the process. Let us stand together today and say that we support a strong and secure Israel, not only because Israel is our friend and ally, but also because a strong and secure Israel means a strong and secure America.

Now is a particularly important time to send that message, as we face the looming specter of this sequester that we're all talking about and working hard to prevent.

Mr. Speaker, if nothing is done to avert this crisis, we will face an almost $450 million cut to security assistance to Israel. This would include over $100 million in cuts to cooperative missile defense programs. These cuts would damage the security of our Nation and our ally, Israel, and they must be averted.

With that, Mr. Speaker, I am so pleased to yield such time as he may consume to the coauthor of this legislation, our leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentlelady from Florida for her leadership on this issue.

Mr. Speaker, I rise today in support of the U.S.-Israel Enhanced Security Cooperation Act. As the gentlelady just said, Mr. Speaker, I, together with my counterpart, STENY HOYER, Chairman ILEANA ROS-LEHTINEN, and the gentleman from California, Ranking Member HOWARD BERMAN, in May introduced this bill, and the House passed it with nearly unanimous support.

At a time when we are facing huge fiscal challenges, this bill makes it clear that no matter what, the United States always stands strong in our support for Israel, with whom we share a commitment to freedom, a respect for human life, and a commitment to security.

Among other things, this bill allows for the continuation of longstanding loan guarantees to Israel, we restate the importance of maintaining Israel's qualitative military edge, and we improve military and intelligence cooperation, particularly with respect to joint missile defense.

We also reiterate our commitment to stand with Israel in international forums like the United Nations, where

Israel often finds itself in an unfriendly environment. And, Mr. Speaker, we encourage NATO to welcome an expanded role for Israel. Our investment in Israel's security is an investment in American security.

Beyond this bipartisan expression of America's support for Israel, there is much the United States can do to protect our interests and the interests of our closest allies in the Middle East. But we cannot do so as a spectator.

The U.S. must lead. We cannot rely on Vladimir Putin and Kofi Annan to broker the peace in Syria, or stand idly by as Iran and Russia protect Bashar Assad, one of the world's most active state sponsors of terrorism. And we cannot and must not allow Iran to acquire nuclear weapons capability.

Mr. Speaker, we must meet the existential threat Iran poses to Israel, its neighbors, and the world with strength and engagement. We cannot allow situations in the region to unfold without our leadership. In fact, during my recent trips to the region, I have found there is more agreement on the need for U.S. leadership than anything else.

Today, Mr. Speaker, the House will send this bipartisan bill to the President and deliver the message that, during this pivotal and dangerous period in the Middle East, the United States stands tall for our ally, Israel.

Ms. ROS-LEHTINEN. I thank the gentleman for his remarks, and I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in strong support of S. 2165, the United States-Israel Enhanced Security Cooperation Act of 2012, and I yield myself as much time as I may consume.

I want to thank, first of all, my friends, Majority Leader CANTOR and Minority Whip HOYER, for bringing this important bill back to the floor of the House so that we can accept the Senate's constructive additions and send it to the President's desk.

I'd also like to thank, as did my chairman, Senators BOXER and ISAKSON, and Senator COLLINS, for their leadership on this resolution in the Senate.

And finally, I want to thank my friend and chairman, the gentlelady from Florida, for her continued leadership on the issue of the U.S.-Israel relationship.

Members should recall that in May we passed the House version of this bill, H.R. 4133, by a near-unanimous vote. We will be taking another vote today because the Senate has added an important extension of military stockpile reserve authorities. I strongly support this addition and thank the Senate for its contribution.

Mr. Speaker, since its founding, Israel has faced innumerable challenges to its survival, but the serious threats it faces today are unprecedented. Deadly cross-border attacks from the Sinai Peninsula have taken both Israeli Arab and Israeli Jewish lives.

Terrorism still penetrates Israel from Gaza in the form of rocket and mortar attacks. But unlike in years past, the Iron Dome Anti-Missile System, funded in part by the United States, has changed the rules of the game. In fact, Iron Dome has been successful in intercepting a remarkable 90 percent of incoming rockets aimed at once defenseless population centers.

Currently, there are only a handful of Iron Dome batteries operational in Israel. More are needed in order to protect all of Israel's 8 million citizens.

I'm pleased to say that S. 2165 retains language from the Iron Dome Support Act, bipartisan legislation I introduced which now has nearly 110 cosponsors expressing support for providing Israel assistance to produce additional Iron Dome batteries.

This bill also pledges to assist Israel with its ongoing effort to forge a peaceful, negotiated settlement of the Israeli-Palestinian conflict that results in two states living side by side in peace and in security. Despite all the obstacles to achieving this goal, we cannot give up trying, as peace is profoundly in Israel's strategic interest.

I applaud Prime Minister Netanyahu's willingness to negotiate anywhere, anytime. The Palestinians should take him up on that offer, instead of pursuing a campaign to delegitimize Israel at the U.N. and elsewhere.

Mr. Speaker, perhaps the greatest threat to both American and Israeli security today is that posed by Iran's nuclear weapons program. I hope this problem can be solved diplomatically, but as we all know, only massive pressure from the United States and our allies has any chance of persuading Iran to give up its quest for nuclear arms.

□ 1730

In fact, we are currently negotiating a sanctions bill with the Senate, the Iran Threat Reduction Act, which Chairman ROS-LEHTINEN and I introduced and which the House passed late last year. That bill will dramatically increase the economic pressure on Iran. Meanwhile, the bill before us today makes clear that the U.S. Congress will continue to help Israel meet the Iranian threat.

Gaza-based terrorism, the Israeli-Palestinian conflict, and the Iranian nuclear program are not the only threats faced by Israel. Recent events in Egypt and Syria, along with the presence of Hamas in Gaza and Hezbollah in Lebanon, require Israeli vigilance against danger from all directions.

To that end, this bill, once again, reaffirms our determination to support Israel's qualitative military edge against any possible combination of regional threats. In reinforcing that commitment to Israel's security, this bill extends for 4 years a loan guarantee program for Israel that was initiated in 2003. The extension is based on legislation that Chairman ROS-LEHTINEN and I introduced in March.

Mr. Speaker, our relationship with our ally Israel is one of the most important and closest that we have with any nation in the world. The United States and Israel face many of the same threats, and we share the same values. Israel's defense minister, Ehud Barak, recently said that he can hardly remember a better period of U.S. ''support and cooperation'' and common U.S.-Israel strategic understanding than the current one.

The passage of this bill will help ensure that this cooperation continues into the future. I encourage all of my colleagues to support this legislation.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. I am so pleased to yield 4 minutes to my good friend, the gentleman from New Jersey (Mr. SMITH), who is the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished gentlelady, the chairwoman of our committee, for her great leadership in the defense of Israel. I thank as well my good friend and colleague, the ranking member, Mr. BERMAN. These two individuals work hard every day for the peace and security of our friend and ally Israel.

This is a ''must pass'' bill, Mr. Speaker, as we must reiterate our support for the nation of Israel. Our friend and ally Israel lives under the daily threat of indiscriminate rocket attacks on their homes and businesses, terrorism on public transit, and the unapologetic, undeterred, and unacceptable existential threat of a nuclear Iran. Despite Iran's signature of the Genocide Convention of 1956, Iran's anti-Semitic leader, Ahmadinejad, has repeatedly threatened to wipe Israel off the face of the Earth. Iran has ignored its commitments not to pursue nuclear weapons under the IAEA, refusing inspections and failing the ones they do allow.

The U.N. has failed to be resolute in its response to Iran or to protect Israel, leaving Israel to fend for itself at best but, more often, attacking and undermining it at every opportunity. Most recently and amazingly, the United Nations allowed Iran to be elected to the 15-member general committee of the U.N. Arms Trade Treaty Conference, which is allegedly developing a treaty regulating the international sale of conventional arms. Iran does, after all, have considerable experience in this area. Iran has been arming Israel's neighbors for decades.

Freedom House's annual report on the world, which assesses the political and civil liberties of nearly every nation on Earth, shows that Israel is surrounded by nations that profoundly

disrespect the political and civil liberties of their own citizens. These nations actively foment hate against Israel and have human rights records that are among the worst in the world. Syria has now shown its true colors. We cannot sit by and wait for Iran to have the opportunity.

Mr. Speaker, superior deterrence remains among the best guarantors of peace, and that has certainly been the case in the Middle East. S. 2165 enhances Israel's ability to defend itself. When Israel's military superiority was unclear in the eyes of its enemies soon after it was created, soon after Israel became a state, Israel was tested repeatedly with war, yet they won again and again. In response to Israel's clear military superiority, Israel's enemies have relied on cowardly acts of terrorism. They have attacked with Gaza rockets, with the intifada, with the flotilla, and Israel's task has been to overcome those deadly aggressions. Mr. Speaker, S. 2165 provides assistance for several programs that are effective in deterring attacks and in defending Israel, including for the Iron Dome, Israel's successful means of defending itself against missiles and rockets targeting Israeli homes and businesses.

With this bill, Israel will be better equipped for any scenario as it fulfills its solemn duty to protect its own people. With this bill, we also reassert our country's moral obligation and unshakable commitment to give Israel every assistance. The U.S. reaffirms, in word and in deed, our dedication to the defense of the Jewish state. S. 2165 expands U.S. military, intelligence, and civilian cooperation with Israel, including an offer to the Israeli air force for additional training opportunities in the U.S. in order to compensate for Israel's limited airspace and other enhanced cooperation on intelligence sharing.

Israel has shown itself to be a great friend of the United States, not only in setting the standard for democracy and human rights in the region but by being trustworthy with loans—always repaying loans on time and in full. This bill recognizes Israel's dependability with an extension of the longstanding loan guarantee program for Israel.

Finally, this bill reaffirms that the only viable option for peace and security in the region is an Israeli state and a Palestinian state existing side by side. Again, I ask for Members to support this important bill.

Mr. BERMAN. I am very pleased to yield 1 minute to the gentleman representing American Samoa and the ranking Democrat on the Asia and the Pacific Subcommittee of the Foreign Affairs Committee, Mr. FALEOMAVAEGA.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding.

Mr. Speaker, I want to associate myself especially with the remarks made by the gentlelady from Florida, who is our distinguished chairwoman of the Committee on Foreign Affairs, and with the remarks of my senior ranking member, the gentleman from California (Mr. BERMAN). I thank them both for their leadership in bringing this legislation forward for consideration and approval before the Members of this body.

I think there is absolutely no question in terms of the provisions provided in this bill. We want to be absolutely certain that our government is making every effort to ensure the security of the State of Israel.

I want to again commend the gentlelady from Florida and also my good friend from New Jersey (Mr. SMITH) for their comments in assuring and in giving every absolute notice to other countries of the world so as to know where the United States stands in its defense of Israel.

Ms. ROS-LEHTINEN. I am so pleased to yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), who is the chairman of the Foreign Affairs Subcommittee on the Middle East and South Asia. He deals with these issues every day.

Mr. CHABOT. Thank you very much, Madam Chair.

I really do appreciate the great leadership Chairwoman ROS-LEHTINEN has shown on this issue and on so many issues around the world. I appreciate as well the great leadership of Mr. BERMAN, the ranking member. Together, in a bipartisan manner, both have really done a great job for our country, and we appreciate that.

Despite the tremendous progress that has been made toward ensuring Israel's continued security, critical challenges still remain. Now, perhaps more than at any time since the 1973 Yom Kippur War, Israel faces real and direct threats to its very homeland. Although the so-called Arab Spring has raised hopes that with time and hard work democracy may take hold in Arab lands, it has also ushered in what will, no doubt, be a period of profound and prolonged instability.

□ 1740

And while we most certainly should be working with Arab countries in this time of transition, we must not forget Israel, the Middle East's only established democracy and our friend and ally, which faces unprecedented threats to its security. Some of these are threats that Israel has not had to deal with in a very long time.

To the west, Israel faces new and untested Egyptian leadership, which has sent some troubling messages about its intentions for Egyptian-Israeli bilateral relations. To the north, fighting in Syria is continuing to intensify, and all signs suggest that the country may collapse into full-scale civil war. Other threats are sadly perennial. To Israel's north and west, terrorists remain poised to attack and otherwise disrupt normal life for millions of Israeli citizens. To the east, the Iranian threat looms large on the horizon, and they threaten Israel and the entire region with the prospect of a nuclear weapon's capable radical regime right next door.

There is no question that the illicit Iranian nuclear program must remain at the very top of our priority list. It's certainly at the top of Israel's priority list. The nuclear program is, however, a symptom of the disease rather than the disease itself. The nuclear program is a paramount challenge to U.S. core national security interests, as well as those of our allies, and it must be addressed. As long as this regime is in power and the region continues to experience the kind of instability we're now witnessing, we must commit ourselves fully to doing everything we can to help aid Israel in securing itself.

I urge the adoption of this very important resolution.

Mr. BERMAN. Mr. Speaker, may I ask how much time is remaining on each side.

The SPEAKER pro tempore (Mr. CHAFFETZ). The gentleman from California has 13½ minutes, and the gentlewoman from Florida has 5½ minutes.

Mr. BERMAN. With that, Mr. Speaker, I am very pleased to yield 5 minutes to our distinguished whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Again, as I do repeatedly when I rise to speak on issues related to our closest ally in the Middle East, Israel, and the relationship between our two countries, I congratulate the chairwoman of the committee, the gentlelady from Florida, ILEANA ROS-LEHTINEN, for her leadership on this issue and focus on the importance of not only the relationship, but on the importance of making sure that Israel is strong and able to defend herself.

I also congratulate the gentleman from California (Mr. BERMAN). I don't know anybody who, for a longer period of time, has focused on the issue of keeping the relationship between Israel and the United States strong, vibrant, and open, and who has, on this floor, in committee, in our caucus, and around this country, educated people any more than he has to the necessity to keep this relationship strong and to keep Israel strong.

So I rise to thank both of them for bringing this issue to the floor.

Mr. Speaker, I was proud to cosponsor this legislation with my friend, the majority leader, Mr. CANTOR. That piece of legislation, which Ms. ROS-LEHTINEN and Mr. BERMAN brought to the floor some months ago, passed here with a vote of 411–2, showing the overwhelming bipartisan support this issue has. This is clearly an issue, unlike so many that we deal with, that enjoys

not only bipartisan support between the two parties, but support of philosophical perspectives from all over this caucus and this country. We don't always see eye to eye on matters of policy, but we always find common ground when it comes to strengthening the U.S.-Israel relationship.

This is the case for two very important reasons. The first is because the United States and Israel are linked by history and by the common glue of shared values: democracy, free enterprise, respect for human rights, and the rule of law. Secondly, because a strong Israel is in America's national security interest.

We make that point almost every time we speak because it's important for all of our constituents, our fellow Americans to understand that the investment that we make in Israel, the investment in terms of time, in terms of support, in terms of finances, and in terms of military assistance, are all in the interest of the United States of America and its citizens. Yes, it is to Israel's benefit as well, but primarily the United States acts because it sees as critical to its own interests the safety, security, and sovereignty of Israel.

Military and security ties with Israel help the Pentagon and our intelligence agencies track threats to Americans at home and abroad, and they enable us to partner on the development of technologies that help keep our people safe.

The number one regional threat of course, as all of us know, is the prospect of a nuclear Iran. That is of great concern to every nation in the world. The nonproliferation of nuclear weapons is a principal tenet of the nations of the world, adopted by the United Nations and adopted in treaties.

Iran must not be allowed to obtain nuclear weapons, as it would dramatically destabilize the region, and Iran's leaders have already threatened American targets in that part of the world. Again, it is important to note that are some 250,000 Americans within the range of Iranian missiles.

Of course, there are untold economic interests of the United States and of the international community. Enhanced security cooperation with Israel is one of the many tools we have to help prevent Iran from achieving nuclear weaponization and to protect American assets in the region.

This bill strengthens that cooperation in several ways:

It authorizes aid for the joint U.S.-Israel Iron Dome missile defense, a critical investment.

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

Mr. BERMAN. I yield the gentleman an additional 2 minutes.

Mr. HOYER. It also increases U.S. strategic stockpiles in Israel and provides Israel with additional weaponry as a first line of defense for the United States, as well as for Israel.

Furthermore, this bill extends loan guarantees for Israel and encourages an expanded Israeli role in NATO.

Mr. Speaker, it is so encouraging to see that even while we may divide on other matters, this House will pass the legislation before us with strong, overwhelming bipartisan support. That sends a message that hopefully cannot be missed, a clarity of purpose expressed by this Congress, the policymaking body of this Nation, that speaks for all the people of our Nation. Hopefully, those who would pose a threat and risk to us and to our allies would take note of that unanimity of purpose. Let us continue to ensure that close U.S.-Israel ties are an issue that unites us as Americans.

As I said, the House overwhelmingly passed this measure earlier this year, 411–2. Now the Senate has sent it back to us for final consideration. I congratulate my friend, Senator BOXER, and the Republican leadership of the Senate, as well.

I hope we can pass it again today. I know we will, and I hope it's with even greater support. I urge my colleagues to vote ''yes'' on this bill—for America, for Israel, and for international security.

□ 1750

Ms. ROS-LEHTINEN. Mr. Speaker, I only have some closing remarks and have no further requests for time, so I will wait for my colleague from California to yield back.

Mr. BERMAN. After what we just heard, I would not suggest any further speakers, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

The United States-Israel Enhanced Security Cooperation Act of 2012 states, and it makes it very clear, that U.S. policy is to: reaffirm the commitment to Israel's security as a Jewish state; also to provide Israel with the military capabilities to defend herself and help preserve its qualitative military edge; also to expand military and civilian cooperation; to assist in a negotiated settlement of the Israeli-Palestinian conflict that results in two states living side by side in peace and security, which is all of our goals; and also encourage Israel's neighbors to recognize Israel's right to exist as a Jewish state.

This bill expresses the sense of Congress that the United States should take specified actions to assist in the defense of Israel; it amends the 2005 Department of Defense Appropriations Act to extend authority to transfer certain Department of Defense items to Israel; it amends the Foreign Assistance Act of 1961 to extend authority to make additions to foreign-based defense stockpiles; and, lastly, it amends the Emergency Wartime Supplemental Appropriations Act of 2003 to extend specified loan guarantee authority to Israel.

This is in the U.S. national security interest, and I hope that the House overwhelmingly passes this important bill.

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

Mr. BACA. Mr. Speaker, I rise today in support of ''S. 2165; U.S.-Israel Enhanced Security Cooperation Act of 2012.''

Since 1948 the U.S. and Israel have shared a special bond.

Israel is our greatest ally in a region defined by conflict.

Today, there are significant events in the Middle East that present unique security challenges.

From the upheaval in neighboring states to the defiance of the IAEA by the Iranian regime, Israel is under constant threat.

The Israelis should not be forced to live under duress from a nation that denies the holocaust and Israel's right to exist.

As a nation we must never waiver in our support of Israel's inherent right to self-defense against these threats.

Congress must provide the technology and weapons systems that provide a military advantage over aggressors.

This enhanced cooperation between the U.S. and Israel will provide stability in an increasingly unstable region.

Israel must have the capability and consent to defend themselves or the region will fall deeper into chaos.

I urge my colleagues to support this responsible legislation.

Mr. HOLT. Mr. Speaker, I rise in support of this legislation.

The House passed its version of this legislation in May 2012, with my strong support. The Senate has elected to improve the loan guarantee and stock-pile authorities in its version, which I am also pleased to support.

United States and Israel have built a strong, unique and special relationship, and passage of this legislation will only strengthen those bonds. The political changes that are sweeping through North Africa and the Middle East are creating new uncertainties for the United States and Israel. The revolutions that are underway may not produce the much-hoped for democratic ''Arab Spring''. Indeed, the ascension of Muslim Brotherhood member Mohamad Morsi to the Egyptian presidency is a development whose consequences cannot be predicted with certainty at the moment. During such times of uncertainty, it is important that America send a clear message to the region that we will continue to stand by our ally, Israel. This bill helps us do exactly that, which is why I am pleased to support it.

Mr. MARCHANT. Mr. Speaker, I rise in strong support of H.R. 4133, now S. 2165, the U.S.-Israel Enhanced Security Cooperation Act of 2012. I am proud to be a cosponsor of this legislation and I urge all of my colleagues to join me in voting for this bill.

Israel continues to face unprecedented and unpredictable challenges from many of its neighbors. American support for Israel must remain unequivocally solid. This legislation is the latest important effort to continue and expand our deep mutual relationship. I am

pleased that the House of Representatives is considering H.R. 4133 today, as it is of the utmost importance.

In addition to reaffirming our continued commitment to Israel, this legislation will provide Israel with many new military capabilities needed to defend itself against any threats. It is important for those who may wish to do Israel harm to know that they will not be successful. Specifically, this bill will provide Israel with new missile defense capabilities, mid-air refueling tankers, and specialized munitions. Each of these are key components for ensuring Israel's continued sovereign right to exist. In addition to these items this bill thoughtfully provides Israel with certain defense equipment that is being left behind by the withdrawal of American forces from Iraq.

In addition to the conveyance of equipment, this bill greatly increases our intelligence sharing operations and offers the Israeli Air Force additional training resources in the United States. This is very important given the severely limited training grounds for the Israeli Air Force in its own country. I am especially pleased with the agreement for increased intelligence cooperation. This new level of intelligence collaboration will substantially assist our own intelligence services in keeping Americans safe. This legislation greatly benefits both countries; it is truly a remarkable partnership.

These efforts are paramount, but we must not rest. When we pass this legislation today, we must know that this is only the next step, and is not the final step in ensuring Israel's freedoms and right to exist. I remain committed to work with my colleagues for helping expand the US-Israeli partnership.

Mr. VAN HOLLEN. Mr. Speaker, as a cosponsor and strong supporter of the United States-Israel Enhanced Security Cooperation Act of 2012, I rise in support of the bill.

The House originally passed this measure by a vote of 411 to 2 in May. The Senate then passed the measure by unanimous consent on June 29. The purpose of the bill is to extend to Israel a U.S. Government loan guarantee and U.S. defense stockpile transfer authority.

Israel is an essential American ally in the Middle East. The rapid change that region is undergoing will have a significant impact on the national security of both our countries. In light of this, S. 2165 helps to reinforce our support for the security of Israel by extending until Sept. 30, 2015, the U.S. Government loan guarantees. The measure also expresses the sense of Congress that the United States should take a number of actions to strengthen the defense of Israel, including: providing support for its ''Iron Dome'' air defense system; providing Israel with air refueling tankers and specialized munitions; and expanding intelligence cooperation between our two countries.

By passing this bill today, we reaffirm our support for the right of Israel to defend itself and demonstrate our ongoing commitment to Israel as an ally of the United States.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, S. 2165.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INSULAR AREAS ACT OF 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2009) to improve the administration of programs in the insular areas, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2009

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Insular Areas Act of 2011''.

SEC. 2. CONTINUED MONITORING ON RUNIT ISLAND.

Section 103(f)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(1)) is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(2) by adding at the end the following:

''(B) CONTINUED MONITORING ON RUNIT ISLAND.—

''(i) CACTUS CRATER CONTAINMENT AND GROUNDWATER MONITORING.—Effective beginning January 1, 2012, the Secretary of Energy shall, as a part of the Marshall Islands program conducted under subparagraph (A), periodically (but not less frequently than every 4 years) conduct—

''(I) a visual study of the concrete exterior of the Cactus Crater containment structure on Runit Island; and

''(II) a radiochemical analysis of the groundwater surrounding and in the Cactus Crater containment structure on Runit Island.

''(ii) REPORT.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives, a report that contains—

''(I) a description of—

''(aa) the results of each visual survey conducted under clause (i)(I); and

''(bb) the results of the radiochemical analysis conducted under clause (i)(II); and

''(II) a determination on whether the surveys and analyses indicate any significant change in the health risks to the people of Enewetak from the contaminants within the Cactus Crater containment structure.

''(iii) FUNDING FOR GROUNDWATER MONITORING.—The Secretary of the Interior shall make available to the Department of Energy, Marshall Islands Program, from funds available for the Technical Assistance Program of the Office of Insular Affairs, the amounts necessary to conduct the radiochemical analysis of groundwater under clause(i)(II).''.

SEC. 3. CLARIFYING THE TEMPORARY ASSIGNMENT OF JUDGES TO COURTS OF THE FREELY ASSOCIATED STATES.

Section 297(a) of title 28, United States Code, is amended by striking ''circuit or district judge'' and inserting ''circuit, district, magistrate, or territorial judge of a court''.

SEC. 4. DELAY OF SCHEDULED MINIMUM WAGE INCREASE IN AMERICAN SAMOA.

(a) DELAYED INCREASE PENDING GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Section 8103(b)(2)(C) of the Fair Minimum Wage Act of 2007 (29 U.S.C. 206 note; Public Law 110–28) is amended—

(1) by striking ''each year thereafter until'' and inserting ''on September 30 of every third year thereafter until''; and

(2) by striking ''except that'' and all that follows through ''September 30'' and inserting ''except that there shall be no such increase in 2012, 2013, and 2014 pending the triennial report required under section 8104(a)''.

(b) TRIENNIAL GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Section 8104(a) of the Fair Minimum Wage Act of 2007 (29 U.S.C. 206 note; Public Law 110–28) is amended by striking ''April 1, 2013, and every 2 years'' and inserting ''April 1, 2014, and every 3 years''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, S. 2009.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the bill, S. 2009 the Insular Areas Act, a brief bill that passed the Senate unanimously in December before being transmitted to the House and referred to multiple committees.

The bill consists of three short sections:

The first section, which shifts to the Department of Energy the responsibility for Department of the Interior-funded radiological monitoring at former U.S. nuclear test sites, has long been overseen by the Committee on Natural Resources.

The second section, which confirms the continuing eligibility of U.S. magistrates to participate in long-standing judicial exchange programs, is primarily overseen by the Committee on the Judiciary.

And the third section, involving a domestic workforce issue, is overseen by the Committee on Education and the Workforce.

All of these committees have reviewed the bill, waived additional action, and consented to today's suspension consideration of the bill. I want to thank those committees for their consideration and their input.

I reserve the balance of my time.

COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES,
Washington, DC, March 20, 2012.

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

DEAR MR. SPEAKER: I am writing to convey the consent of the Committee on Education and the Workforce to be discharged from consideration of S. 2009, Insular Areas Act of 2011, in order to expedite its consideration on the House floor.

Although a formal request has not yet been prepared by the Congressional Budget Office (CBO), CBO staff informally estimates that the bill should not have any direct spending or revenue effects and should have an annual discretionary cost under CBO's de minimis threshold ($500,000).

While agreeing to waive consideration of S. 2009, the Committee on Education and the Workforce does not waive any jurisdiction that it has over provisions in the bill, nor does it waive the right to seek appointment as conferees in the event of a House-Senate conference on this or similar legislation, should such a conference be convened.

Thank you again for your consideration.

Sincerely,

JOHN KLINE,
Chairman.

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 28, 2012.

Hon. ILEANA ROS-LEHTINEN,
Chairwoman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR CHAIRWOMAN ROS-LEHTINEN, the Foreign Affairs Committee has primary jurisdiction over S. 2009, the ''Insular Areas Act of 2011,'' which the Senate passed by unanimous consent on December 16, 2011. Section 3 of the bill contains matter that falls within the Rule X jurisdiction of the Judiciary Committee. Having reviewed the bill, and pursuant to your request, I agree to discharge the Judiciary Committee from further consideration of the bill so that it may proceed expeditiously to the House Floor.

The Judiciary Committee agrees to such discharge with the understanding that, by foregoing consideration of S. 2009 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and with the further understanding that at such time that the bill may be called up on the House Floor, the bill will be identical in form to the bill as referred to the Foreign Affairs Committee. The Judiciary Committee reserves the right to insist on certain amendments to the provisions of the bill that fall within its Rule X jurisdiction if the bill is called up under a rule permitting amendments thereto. Additionally, if you intend to call up a suspension version on the House Floor that is not identical to the bill as referred to your committee, I respectfully request that you consult further with the Judiciary Committee in advance of such floor consideration.

Sincerely,

LAMAR SMITH,
Chairman.

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 13, 2012.

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

DEAR MR. SPEAKER: I am writing to convey the consent of the Foreign Affairs Committee to be discharged from consideration of S. 2009, the Insular Areas Act of 2011, in order to expedite its consideration on the House floor.

In making this decision, the Foreign Affairs Committee conferred extensively with the Committee on Resources, which has traditionally dealt with the issues involved in the bill, even though that Committee did not receive a formal referral of S. 2009. Although a formal estimate has not yet been prepared by the Congressional Budget Office (CBO), CBO staff provided an informal estimate that the bill should not have any direct spending or revenue effects, and would have annual discretionary costs under CBO's de minimis threshold ($500,000).

In agreeing to waive consideration of S. 2009, the Foreign Affairs Committee does not waive any jurisdiction that it has over provisions in that bill, or the right to seek to participate in any conference on that bill, should one occur.

Thank you for your consideration.

Cordially,

ILEANA ROS-LEHTINEN,
Chairman.

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

I want to express my deepest appreciation to the gentlelady from Florida, the chairwoman of the House Committee on Foreign Affairs, and certainly my colleague, the senior ranking member, Mr. BERMAN of California.

I would also like to express my most sincere appreciation to our Speaker of the House, JOHN BOEHNER; our majority leader, ERIC CANTOR; our Democratic leader, NANCY PELOSI; our Democratic Whip, STENY HOYER; the chairman of our Foreign Affairs Committee, ILEANA ROS-LEHTINEN, and Ranking Member HOWARD BERMAN of California; Chairman JOHN KLINE and Ranking Member GEORGE MILLER of the Committee on Education and the Workforce; Chairman LAMAR SMITH and Ranking Member JOHN CONYERS of the Committee on the Judiciary; Chairman DOC HASTINGS and Ranking Member ED MARKEY of the Committee on Natural Resources; and certainly Senator JEFF BINGAMAN and Senator LISA MURKOWSKI, who respectively served as chairman and ranking member of the Senate Committee on Energy and Natural Resources for all that they have done on behalf of the insular areas. I cannot thank my colleagues enough for standing with me because I know the passage of this bill is only possible today due to their support.

I also thank the committee staff leadership for their working in close association with my office on the provision which will benefit the Associated States of Micronesia, the Republic of the Marshall Islands, and the Territory of American Samoa.

Mr. Speaker, as my chairman had alluded to earlier about this section, it's very simple.

This atoll, Runit Atoll, is located in Enewetak. For the benefit and information of my colleagues, the Enewetak Atoll is located in the Marshall Islands. This is where we exploded 43 of our nuclear bombs out of the 67 nuclear bombs that we exploded during our testing program from 1943 to 1962; and in the process, this is where we exploded our mini-hydrogen bomb, which was called a Mike shot, which was only about 700 times more powerful than the nuclear bomb that we exploded in Nagasaki and Hiroshima.

Only about a couple of hundred of miles away is also the atoll called Bikini Atoll, and in 1954 we exploded the most powerful and the first hydrogen bomb that was ever exploded on this planet. It was known as the Bravo shot, and it was 1,300 times more powerful than the bombs that we dropped in Nagasaki and Hiroshima.

Just to give my colleagues a sense of understanding and appreciation, what we did in this specific atoll, Enewetak, we had to collect all the debris, all the nuclear waste materials as a result of the 43 bombs that we exploded in this atoll for purposes of preventing nuclear contamination from getting into the water and the ocean squall of that. Well, it started to leak, and there are some very serious problems of nuclear contamination seepage coming out of what we've done in burying, supposedly, the nuclear waste materials on this atoll called Runit Atoll.

This provision is just simply the Congress directs the Secretary of Energy to do a monitoring program and to see what is happening after some 40 years that we did all this tremendous damage, not only to property, but to the lives of these people in the Marshall Islands. This is what this provision provides. It very simply authorizes the Secretary of Energy to go over there and find out what's going on and monitor the underground water so that these people can survive properly.

In the process, and what's good about this bill, Mr. Speaker, is it doesn't require any offsets. We don't have to worry about any financials. It will be funded by the Technical Assistance Program that is now provided by the Office of Insular Affairs.

The second provision in this bill, Mr. Speaker, it just simply amends the Compact of Free Association to authorize our judges to go there and serve temporarily in the courts of the Associated States of Micronesia. That's all it does. It doesn't require any more expense than it is but just to simply authorize them.

□ 1800

And the third provision that I want to share with my colleagues is simply to delay the increase of the minimum wage in my little Territory of American Samoa for the next 3 years. That's all that this bill provides.

As I said, Mr. Speaker, this is one of the most unusual bills. It has the support of four committee chairmen and senior ranking members. Now, you talk

about bipartisanship: I don't know of any other bill that I've ever heard or known and the fact that we have something we can all work toward in solving some of the serious problems affecting the lives of our fellow Americans. And that's all I'm asking for.

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

Mr. Speaker, I rise today in support of S. 2009, the Insular Areas Act of 2011, which was passed by the Senate on December 16, 2011.

At this time, I would like to express my sincerest appreciation to Speaker of the House JOHN BOEHNER, Majority Leader ERIC CANTOR, Democratic Leader NANCY PELOSI, Democratic Whip STENY HOYER, Chairman ILEANA ROS-LEHTINEN and Ranking Member HOWARD BERMAN of the Committee on Foreign Affairs, Chairman JOHN KLINE and Ranking Member GEORGE MILLER of the Committee on Education and the Workforce, Chairman LAMAR SMITH and Ranking Member JOHN CONYERS of the Committee on the Judiciary, Chairman DOC HASTINGS and Ranking Member ED MARKEY of the Committee on Natural Resources, and Senators JEFF BINGAMAN and LISA MURKOWSKI who respectively serve as the Chairman and Ranking Member of the Senate Committee on Energy and Natural Resources for all they have done for and on behalf of the people of American Samoa.

I cannot thank my colleagues enough for standing with me because I know that passage of this bill is only possible today due to their support. I also thank committee and leadership staff for working in close association with my office on provisions which will benefit our Associated States of Micronesia, Republic of Marshall Islands, and the U.S. Territory of American Samoa for years to come. Most of all, I thank the people of American Samoa, our tuna cannery workers, our Fono, and Governor for their support and prayers.

I want to especially commend Senator BINGAMAN and Senator MURKOWSKI for their leadership in getting S. 2009 passed by the Senate. S. 2009 includes a provision to delay minimum wage increases in American Samoa until 2015. The provision regarding minimum wage was worked out in advance with my office as well as the Senate HELP Committee, the Senate Committee on Energy and Natural Resources, the House Committee on Education and the Workforce, and the House Committee on Natural Resources.

Because S. 2009 included other provisions not related to minimum wage, the bill was referred to three different committees in the House, including Education and the Workforce, the Judiciary, and the Committee on Foreign Affairs which has primary jurisdiction for S. 2009. With three different committees sharing jurisdiction, the bill could not move to the House floor unless the committees agreed to be discharged from consideration of S. 2009.

At my request, each of the Chairmen and Ranking Members agreed to waive consideration in order to expedite the bill's consideration. Although S. 2009 was not referred to the House Committee on Natural Resources, I sought and received the support of Chairman DOC HASTINGS and Ranking Member ED MARKEY, too.

While we were hopeful that the bill could be placed on the House calendar after Congress returned from the Christmas recess, in January 2012 the U.S. Department of the Interior's Office of Insular Affairs (OIA) unwittingly halted the advancement of the bill due to concerns it raised about a provision related to the monitoring of Runit Island. After explaining how important delaying further minimum wage increases is to American Samoa's economy, we were able to resolve OIA's concerns and move forward. But given these setbacks, Speaker BOEHNER's office subsequently requested that we formalize, in writing, the commitment of the Chairmen of the committees of jurisdiction and, as of March 28, 2012, we completed this request.

On Tuesday, July 10, 2012, I personally met with Majority Leader ERIC CANTOR and presented our case, and he agreed that with the support of Speaker BOEHNER, Democratic Leader PELOSI and Democratic Whip HOYER that he would schedule the bill for consideration. Once the bill was publicly placed on the House calendar for July 17, 2012, I announced the progress we had made. Given the sensitivities surrounding minimum wage, I felt like a public announcement any sooner could have jeopardized our efforts.

The matter of minimum wage is of utmost importance to American Samoa. Since 1956, until Congress enacted P.L. 110–28 which automatically increases wage rates by $.50 per hour effective July 2007 and every year thereafter until 2014, wage rates for American Samoa were determined by Special Industry Committees in accordance with Sections 5, 6, and 8 of the Fair Labor Standards Act (29 U.S.C. Sections 205, 206, 208). While these Industry Committees were phased out in other U.S. Territories due to their more diversified economies, American Samoa continues to be a single industry economy, and automatic increases have only served to exacerbate an already difficult situation for the local economy.

For more than 50 years, American Samoa's private sector economy had been nearly 80% dependent, either directly or indirectly, on two canneries—StarKist and Chicken of the Sea—which until recently employed more than 74 percent of our private sector workforce. However, on September 30, 2009, one day after American Samoa was struck by a powerful 8.3 Richter Scale earthquake which set off a 20-foot wave tsunami that left untold damage and loss from which the Territory has not fully recovered, Chicken of the Sea closed its operations in American Samoa and outsourced more than 2,000 jobs to Thailand where fish cleaners are paid $0.75 and less per hour compared to wage rates of about $4.76 per hour in American Samoa.

As noted by the Government Accountability Office (GAO), before minimum wage increases went into effect tuna canneries in American Samoa were operating at about a $7.5 million loss per year when compared to canneries, like Bumble Bee, and now Chicken of the Sea, which outsource fish cleaning jobs to low-wage rate countries. Outsourcing has adversely impacted American Samoa's economy in untold ways. Higher fish costs, higher shipping costs, higher fuel costs, better local tax incentives offered by competitors and the global economic recession have especially contributed to the weakening of the Territory's economy. Passage of S. 2009 will help resolve some of these problems by providing ASG with the time it needs to diversify the Territory's private-sector economy.

While I thank my colleagues for their support and urge them to vote in favor of S. 2009, it is my sincere hope that improvements on the territory's economy will be such that it will provide for fair wages for American Samoa's workers. So between now and 2015, it will be up to ASG and our corporate partners, including StarKist and Tri-Marine, to find new ways of succeeding without further compromising the wages of both our public and private sector workers or wage earners.

American Samoa's cannery workers have been the backbone of the U.S. tuna and fishing processing industries, and I salute them for stabilizing the Territory's economy. With heart-felt gratitude for the sacrifices they have made on our behalf, I am noting their service in the CONGRESSIONAL RECORD for historical purposes.

Once more, I thank my colleagues in the House and Senate for helping American Samoa in its time of need, and I urge passage of S. 2009.

THE ENEWETAK PEOPLE—CHALLENGES FACING THE ONLY POPULATION EVER RESETTLED ON A NUCLEAR TEST SITE

INTRODUCTION

Enewetak was the site of 43 of the 67 nuclear tests that the U.S. conducted in the Marshall Islands and the Enewetak people are the only people ever resettled on a nuclear test site.

ENEWETAK ATOLL AS A NUCLEAR TEST SITE

Enewetak Atoll, was the site of forty-three of the sixty-six nuclear tests conducted by the United States in the Marshall Islands between 1946 and 1958. One of the tests at Enewetak was especially significant as it was the first test of a hydrogen bomb. This test occurred on October 31, 1952 and was known as the ''Mike'' test. The test had a yield of 10.4 megatons (750 times greater than the Hiroshima bomb). The destructive power of the Mike test was exceeded only by the Bravo test (15 megatons) in all the nuclear tests conducted by the United States anywhere. The Mike test vaporized an island, leaving a crater a mile in diameter and 200 feet deep. The Mike test detonation and the detonation of the other 42 nuclear devices on Enewetak resulted in the vaporization of over 8% of the land and otherwise devastated the atoll. The devastation is so severe that to this day, fifty-four years after the last nuclear explosion, over half of the land and all of the lagoon remain contaminated by radiation. The damage is so pervasive that the Enewetak people cannot live on over 50% of our land. In fact, they can't live on Enewetak without the importation of food.

The U.S. Department of Energy described the devastating effects of the 43 nuclear tests on Enewetak as follows:

''The immense ball of flame, cloud of dark dust, evaporated steel tower, melted sand for a thousand feet, 10 million tons of water rising out of the lagoon, waves subsiding from a height of eighty feet to seven feet in three miles were all repeated, in various degrees, 43 times on Enewetak Atoll.''

REMOVAL OF THE ENEWETAK PEOPLE FROM ENEWETAK ATOLL TO UJELANG ATOLL

A few days before Christmas in 1947, the U.S. removed the Enewetak people to the

much smaller, resource poor, and isolated atoll of Ujelang. They were told by the U.S. that their removal would be for a short time. In fact, Captain John P. W. Vest, the U.S. Military Governor for the Marshall Islands, told them that their removal from Enewetak would be temporary and last no more than three to five years. Unfortunately, they were exiled on Ujelang for a period of over thirty-three years.

HARDSHIP ON UJELANG

The exile on Ujelang was particularly difficult for the Enewetak people leading to hopelessness and despair. During the 33-year exile on Ujelang they endured the suffering of near starvation. They tried to provide food for themselves and their children, but one meal a day and constant hunger was the norm. Malnutrition caused illness and disease. Children and the elderly were particularly vulnerable. Health care was woefully inadequate. In addition, children went largely uneducated in the struggle for survival. They became so desperate that in the late 1960's they took over a visiting government field-trip ship, demanding that they be taken off of Ujelang and returned to Enewetak.

After years of hardship, neglect and isolation the Enewetak people became increasingly insistent that they be returned home. Eventually, the U.S. said it would attempt to make Enewetak Atoll habitable.

The suffering and hardship experienced by the Enewetak people while on Ujelang, was eventually acknowledged by the U.S. The U.S. Department of Interior in a letter to the President of the U.S. Senate, dated January 14, 1978, said, in relevant part:

''The people of Enewetak Atoll were removed from their home atoll in 1947 by the U.S. Government in order that their atoll could be used in the atomic testing program. The people were promised that they would be able to return home once the U.S. Government no longer had need for their islands.

During the thirty years that the Enewetak people have been displaced from their home atoll they have suffered grave privations, including periods of near starvation, in their temporary home on Ujelang Atoll. The people have cooperated willingly with the U.S. Government and have made many sacrifices to permit the United States to use their home islands for atomic testing purposes.''

INITIAL CLEANUP ATTEMPT OF ENEWETAK ATOLL

In 1972, the U.S. said that it would soon no longer require the use of Enewetak. The U.S. recognized that the extensive damage and residual radiation at Enewetak would require radiological cleanup, soil rehabilitation, housing and basic infrastructure before the people could resettle Enewetak. An extensive cleanup, rehabilitation and resettlement effort was undertaken between 1977 and 1980.

Unfortunately, the cleanup left over half of the land mass of the atoll contaminated by radiation confining the people to the southern half of the atoll. This has prevented the Enjebi island members of the Enewetak community from resettling their home island in the northern part of the atoll, and has prevented the people from making full and unrestricted use of their atoll. In addition, the cleanup and rehabilitation was not effective in rehabilitating the soil and revegetating the islands. An extensive soil rehabilitation and revegetation effort is still required to permit the growing of food crops.

RUNIT DOME

The cleanup of Enewetak entailed removal and collection of highly contaminated topsoil, vegetation, and debris (concrete and metal) that was subsequently entombed within an unlined crater produced by an 18 kilo ton surface test and capped with a concrete dome. The site is now known as the Runit Dome. Evidence indicates open hydraulic communication between radioactive waste and intruding ocean water, with migration pathways leading to local groundwater and circulating lagoon waters.

Inside the Runit Dome lies over 110,000 cubic yards of plutonium and other radioactive debris that is radioactive for thousands of years. And, many areas of Runit Island have dangerous levels of contamination. Consequently, the dome and the surrounding area need to be monitored in the same manner that they would be monitored in the US. The reason for such monitoring is simple—the Enewetak people are entitled to the same level of protection from US created radiation as the people of the US.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I want to congratulate Mr. FALEOMAVAEGA for the warm way in which he works with every member of our committee, and that is why it is a pleasure for all of us on the Committee on Foreign Affairs to do everything that we can to help the gentleman, because we know how important these bills are to him, as we can see, as we have heard. What we may consider to be a suspension bill that will not impact our daily lives, it impacts the many thousands of people whom he is so proud to represent in a very real and meaningful way.

So I thank him for his gentle manners. I thank him for his graciousness. I thank him for the important bills that he brings to our attention. And I want to tell him what an honor it is for all of us on our committee to work with him in a bipartisan way.

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

Mr. SABLAN. Mr. Speaker, S. 2009 is primarily concerned with U.S. responsibilities to the Republic of the Marshall Islands and the other Freely Associated States in Micronesia, and with a pause in the implementation of federal minimum wage in American Samoa.

I certainly support continuing U.S. oversight of the effects of nuclear testing in the Marshalls.

And I defer to my colleague from American Samoa with respect to economic policy in his district.

In one respect, though, S. 2009 does impact my district, the Northern Marianas Islands.

The bill moves a Government Accountability Office report on the effect of minimum wage increases in the Northern Marianas and American Samoa from every two years to every three years.

These GAO reports are important. They provide a credible analysis of a complex policy, namely the annual 50¢ increase in the minimum wage in the Marianas.

Yet this decision to delay the next GAO report and stretch out the period of time between reports is being made without benefit of a hearing in this House.

Neither businesses nor workers, who are impacted by the minimum wage increases in my district, have had a chance to be heard from.

Last year, in part based on the GAO's findings, I supported a one-year break in the wage increase.

Looking ahead to next year, I had hoped to have another GAO report to guide any decision about—perhaps—skipping another year.

But S. 2009 will leave us without benefit of the GAO's advice.

And I believe this House needs that guidance.

I will not object to passage of S. 2009, but I do regret that this House did not follow its regular order before bringing the measure to the floor.

Mr. GEORGE MILLER of California. Mr. Speaker, today, I rise in support of S. 2009. This legislation includes provisions adjusting the federal minimum wage schedule for American Samoa in light of GAO's findings on its unique labor market conditions. Mr. FALEOMAVAEGA of American Samoa has asked the Congress to make these adjustments for American Samoa and pass this bill.

Current law requires that the minimum wage increase in American Samoa annually until it reaches the Mainland's federal minimum wage level.

Current law also requires the GAO to regularly report to Congress on economic conditions in American Samoa over the course of these minimum wage adjustments. These GAO reports are intended to give Congress information so that, if necessary, Congress can adjust the minimum wage schedule for the territory.

Precisely because American Samoa has a unique, isolated, and relatively undiversified economy and because the path to the full federal minimum wage for this territory is a necessarily long one, Congress must be flexible over time with the minimum wage schedule in response to changing economic conditions. Congress must also maintain the clear requirement that the minimum wage in American Samoa be on a schedule to reach Mainland levels. In decades past, the use of a special industry committee to periodically review and set the minimum wage in American Samoa proved ineffective, unfairly depressing wage levels below what was economically feasible.

The minimum wage provision in S. 2009 meets these standards. The adjustment proposed by S. 2009 is the result of the GAO's latest report, which lays out certain economic difficulties confronting American Samoa. These difficulties arise from a variety of factors, including recent global economic conditions and a specific set of challenges facing American Samoa's tuna canning industry.

In response to the GAO report, this bill adjusts the schedule by delaying any minimum wage increases in American Samoa until 2015. Importantly, it maintains a clear minimum wage schedule for the territory, with new increases made triennially.

This is not the first adjustment in the schedule since the increases began in 2007. Adjustments were also enacted in 2010.

Congress must continue to monitor conditions in American Samoa. Future adjustments to either accelerate or delay the minimum wage schedule may be necessary and warranted. Workers in American Samoa deserve a fair minimum wage as soon as possible, which not only improves their standard of living but generates new economic activity for

everyone's benefit. To achieve that end and to be sensitive to other economic pressures on the island that may affect employment levels, it is our ongoing responsibility to calibrate the minimum wage schedule as conditions warrant.

I look forward to continuing to work with Mr. FALEOMAVAEGA and other colleagues in the House and Senate to ensure workers in American Samoa receive a just wage.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, S. 2009.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

COMMUNICATION FROM THE HONORABLE GARY L. ACKERMAN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable GARY L. ACKERMAN, Member of Congress:

CONGRESS OF THE UNITED STATES,
5TH DISTRICT, NEW YORK,
July 16, 2012.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for documents, issued by the Supreme Court of the State of New York, County of Queens.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

GARY L. ACKERMAN,
Member of Congress.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 17, 2012.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 17, 2012 at 12:53 p.m.:

That the Senate passed without amendment H.R. 205.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHAFFETZ) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 6018, by the yeas and nays;

S. 2009, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6018) to authorize appropriations for the Department of State for fiscal year 2013, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 333, nays 61, not voting 37, as follows:

[Roll No. 469]

YEAS—333

Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Engel
Eshoo
Farenthold
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Granger
Graves (MO)
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Hultgren
Hunter
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Myrick
Nadler
Neal
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Pompeo
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Richardson
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schock
Schwartz
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—61

Adams
Amash
Bachmann
Bishop (UT)
Black
Blackburn
Brooks
Broun (GA)
Burgess

Conaway
Cravaack
DesJarlais
Duncan (TN)
Emerson
Fincher
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Griffith (VA)
Harris
Huizenga (MI)
Hurt
Jones
Jordan
Lamborn
Marchant
McClintock
Murphy (PA)
Neugebauer
Palazzo
Posey
Price (GA)
Quayle
Ribble
Rigell
Roe (TN)
Rooney
Ross (FL)
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Stearns
Stutzman
Tipton
Tonko
Walberg
Walsh (IL)
West
Westmoreland

NOT VOTING—37

Ackerman
Akin
Boren
Buchanan
Butterfield
Campbell
DeFazio
Dicks
Doggett
Filner
Flake
Gonzalez
Gosar
Green, Al
Gutierrez
Hahn
Hirono
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Kingston
Labrador
Landry
Mack
Murphy (CT)
Napolitano
Paul
Platts
Poe (TX)
Polis
Reyes
Richmond
Schrader
Scott (VA)
Sewell
Stivers

□ 1854

Mrs. SCHMIDT, Messrs. FINCHER, BROUN of Georgia, HURT, PRICE of Georgia, Mrs. BLACKBURN, Messrs. ROE of Tennessee, GARDNER, GARRETT, GRAVES of Georgia, FLEMING, Mrs. BACHMANN, Mrs. BLACK, Messrs. GINGREY of Georgia, SCHWEIKERT, MURPHY of Pennsylvania, and MARCHANT changed their vote from ''yea'' to ''nay.''

Mr. ROHRABACHER changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 469, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''yea.''

Mrs. NAPOLITANO. Mr. Speaker, on rollcall No. 469, had I been present, I would have voted ''yea.''

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore (Mr. PITTS). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan and their families, and of all who serve in our Armed Forces and their families.

INSULAR AREAS ACT OF 2011

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2009) to improve the administration of programs in the insular areas, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 11, not voting 42, as follows:

[Roll No. 470]

YEAS—378

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Southerland
Speier
Stark
Stearns
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—11

Broun (GA)
Gohmert
Huelskamp
Huizenga (MI)
Lummis
Mulvaney
Ribble
Schmidt
Stutzman
Westmoreland
Woodall

NOT VOTING—42

Ackerman
Akin
Bass (CA)
Boren
Buchanan
Butterfield
Campbell
Cardoza
Cleaver
DeFazio
Dicks
Doggett
Filner
Flake
Gonzalez
Gosar
Green, Al
Gutierrez
Hahn
Herger
Hirono
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Kingston
Labrador
Landry
Mack
McMorris Rodgers
Murphy (CT)
Paul
Platts
Poe (TX)
Polis
Reyes
Richmond
Schrader
Scott (VA)
Sewell
Smith (TX)
Stivers

□ 1904

Mr. RIBBLE changed his vote from ''aye'' to ''no.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 470, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

HONORING HOWARTH TAYLOR

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

Mr. CRAWFORD. Mr. Speaker, I rise today to honor Mr. Howarth Taylor on being inducted into the Arkansas Agriculture Hall of Fame. For over 60 years, Mr. Taylor has been a pillar of his community.

Before starting a career in agriculture, Mr. Taylor demonstrated a strong commitment to our country as a member of the Greatest Generation. Mr. Taylor was a prisoner of war following the Battle of the Bulge in Germany. For his service, Mr. Taylor earned a Purple Heart and a Prisoner of War Medal.

Mr. Taylor started out as a tenant farmer growing corn and soybeans. Soon after he moved to Hickory Ridge, Arkansas, he bought an 850-acre farm and established Taylor Seed Company. Today Mr. Taylor farms over 3,000 acres and grows, processes, stores, and sells rice, soybeans, oats, and wheat seed to farmers throughout Arkansas. By devoting his entire operation to seed production, Mr. Taylor is able to produce a very high-quality product.

Mr. Taylor and his wife, Ella, raised six children on their farm and in 1969 were named the State's Farm Family of the Year. He has been an active member of the Cross County Farm Bureau board of directors since 1952 and served as president for 3 years. The Taylors are also active in their community, local schools, and the Hickory Ridge Missionary Baptist Church.

Congratulations, Mr. Taylor.

CLEARING THE NAMES OF JOHN BROW AND BROOKS GRUBER

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

HONORING LIEUTENANT COLONEL ROY TISDALE

Mr. FLORES. Mr. Speaker, on June 28, America lost another hero, Army Lieutenant Colonel Roy Lin Tisdale.

Lieutenant Colonel Tisdale grew up in Alvin, Texas, and went to Texas A&M University, where he was a member of the Corps of Cadets. After graduating from Texas A&M in 1993, he was commissioned as an Army infantry officer. He served two full tours in Iraq, two full tours in Afghanistan, and made additional short visits to both theaters.

At the time of his tragic death, Lieutenant Colonel Tisdale was commander of the 525th Brigade Special Troops Battalion, 525th Battlefield Surveillance Brigade, stationed in Fort Bragg, North Carolina.

During his 19 years of service to our country, Lieutenant Colonel Tisdale earned many awards and recognitions. He earned the Bronze Star Medal, the Purple Heart, the Meritorious Service Medal, the Army Commendation Medal, the Army Achievement Medal, the Joint Military Unit Award, the National Defense Service Medal, the Meritorious Unit Citation, the Afghanistan Campaign Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Air Assault Badge, the Combat Infantryman Badge, the Expert Infantryman Badge, and Senior Parachutist Badge.

□ 1910

On July 5, the life of Lieutenant Colonel Tisdale was remembered at Central Baptist Church of Bryan, Texas, and he was later laid to rest at the Aggie Field of Honor in College Station, Texas.

In response to the activities of an extremist group that protests at American military funerals, over 600 college students and community members, a majority of them Texas Aggies, came together to form a ''Maroon Wall'' to prevent those protests from disrupting the funeral and burial. America should be proud of this community of patriotic and respectful Americans that came together to honor the service and sacrifice of Lieutenant Colonel Tisdale and ensure that he was given the respect that he deserved.

Our thoughts and prayers are with the family and friends of Army Lieutenant Colonel Roy Tisdale. He will forever be remembered as an outstanding soldier, husband, and father. We thank him and his family for their service and sacrifice for our country. His sacrifice reflects the words of Jesus in John 15:13, ''Greater love hath no man than this, that a man lay down his life for his friends.''

Continuing a distinguished heritage of military service for our country, Lieutenant Colonel Tisdale is the 27th Texas Aggie to die in the service of our country since 9/11. He, like tens of thousands of Aggies before him, answered ''Here,'' when his country called.

God bless our military men and women, and God bless America.

I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. JONES) will control the remainder of the hour.

Mr. JONES. Mr. Speaker, it is 10 years ago that I was contacted by Connie Gruber. On April 8, 2000, 19 marines were killed in a V–22 Osprey crash in Marana, Arizona.

Mr. Speaker, I show this tonight because so many people do not understand what a V–22 is. It is the kind of plane that's basically a helicopter that can become a plane because it would go from the helicopter mode to an airplane mode. And so, therefore, the V–22, again, at the time of this crash was still an experimental plane. In fact, at the time of the crash, Secretary of Defense Dick Cheney spoke out to Congress, both House and Senate, that he wanted to eliminate the program. He did not think the V–22 was the right investment by the United States Marine Corps.

It so happens that one of the pilots, Major Brooks Gruber and his wife, Connie, and his little girl named Brooke live in the Third District of North Carolina, which I represent. The pilot was Colonel John Brow. His wife, Trish, and his sons Michael and Matthew live in California, Maryland.

Connie contacted me. I want to read, Mr. Speaker, what she said. These are taken from a full letter, but I'll read just parts of it to make my point tonight:

> General James Jones is fully aware of my concerns and has apparently supported Generals Nyland and Hough in denying my request for a ''no fault'' amendment to my husband's accident report. He has refused to help me. That is exactly the reason I felt it necessary to contact you as well as other respected leaders.

She further stated in that letter to me:

> My husband's life was sacrificed for the Osprey, the Marine Corps, and for this Nation. I hope you understand why I cannot allow his good name to be sacrificed, too. Please remember, these 19 marines can no longer speak for themselves. I certainly am not afraid to speak for them, and I believe that somebody has to. Even though it is easier put to rest and forgotten, please join me in doing the right thing by taking the time to address this important issue.
>
> Given the controversy of this aircraft and the Marine Corps' vested interest, surely there is an unbiased, ethical way to rightfully absolve these pilots. Please help me by not only forwarding my request but by also supporting it.

Mr. Speaker, I tonight want to show the face of the pilot. Again, for those that might be watching this tonight in their homes, this is an Osprey, the V–22. At the time of this accident there were many, many questions. And I will touch on those questions in the next few minutes, Mr. Speaker. But this is the pilot. His name is Colonel John Brow. The copilot is Major Brooks Gruber. He is to the left of the poster of John Brow.

Mr. Speaker, I cannot continue tonight without letting the American people know that shortly after the accident there were three marines there

from New River, which is in my district of eastern North Carolina. These three investigators, Colonel Mike Morgan—and I will mention his name several times in the next 30 minutes—and also Colonel Ron Radich and Major Phil Stackhouse were sent to Arizona the day after the accident. Nineteen marines were killed and the two pilots that I just mentioned. These three marines were sent there by the Marine Corps to investigate the accident. And they wrote what is called the JAGMAN report.

This is what the two wives are asking. The lawsuits are over—and I'll touch on that in just a moment. Bell-Boeing settled for millions of dollars to the 19 marines and their families. And all the two wives have been asking for 10 years is a clarification of whether their husbands were at fault or not at fault. And I'm going to show you tonight, Mr. Speaker, in the next 30 minutes that the pilots were not at fault.

All they would like of the United States Marine Corps, which I have great respect for, is to issue a letter on the Commandant's stationery that says Lieutenant Colonel John Brow, pilot, was not at fault for the accident on April 8, 2000, at Marana, Arizona. Then, what Connie Gruber would like, the wife of the copilot, Major Brooks Gruber, is that her husband was not at fault for the accident that killed 19 marines. Mr. Speaker, again, the lawsuits are over. Everything has been settled. But all the two wives want is their husbands to lie in that grave and not feel that they're responsible for that accident because, Mr. Speaker, they were not responsible.

I want to thank Congressman STENY HOYER from Maryland for joining in this effort because John Brow's wife, Trish, and her sons, Matthew and Michael, live in California, Maryland. They're his constituents. I want to thank NORM DICKS from the State of Washington. I'm sorry that he's not running for reelection. He's a very fine gentleman and a Member of the House. But he's decided not to run for reelection. He has joined and said, Let us help you.

Mr. Speaker, a lawyer for the two families, Jim Furman, in Texas, who defended these two pilots and won the major award from Bell-Boeing, which has not been made public, and cannot be—they settled with the two wives of John Brow and Brooks Gruber—Jim Furman has joined us and said their names need to be cleared. They were not at fault. In addition, the attorney for the 17 marines who were killed in the back of that plane, Brian Alexander and his associate, Francis Young, in New York, have joined. People like Phil Coyle have joined. Rex Rivolo has joined. These were experts within the DOD system that knew this plane and know that these gentlemen were not at fault. And even though he is deceased—and God rest his soul—Mike Wallace did a major ''60 Minutes'' piece on this accident 2 years after it happened.

□ 1920

And yet everything in that ''60 Minutes'' showed that these fellows were put into a situation that they were not trained for, they did not know how to react to—an issue called vortex ring state. And I'll touch on that in just a moment.

The real tragedy of all this is all the families want is an official document that will say their husbands are not at fault.

Mr. Speaker, it's gotten kind of ironic to me because we have spent 10 years—I'm not going to try to say to you tonight, Mr. Speaker, or to anyone that might be watching that we have spent every day, every week, every month for 10 years, but this has been a 10-year effort to do what is right for these two marines who gave their life for this country.

I got very frustrated in March of 2010. I could not get the response from the Marine Corps that I would hope—not for me because I'm a Member of Congress, but for the wives and the children to clear the names. I contacted Trish Brow. I said, Trish, I need some help. I don't know who to contact, but somebody has to join me in this effort, because I don't think I can get it done by myself.

Mr. Speaker, I've always given credit to God for anything that I did that was worthwhile, but I needed the help. She said, Have you ever spoken to Colonel Jim Schafer? He was a friend of John Brow and a friend of Brooks Gruber, and he was in the air. There were four V–22s flying, and he was one of them.

So I called Colonel Jim Schafer, and he said to me, Congressman, whatever I can do to help you clear the names of these two pilots, I will do it.

He joined us, and, in fact, in the year 2011, he and I made a presentation to the Commandant of the Marine Corps. And I thought Jim Schafer did a magnificent job. With tears in his eyes, he told the Commandant that these fellows had not been trained, they were not equipped, the plane had no warning system to the vortex ring state which affects the nacelles on the twin engines. So therefore, he said, What can I do?

I'm sorry. But, at that time, we were not convincing enough to the Marine Corps to give the wives the two letters.

Mr. Speaker, I'd like to share with you that what created the problem after the accident on April 8 was actually the press release by the United States Marine Corps. The Commandant at the time—a very fine gentleman, I've met with him several times. I think the world of him. We are not related, even though my name is Jones—was Commandant Jim Jones. But the press release stated, on July 27 of 2000—April 8 was the accident. This is a quote that gave the problem:

> Unfortunately, the pilots' drive to accomplish that mission appears to have been the fatal factor.

Mr. Speaker, I'm going to read that again. This is the press release from the United States Marine Corps after this tragic accident in Arizona.

> Unfortunately, the pilots' drive to accomplish that mission appears to have been the fatal factor.

Mr. Speaker, again, I want to thank Colonel Mike Morgan, Retired. I want to thank Colonel Ron Radich, Retired, and Phil Stackhouse, Major, Retired, for joining me in trying to clear the names of these two pilots.

It so happens in a recent email from Colonel Morgan, one of the three investigators, I read his quote:

> This is the crux of the issue; there is nothing in the JAG investigation that says that the pilots are at fault. If you change ''pilots'' to ''flight leaders,'' the statement, in my opinion, is correct, and the investigation so much as brings that out.

Why is it clear to the Blue Ribbon panel that was set up after this accident and not the Commandant of the Marine Corps' office? Because at that time the Blue Ribbon panel was not worried about fielding a new and controversial aircraft, which I just talked about Dick Cheney's being opposed to it. This was the second plane behind a lead plane. It was Nighthawk 71 and Nighthawk 72. Nighthawk 72 crashed.

In the official report that Lieutenant Colonel Morgan made reference to, the JAGMAN report, and I want to read this, Mr. Speaker, the official JAGMAN investigation was released in the following months, and the investigators, Morgan, Stackhouse, and Radich, testified by saying, and I quote, Mr. Speaker:

> During this investigation, we found nothing that we would characterize as negligent, deliberate pilot error or maintenance/material failure.

Mr. Speaker, the word ''deliberate'' bothered me so much that I wrote to Colonel Morgan, and I said, Sir, would you please explain why you used the word ''deliberate''? And I'll read his comments back to me, Mr. Speaker:

> My personal feeling and opinion supported by my interviews with the lead flight crew is that the mishap aircraft——

That's 72 now, these two men were flying it.

> —had no idea they had exceeded any flight parameters. They were merely trying to remain in position on a flight lead trying to salvage a bad approach.

Mr. Speaker, what he is saying is that these two men, in a new experimental airplane, were following behind on a mission that never should have been ordered by the Marine Corps to begin with. These two men are in the second plane. They are following the lead. The lead got into trouble, and they followed the lead.

That is why I want to repeat again, Mr. Speaker, Lieutenant Colonel Morgan, the word ''deliberate'':

My personal feeling and opinion supported by my interviews with the lead aircraft is that mishap aircraft had no idea they had exceeded any flight parameters. They were merely trying to remain in a position of a flight lead trying to salvage a bad approach.

Mr. Speaker, he further states, and let me read this for the RECORD, please, sir:

Brow and Gruber did nothing but try to maintain position on their flight lead. Did they fail to recognize they were in a dangerous situation? Absolutely. Were they properly trained for such a situation? Absolutely not.

Mr. Speaker, that's why this 10-year journey has meant so much to me. I did not know these men. I know the families now. But these marines were in the cockpit of a V–22, an experimental airplane that Bell-Boeing did not do the research that they should have done to prepare these men for what was coming. Again, the problem is called vortex ring state. This is pretty well known in airplanes, but, Mr. Speaker, not in the Osprey in these nacelles. It was not fully understood.

In fact, Tom Macdonald, experimental pilot for Bell-Boeing, spent 700 hours, Mr. Speaker, 700 hours trying to figure out after this crash: What do you do? How do you react? How do you respond to vortex ring state?

Mr. Speaker, what is so sad is they now have warning systems on the software. They have even a voice that comes on the helmet that says sync, sync, sync, meaning you're in trouble, react, react. Brow and Gruber had none of that information. In fact, the NATOPS manual that was in their lap the moment before they crashed and burned, it had one page and a paragraph on vortex ring state. And, Mr. Speaker, it was written by an Army helicopter pilot who had never been in the V–22.

Mr. Speaker, now the NATOPS manual that the V–22 pilots have is six pages about vortex ring state and how you react to that ring state.

□ 1930

Mr. Speaker, I'm just going to take a few more minutes, and then I will close tonight. I want to thank the staff for staying late for me to have this opportunity, but I do want to restate what the investigators are saying.

I contacted them and asked them if they would be willing to write me a letter that I could use in trying to clear the names of John Brow and Brooks Gruber. I'm going to read just a few parts of this, and then I'll close in just a few minutes, Mr. Speaker.

This is from Phil Stackhouse:

I do not believe that it would be a surprise to anyone that it is my opinion the mishap was not a result of pilot error, but was the result of a perfect storm of circumstances. During the conduct of the investigation, we collected some 20 binders of evidence.

I'm going to just skip from one paragraph to another. ''This includes, for example, compressed testing and evaluation''—that means they did not do the test on this issue of vortex ring state; they had no way to evaluate it because they didn't test it—''created by deadlines, funding, and maintenance; the omission of important testing and evaluation missions; the actions of the lead aircraft in the section; and lack of understanding how vortex ring state/power settling would actually effect the Osprey in real-world situations and simulated real-world training.''

Mr. Speaker, this is the whole thing. I'll close on Mr. Stackhouse, and then I will read two others very quickly.

Stackhouse, one of the investigators, said:

For any record that reflects the mishap was a result of pilot error, it should be corrected. For any publication that reflects the mishap was a result of pilot error, it should be corrected and recanted.

Again, this is one of the three investigators. I'll read the others very quickly, Mr. Speaker. This is from Mike Morgan. He supports my effort to clear the names of John Brow and Brooks Gruber. He further states that:

The judge advocate general (JAG) mishap report, and over 20 binders of evidence provided, clearly focuses on the consequences of encountering vortex ring state in a tilt-rotor aircraft and questionable flight management of Nighthawk 72 (lead aircraft) as the key contributing factors, among many. In my opinion, as a former USMC weapons and tactics instructor/flight leader/mission commander, John Brow and Brooks Gruber performed as model wingmen on this mission. They were doing exactly what is expected of a wingman on a tactical flight.

Mr. Speaker, the reason for reading that is that I want to restate that the three investigators of the V–22 crash, they know John Brow and Bruce Gruber were not at fault.

Mr. Speaker, I am a man of strong religious faith, but I cannot imagine being the pilot and copilot, with 17 young marines sitting in the back of your plane, and all of a sudden you are hit with a situation that you don't understand. You don't know how to react, you've never been trained, you have no warning system, but something's not right as that plane is beginning to shake. These gentlemen did everything that they could. John Brow and Brooks Gruber, they did everything they could do to save that flight, and yet it was out of their control because they had not been trained. They flipped; and on April 8, a very unbelievable fire took place when that plane hit.

All the wives are asking for is one official document from the Marine Corps. Mr. Speaker, I must say before I close tonight that I want to thank the Marine Corps. They have agreed to meet with the two investigators—the third one lives in California, Ron Radich. I want to thank him for his strong letter, but he will not be here—he cannot—but his letter will stand to speak for him.

The Marine Corps has agreed to give us a meeting with the representative of the Marine Corps and try to come up with some language that will be acceptable to the two families. I'm going to ask the commandant of the Marine Corps—I doubt if he will do it—but do something right for the Corps that so many American people, including myself, have the greatest respect for; bring the two wives and their children to your office and say: I have an official letter for you that will clearly state that your husbands were not at fault for this accident. Mr. Speaker, I hope that's what will come from this meeting in the next couple of weeks.

It's one of those things in life that Members of Congress get involved in that you don't ask for, but you feel that there's a reason that someone has come to you and said, my husband cannot defend himself anymore, yet because of one press release that indicated these pilots were descending too quickly, they did not know what they were doing at the time, there was no indication on their software panel that they were in trouble. So my hope is, Mr. Speaker, that the Marine Corps will give Connie Gruber and Trish Brow what they're asking for.

Mr. Speaker, because I want to give God credit if we ever clear the names of these two pilots, I've asked God to please give me the energy and the strength to go with Connie Gruber and her daughter Brooke down to Jacksonville, North Carolina, to the grave of her husband and Brooke's father. I want to say to Major Gruber: Sir, no one will ever question your integrity or your honor again. It has been done. You can rest in peace because you won't be blamed.

Then, Mr. Speaker, I want to go with Trish Brow to Arlington Cemetery, and I want to stand with Matthew and Michael, the two young boys that never got a chance to know their daddy—they're young men now, they're in their early twenties, college students—and I want to say the same thing to Colonel Brow: Sir, your reputation is secured. You will not be blamed any longer for that crash on April 8. Mr. Speaker, with that, I will know that I have fulfilled my duty as a Member of Congress. I will fulfill my duty as a man who believes in the truth and integrity. It is very important in my life. And I will be able to say to Connie and to Trish, if ever anybody prints again that your husband was at fault, you have an official document to call that newspaper, call that TV station, call that reporter and say, Sir, I want a retraction. I will send you a copy of the documentation that says that my father—that my husband and my friend's husband were not at fault.

The reason I almost said ''father,'' as I'm closing, Mr. Speaker, I will tell you

that 4 or 5 years ago I was in Jacksonville, North Carolina. Connie Gruber invited me to a fall reunion at the church. I had a chance to meet Bruce Gruber's father, the major from Jacksonville, North Carolina. That gentleman lives in Naples, Florida, with his wife, and he came out and we spoke. He had tears in his eyes. Mr. Speaker, he fought in Korea for this country as a marine, and he said with tears in his eyes: Congressman, I want to thank you for trying to clear my son's name. I said, Mr. Gruber, I will accept your kind words on behalf of my savior, Jesus Christ, because Christ was a man of humility, and I try to walk in the light of Christ.

If we ever accomplish anything for this country, no matter what faith my colleagues might be, just remember that accomplishing truth and integrity for John Brow and Brooks Gruber will be God's will and not mine. That gives me one thought, and then I will close.

Voltaire said 1,000 years ago:

To the living we owe respect, but to the dead we owe only the truth.

Mr. Speaker, as I always close on the floor of the House, because it's time to get our troops out of Afghanistan, they've done their jobs, bid Laden is dead, al Qaeda has been dispersed around the world, it's time to bring them home. I've seen too many at Walter Reed and Bethesda without legs and arms.

□ 1940

Spending money we don't have over there, cutting programs for children and senior citizens here in America, I don't know, it doesn't make any sense.

But on behalf of the families that I talked about tonight, Colonel John Brow's family, Major Brooks Gruber's family, and all of our men and women in uniform and their families across the world, I will close and yield back.

I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God to hold in His loving arms the families who have given a child dying for freedom in Afghanistan and Iraq.

I ask God to please bless the House and Senate, that we will do what is right in the eyes of God for God's people today and God's people tomorrow.

And I will ask, from the bottom of my heart, God please bless President Obama that he will do what is right in Your eyes, God, for Your people today and Your people tomorrow.

And, Mr. Speaker, with that I'll say three times, God, please, God, please, God, please continue to bless America.

I yield back the balance of my time.

HEALTH CARE AND MAKING IT IN AMERICA

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

Mr. GARAMENDI. Mr. Speaker, before we start on our dialogue—I expect to have my colleague from New York here in a few minutes—I want to thank my colleague from North Carolina, WALTER JONES.

Mr. JONES, every day and every week you speak on this floor about the Afghanistan war and previously about the Iraq war, and you carry a message that is extremely important, one that I agree with, and one that I would hope that our colleagues here in Congress would take up this issue in a very strong and determined way to bring this Afghanistan war to an end.

I thank the President for bringing the Iraq war to an end. And now there's yet another task for all of us to do, and that is to end this continued use and abuse of the American soldiers. They endure much, and it's time for us to bring them home.

We thank them for their service. We see them as they return.

Some of my colleagues and I are working on a major effort to try to deal with more than 365,000 of those men and women that have returned that are suffering from posttraumatic stress syndrome, dealing with everything from suicides to depression and other issues as they return home, and many of them still in the military dealing with those issues.

We also have the traumatic brain issues, and so there's much to be done. And there will be much more to be done for those that are currently suffering. And the longer this war in Afghanistan continues, the more men and women will be suffering from all sorts of medical, physical, and mental issues.

So, WALTER, thank you so very much for what you're doing here on the floor day in and day out and reminding us that it's time for us to end this war.

What I want to spend some time on today is really talking about America's middle class. The middle class in America has suffered. For the last 25 years, the American middle class's circumstances have stagnated, and in the last 5 years—actually, 6 years—have seriously declined. We've seen this in the statistics. We've seen them in the economic statistics.

The only way the American middle class has been able to sustain its economic position has been for both husband and wife or children to join in providing the income for the family. It's no longer a single-person income sustaining the American middle class.

It is about our policies here on the floor of Congress and the Senate that has led to the decline of the American middle class. Specific policies have been enacted over the last two decades that have hollowed out the opportunities that the American middle class has counted on, specifically, manufacturing in America.

Once, 20 million Americans and their families were in the manufacturing sector. They enjoyed a good salary. A good hourly wage was available to them such that one individual in that family working in the manufacturing sector was able to support the family, own a home, take a vacation, buy a boat, provide for the college education. That is not the case today. Only 11 million and a few thousand beyond that are actually engaged in manufacturing in America today.

So what happened to the 9 million? They lost their jobs. Those jobs disappeared, not from the Earth, but disappeared from America. They went overseas. They were outsourced. American jobs were outsourced.

Why? Well, they'd like to say it's simply the nature of the free market system, and, indeed, that's part of it. But that's not all of it. A major part of it had to do with specific tax policies and other manufacturing industrial policies that were enacted by Congress and remained on the books for some 20 years or more.

We need to address that issue because, if, in fact, it is the policies of this Congress and previous Congresses that have led to the great outsourcing and decline of the American manufacturing sector and, along with it, the American middle class, then there's something that we can do about it.

We make laws. We establish policies. And if we find that there are policies that are contrary to the good ability of the American economy to prosper and the middle class to prosper along with it, then we ought to change those policies. That's what the Make It In America agenda is all about.

The Make It In America agenda is specifically designed to rebuild the American manufacturing sector. This is an issue that's been taken up by the Democratic Caucus, led by our Minority Whip, Mr. HOYER, and carried on by my colleagues and I. So we're going to talk a little bit about that.

I notice that my colleague from New York (Mr. TONKO) has joined us. Mr. TONKO, we were going to start out on health care, but we kind of morphed into the issue of the American manufacturing industry and the role of the middle class.

Now, the middle class, I went off on manufacturing and the need to rebuild that and the Make It In America agenda, but also, a key part of the inability of the American middle class to sustain itself is health care. And the Affordable Health Care Act, which the Supreme Court recently confirmed was constitutional, is constitutional, is a major effort on the part of the Democratic Congress and President Obama to provide not only health care, but to lift up the American middle class.

So let's hold, for a moment, the issue of Make It In America. We'll come back to it in the latter half of this hour. But let's take up the health care agenda, which I know you wanted to speak to initially.

While you're doing that, I'm going to run and get a couple of placards that show what it is we're talking about. Please, Mr. TONKO, from the great State of New York, part of the East-West team.

Mr. TONKO. There you go. Always a pleasure to join you on this House floor. And thank you for leading us in a very important discussion this evening here on the floor.

It's important for us to recognize that for our business community to compete, and compete effectively, they need to be able to contain costs; they need to be able to have predictability and stability in their day-to-day routine. And I think that the Affordable Care Act takes us toward those goals. It is a predictable outcome. It enables our small business community to have a sound and well workforce.

□ 1950

I know that that is in the ether of the mind-set of our business community in that they know a productive workforce begins with the soundness of a health care plan. We are the last industrialized nation to come to the table to begin to resolve that dilemma, and it has held back our business community. What we will have with this important Affordable Care Act is the opportunity for exchanges to be developed, either along the State line or in a national setting, that enables us to provide for the opportunities for business and to do it in a way that is vastly improved over present situations. Status quo, just about everyone agrees, will not cut it. It is unsustainable to continue with a system of health care delivery that we currently operate under.

This, I believe, will be welcome news for our business community. They will have the opportunity to address this dilemma which has found the business community, the small business community, to be paying anywhere from 18 to 20 percent more than industrial settings and getting reduced services, or a smaller bit of service package, than the industrial setting would get. This allows for better services at reduced premiums that will enable them to have that affordability factor addressed. To go to the marketplace with that operational motif is going to be, I think, a very strong enhancer for the competitive edge of the American business community.

So underpinning, supporting the small business community, is important because, as we know, it is the driver; it is producing the great majority of new jobs in the private sector in America today. If we can take that outcome and enhance it by addressing an Affordable Care Act that impacts soundly and progressively and positively the small business community, then we are doing something to increase America's growth in jobs. We do it also by having the ability to provide for various tax credits that go toward the small business community, especially for those that have 50 and fewer employees.

We have seen what an economic engine the small business community is. Since time beginning for this Nation, the small business community has been that pulse of American enterprise. It has been that predictor of soundness, of job creation, and of economic recovery. If we treat the small business community with the respect and the dignity and the assuredness that it requires, we have done something. We will be doing something.

So, Representative GARAMENDI, I think it is important to understand and to outline that the Affordable Care Act is the beginning of providing that foundation for the small business community to have a sound workforce, which is essential in this very competitive sweepstakes for jobs and landing contracts in that international scenario where we all compete for the right to serve the general public.

Mr. GARAMENDI. Mr. TONKO, I am really pleased that you brought that up. You have reminded me of a rather lengthy article from The Sacramento Bee. I am from California. Sacramento has one of the hometown papers, and the Bee was writing a major article on the exchange.

In the Affordable Care Act, there is an insurance exchange, and California was the first State in the Nation to follow up on the Affordable Care Act's exchange portion and to put in place a law to build an exchange. Now, at least our Republican friends think that's an awful situation. Governor Schwarzenegger, who was a Republican and is a Republican, signed that legislation before he left office almost 2 years ago now.

So this article is very effusive and upbeat about the establishment of an exchange in that they expect to have it online. What they talked about, a lot of it, was of individuals who could get insurance in a large pool and have the same opportunities for reasonably priced policies as occurs in a big business.

They also spent a lot of time talking about small businesses. How correct you are that the Affordable Care Act really offers small businesses an extremely important and heretofore unavailable opportunity to get insurance for the employer as well as for the employees, and a very big subsidy is available for those small companies that choose to buy insurance. Up to 50 percent of the cost of the insurance could be subsidized and costs reduced to the employer. Now, that's a lot of money. It's calculated at about $4,000 per employee if you're looking at an $8,000 or $9,000 policy. So it's really an important opportunity. Why is that good for business?

Go ahead, Mr. TONKO.

Mr. TONKO. I was going to say, too, that many people will say, well, if the option is made available, which it is, why would they choose that? Why would they want to spend even if there is a tax credit made available?

Think about it. The sound business community leader is going to want to recruit, and when you recruit and get the best employees, you offer the best package, and you have, as a result, a soundness in your workforce.

Mr. GARAMENDI. Exactly.

Mr. TONKO. So the management style is driving that sort of benefit so that you will reach to the program so as to recruit and retain quality workers. I think that driving element will influence it more than anything, and then the tax credits will become part and parcel to that package, which, as you suggest, can be as great as 50 percent. This is a huge cost savings and a sound policy to which they're attaching. So I think it's a benefit.

Mr. GARAMENDI. Absolutely true.

In addition to that, because of the exchange situation, individuals as well as businesses find themselves in a large pool.

Now, I was the insurance commissioner in California for 8 years in the nineties and then again in 2000 with an 8-year hiatus in between. I understand that, in insurance, for it to work, you need a very large, diverse population so that the risk is spread. In the individual market today, you can't get that; but in the exchange, the concept is to allow all of these individuals and these small businesses to be part of a very, very large pool so that they can take advantage of the spreading of the risk and, therefore, the lower cost and the subsidy on top of that.

One more thing. I was at a bagel shop. It was in the early morning, and I needed a cup of coffee and a bagel, so I stopped at a bagel shop. There was the owner and one or two employees—I think there were actually three. One was in the back. I didn't see that employee. We were talking about health insurance, and there was an excitement by this employer because she could get insurance. So it's the employer as well as the two employees who were going to be able to get insurance. Previously, she couldn't. She was a single mother with a new shop, opening it up—pretty good bagels and the coffee was very good. Now she can get insurance through the exchange. It was a new shop, and income was going to be low, so she could also get the subsidy. For the first time in many, many years for this woman—a divorcee whose husband went one way and she went the other,

who lost the insurance—she can get insurance.

This is part of the Affordable Care Act, and it is specifically designed in a way to encourage businesses to provide insurance and, in that process, as you say, to find the good employees and keep them. It's very exciting.

Mr. TONKO. If I might add, I know that we want to get into the talk of job creation, but if I might add some of the dialogue that has been developed in the district I represent—and I'm sure it's not unique to the 21st District of New York.

Again, there is this proliferation of small business that has been the driving force and that has really built our economic recovery from this painful recession. What you will hear time and time again is, if I'm a small operation of 10, 15, 20 people, one person—just one person—in that workforce impacted by a catastrophic illness will throw the actuarial science into a frenzy. That means that your premiums will be adjusted in a way that makes it difficult as the employer to continue to afford that insurance or to have the copayments from the employees.

So, as you're suggesting, if you enter this large collection called an ''exchange,'' in which many more numbers than 10, 15, or 20 work in this concept together, it shaves those peaks, and the shock—the premium rate shock—that is dulled is a good thing.

Mr. GARAMENDI. Let me take that a little further.

I wish I'd had this law when I was insurance commissioner because I used to see this all the time when I'd get complaints. We had a consumer hotline, and we would take several thousand calls a week. We'd always get these complaints about: They dropped my insurance.

□ 2000

And we get from businesses, They dropped my insurance. Why did they drop the insurance? You said it right on target. Suddenly one of the members of the workforce of a small group of people had a significant illness. When it came time for the annual renewal—insurance is an annual thing that is renewed every year—they heard back, I'm sorry. We can't renew you this year because we're changing the market. All kinds of excuses. But the reality was there was one sick person in that group. This law will end that.

There's also the opportunity for people that have become unemployed in this economy to get a job, particularly if that person happens to be 50 years or older. That person today has a preexisting condition called ''age.'' They're beginning to enter that part of life where you're going to have more medical issues, and employers go, Wait a minute. We don't have a position for you. We're not discriminating based on age, but your resume isn't exactly the way it ought to be. It's very difficult for a person 50 and older to get back into the workforce because of health insurance.

With the exchange and the anti-discrimination policies in the Affordable Care Act, which we call the Patients' Bill of Rights, they will be able to get back into the workforce. We're talking about people going back to work with health insurance no longer being a barrier to employment.

Mr. TONKO. Representative GARAMENDI, you cite a very awkward dynamic that can be used as a preexisting condition: age. How about gender? There are more and more small business startups that are women-owned businesses, women working in a small business situation as the employer. A preexisting condition is being a woman. It is gender penalizing.

There are many aspects, and the preexisting condition is something that's getting more and more attention, especially in the weeks that accompanied the decision of the Supreme Court. There was a lot of recognition of what was in the Affordable Care Act, and preexisting conditions are now being denounced and not being allowed as a reason, a rationale for denying insurance. That's a prime aspect of the progress made here.

As I've said in my district: Is it perfect? No. We aimed for perfection, and we achieved success. We will continue to work on this order of health care in a way that will continue to build the progressive nature of the outcome.

Mr. GARAMENDI. These are all part of the puzzle of putting people back to work. As I started this discussion, talking about the laws of America, the policies that have been enacted by this Congress and by previous Congresses and the way in which they impact the middle class of America, that impact has been devastating on the middle class for the last 20 years. It is our determination as Democrats to change the policies so that the American middle class can once again thrive, so that a family can enjoy the fruits of their labor, and so that they can enjoy the potential that America brings to them.

I notice that we've been joined by our colleague from Pennsylvania. Please, join us. Thank you for coming in this evening and sharing with us your thoughts.

Mr. ALTMIRE. I thank the gentleman from California.

I was listening to the discussion, as I often do, and I wanted to bring a perspective to join that discussion, Mr. Speaker, as they were both talking about health care.

As one who did not support the health care bill originally, I do think it's important to recognize, as has been happening in this discussion, what's working with regard to the health care bill, what's already been implemented that's making a real difference in people's lives.

The reason I did not support repeal of the health care bill both times we brought it up was because I have the fourth most Medicare beneficiaries of any district in the country. I have 135,000 Medicare beneficiaries. Many of them are caught in the doughnut hole, what we have come to know as that gap in coverage in the Part D prescription drug program. We are now entering the third year of the phase-in to completely close that doughnut hole. Already, people who are in the doughnut hole have received a $250 compensation for coverage through the doughnut hole. They're getting a steep discount on brand-name drugs. Moving forward, as I say in the years to come, they're going to completely close the doughnut hole and get coverage all the way through. That's something that would not have happened if we had repealed the health care bill.

Small businesses all across the country that struggle with the skyrocketing cost of health care that's affecting every family and every business in this country, they're getting a tax credit to help offset the cost, to provide coverage, if they choose, to their employees. That's something that's making a real difference in the district that I represent. They are being able to cover people up to age 26. Often, they are recent college graduates struggling in the down economy. With the job market of today, the parents' plan is being able to for a short period of time insure those young adults after they've graduated from school and may be in transition in their life or in the job market. That's making a real difference for people that I represent. For people with preexisting conditions—children today and, beginning in 2014, for adults—they will not be able to be denied coverage because of a chronic health condition. That's something that's long overdue in this country. Those are all things that have been implemented. They're in the law today. They're taking effect, and they're impacting people. We can't overlook that.

The legal issues have been decided. This is settled law now. What we need to do is make sure—especially with the Medicaid ruling, which was not talked about as much because the court focused on the mandate. But with the States being able to opt out on the Medicaid side, we have to find a way for health care providers to be guaranteed coverage for people who come to their door, whether they be a hospital, a physician, a long-term care facility, whatever it may be. When the health care bill was put into place, before it became law, the deal that was made in return for universal coverage covering people in this country was the providers—all those provider groups I mentioned—gave a little. They understood they had to take some cuts to help offset the cost of that, the cost to the government and to the taxpayer.

Now the court has said that States can opt out of part of that through the Medicaid program. We need to make sure that those health care providers are able to keep their end of the bargain and the government keeps their end of the bargain by finding a way to cover everybody.

I did want to add that perspective again as someone who didn't originally support the bill. There are things that are working and have been implemented, and I commend both my friends from California and New York for having the discussion tonight.

Mr. GARAMENDI. Thank you very much for joining us, and thank you for bringing that perspective.

Twice, now, our Republican colleagues have voted for a full repeal of the law, and you very correctly and, I think, almost totally pointed out the things that would disappear. The doughnut hole would open up again, the preexisting conditions, the patients' bill of rights would be gone, and the insurance companies can then reengage in discrimination, as they have so often. All those things that are very positive would disappear. So we're fighting fiercely to keep them. As Mr. TONKO, our colleague from New York has said, We will work through the years ahead to improve and to deal with the unknown issues that are certain to arise.

We've got work ahead of us, and we can do it.

Mr. TONKO. I just wanted to speak to the issue that Representative ALTMIRE raised with the doughnut hole—such a sweet label thrown onto a hidden attack on our senior community, asking them to dig into their pockets when they hit the threshold of $2,930 and up till they hit the threshold of $4,700.

I can tell you painful, heart-wrenching stories that many of the seniors I represent—and again, I have a huge proportion of seniors in my home county of Montgomery County, New York. Many will reach that threshold early in any fiscal year. It's a phenomenon with the prescription drugs. Those prescription drugs are their connection to quality of life. It's not only keeping them well and healthy; it may be keeping them alive. There are far too many heart-wrenching stories of people who will cut their prescription or their pills in half so that they can balance their budget. That is not the way to respond to their medical needs. They are told by their physician what that prescription drug intake is to look like for their wellness or their getting well. We ought not cause them to be pushed to the brink where they actually adjust their intake of prescription drugs just to meet a budget.

This closing of this doughnut hole, making prescription drugs more affordable, where we finally in 2020 close it completely—I mean, people have realized already billions of dollars of savings. There have been 5.3 million seniors that have received $3.7 billion in savings.

□ 2010

Is that something you want to take away? So when this House, with the majority, the three of us obviously said no, but when the majority said repeal, why? What's the replacement? We didn't hear replace, we heard repeal, and it left many stunned in this Chamber because the progress just begun to be tasted was attempted to be pulled away, and it's regrettable.

Mr. GARAMENDI. Well, we heard many, many things during that debate last week that are just, I think, incorrect and inaccurate.

One of them was that the Medicare program was cut and benefits taken away from seniors. It didn't happen. What happened was that about $50 billion a year of expenditures going to the insurance industry unnecessarily, an unnecessary bonus was removed, that was about $160 billion, about $16 billion a year; and then there was the Medicare fraud. That is a big problem and other adjustments, but no reduction in benefits to seniors and, in fact, significant increases.

Mr. ALTMIRE talked about those with the drug benefit, as you did. There was also the prescription drug savings, which, Mr. ALTMIRE, you raised. We also know that every senior now has a free annual health checkup, which is an exceedingly important way of keeping seniors, well, anybody, healthy. You get a checkup—we got blood pressure issues, diabetes issues, other kinds of medical issues—you get ahead of them, and then with the drugs you can keep ahead of them. There are many, many improvements in the Medicare program that are as a result of the bill.

Mr. ALTMIRE, I know that you have been spending a lot of time on these issues, and I thank you for your participation here tonight. If you would like to expand on maybe some experiences in your own district, go for it.

Mr. ALTMIRE. I appreciate the gentleman opening the door for that issue, and health care is just one issue facing American families in the country today. I know that this group that meets periodically when we're done with session to have these discussions, as I'm sure both of my colleagues do, Mr. Speaker, I hear from people in my district after these discussions show up on people's TVs.

I hear from people all over the country, in fact, that say you need to continue talking about the job market, continue talking about infrastructure repair, something we have talked about at length, talk about health care, talk about issues facing small businesses and working families in America, because that's something that I think gets lost in the politicization that takes place in a Presidential election year. We're starting to head towards that time of the year when politics trumps everything, and it's unfortunate because what gets lost is these are real people. These are real Americans that are suffering in the job market.

Mr. GARAMENDI. Excuse me just for a moment. I noticed in our gallery two gentlemen, soldiers, who are here, both of them wounded in the wars. This is part of a group that comes in here every day when we're in session to watch what we're doing. They just stepped out the door, and I wanted to catch them before they left to recognize them for the services that they provide. They may come back in, in which case I will interrupt you again.

Mr. ALTMIRE. Absolutely, I would agree. I had a chance to chat with them earlier today, and there is no group that should stand ahead of our Nation's veterans when it comes time to making Federal funding decisions, so I'm glad that they are joining us today.

Mr. GARAMENDI. Well, they are coming back, and I just want to, maybe the three of us can simply recognize them for the service that they provided to this country. I suspect that, normally, I see a gentleman that's always escorting them here in the gallery. Normally, they come back with some wound or another, and that's difficult; but I want them to know, and I would ask you to join me in this conversation, to know that this House, Democrat and Republican alike, are determined to make sure that all of our men and women that are returning from the wars, and those that have served even though they were not on the field of battle, deserve both our respect and whatever services they need, veterans services, medical services, and a job.

I thank them for coming here.

Mr. TONKO.

Mr. TONKO. Thank you, Representative GARAMENDI. Let me also thank our military, our active forces out there as we speak who are defending us in some very far-off places, deserted deserts and mountains that extract great courage and commitment to this Nation and her cause.

You know, again, so many veterans returning are looking for work. There ought not be a battlefield in their homeland to find a job, and it's why the American Jobs Act makes it possible for businesses to realize benefits when they hire our veterans, when they hire the active military that are returning, and that's a commitment that ought to be understood by all of us. That's a commitment that should be part and parcel to unanimity in this House. Let's go forward with something like the American Jobs Act.

Mr. GARAMENDI. Well, this is the only thing that's actually been done. When the President last September proposed the American Jobs Act, the

second thing that he talked about was the veterans jobs bill, and it kind of languished around here for a couple of months. It was early September when the President spoke.

Then came this special day every year called Veterans Day, and all 435 of us, we would go home, and we would go to the veterans parades and, lo and behold, we came back and we found compromise, and we found bipartisanship and the veterans jobs bill actually became law shortly thereafter.

Mr. TONKO. But the full package could have been done, which allows for even more opportunity for our veterans if we're hiring police officers and firefighters and educators, teachers. We're building the fabric of the Nation and the infrastructure, the human infrastructure that's required to educate our young, protect our neighborhoods, make certain that we're there in response efforts when tragedy hits. These are the things that can also in a broader sense affect positively the employment factors for our veterans. That full package offered the greatest hope.

The fact that we would nitpick and that we would be pushed to pressure points and finally acknowledge the work getting done is not the way to achieve what we know has to happen out there. We've seen the growth, Representative GARAMENDI, of private sector jobs, 29 consecutive months of private sector job growth, well beyond 4 million jobs.

It is a wonderful number, but still a lot of work to do when we think of the Bush recession and the loss of 8.2 million jobs. Now people want to take us back to those failed policies that saw us losing as many as 800,000 jobs a month and say that's the way to move forward. That's moving backward. We need to move forward with efforts like the American Jobs Act.

Mr. GARAMENDI. Mr. TONKO, before we carry further with the American Jobs Act, I know that the two veterans who were here in the gallery were headed out the door when I recognized them, I saw them leave and I wanted to thank them for their service. I suspect that they were headed off to some other meeting, or wherever they were headed; and I don't want to keep them here, but rather just to thank them for their service and to know that 435 Members of this House care deeply about your situation, what you're dealing with, and all of the others that are in the field and have returned, in providing the extraordinary service to this Nation.

Thank you very much, gentlemen.

Mr. TONKO. Yes. We are, in fact, very proud of their efforts and very proud of the training they endure to be able to be the greatest force on the globe, and so we thank them for that.

Mr. GARAMENDI. Exactly.

Now the American Jobs Act had many, many pieces to it; and this is one of the great what-ifs, you know, one of the woulda, coulda, shouldas. What if back in September this House had actually taken up the elements of the American Jobs Act. There was, I think, almost 250,000 teaching jobs that were in this piece of legislation. There was also almost the same number of police and firemen and public safety officers in the legislation.

It didn't happen and so I know that in my daughter and son-in-law's own school district there have been layoffs because of the economic and financial circumstances of the State of California, and the class size went from 22–23 to 33–34, an extraordinary burden on the kids.

When you're in the second or third grade, you never get a chance to go back and repeat. That's a lost year, and that will carry through perhaps all the rest of your life, that you missed that opportunity to really advance your education.

Just on the educational side, you go, whoa, what if we had another 280,000 teachers in the classroom across America today? How would that advance the well-being of our children? I think it's very clear they'd be far better off, far better off. But it didn't happen.

Mr. TONKO. Representative GARAMENDI, you're offering a very powerful statement, a powerful challenge, the what-if.

When you take that statement and failure to commit to our Nation's children and then contrast that with what's happening in competitor nations, where they're investing in education, investing in higher education, investing in research, investing in advanced manufacturing, these are the challenges that are facing us as a government, as a body, as a House of Representatives.

□ 2020

And if we do not respond accordingly, we're holding back the Nation. We're actually pushing us backward. This discussion here in this House ought to be about moving us forward—moving us forward with progressive policy and investments of human infrastructure.

Mr. GARAMENDI. So the President also talked about building the foundation for tomorrow's economic growth. This is the infrastructure of the Nation—a big word, but one that I think most Americans understand as being the roads, the bridges, the railroads, the sanitation systems, the water systems, the research, the schools. We delayed—I guess all of us, in some respect, but really the Republicans in this House controlled this—the transportation bill. We delayed the implementation of the reauthorization of the transportation bill until the middle of the construction season. Just 2 weeks ago, we actually passed a 2-year transportation authorization program—very, very important and very beneficial. But what if that had happened last September? We lost half of a construction season and States and localities were unable to plan and put in place the projects that they needed to put in place because of the dilly-dallying and the delay that went on here.

We'll take some of the blame on our side, but we don't control the legislation. It's controlled by our Republicans here. Ultimately, they were unable to even put a bill out. The Senate did put a bill out; and I thank Senator BOXER from California, the lead author on that, and the minority leader, and in her committee the two of them came together with a bipartisan bill. It finally got done. We're thankful for it.

But the President wanted to go beyond that. He wanted to establish an infrastructure bank, one where we could literally invest some public money, some private money, and go about building projects that have a cash flow, like a toll road or a sanitation plant or a water system where people pay a fee and there's a cash flow so that we can really build the infrastructure of this Nation. But it didn't happen.

Mr. TONKO. Representative GARAMENDI, as you're speaking, I'm thinking of those ''golden moments'' in our history replete with those statements made by the Nation—this Nation—of investing, especially in tough times.

You know my district. I've described it several times. It's the confluence of the Hudson and Mohawk Rivers and the donor area to the eastern portions of the Erie Canal. In very tough times, Governor DeWitt Clinton proposed—

Mr. GARAMENDI. This was the Governor from New York, not from Arkansas.

Mr. TONKO. Right. He proposed a canal system, in tough times, saying we need to invest our way through this. There's a way to grow a port out of this town called New York. And there's a way perhaps that there will be a ripple effect, which there was, with the birthing of mill towns, a necklace of mill towns that became the epicenters of invention and innovation. And it drove a westward movement so that it headed toward California. It drove an industrial revolution, sparking all sorts of opportunity and activity, driven by a pioneer spirit that is unique to this Nation.

And our collection of stories of journeys to this Nation with people embracing nothing but this noble dream—an American Dream—that transitioned a rags-to-riches scenario, that's what it's all about. It's us in our finest moments. And why not today, as we have these inordinate needs to invest in the people, invest in jobs, understanding the dignity of work, underpinned by the effervescence of the pioneer spirit that is, I think, part and parcel of our DNA. It is within our fabric as a Nation

to have that pioneer spirit. We're denying it. We're denying that spirit.

Mr. GARAMENDI. Well, you just talked about history here. Actually, your Governor, DeWitt Clinton, really did lead a major infrastructure project. Now, California was the Gold Rush. It's very interesting to go back through the old writings; and the folks from the East, New York and around, traveled up the Erie Canal to the Great Lakes to Chicago and then from there on. And they also left—and these are my relatives—the port of New York, which was built as part of the infrastructure, to travel to the Panama and then across the Isthmus of Panama and then up the coast of California. So my own relatives took advantage of those two infrastructure projects that you talked about.

However, your Governor was building off some of the work of the Founding Fathers. There's a lot of talk around here that there's no role for government in the economy. Well, George Washington disagreed. And his Treasury Secretary, Alexander Hamilton, disagreed. And they had a debate with Jefferson, who thought that we ought to be an agrarian State; and George Washington and Hamilton thought there was a role for industrial and for manufacturing. And so George Washington in his very first days as President told Alexander Hamilton to put together an industrial policy for America. And there were about, I think, nine points or maybe 12 points in that industrial policy. One of them was: build the infrastructure. It specifically said canals and harbors.

So this goes back to the very beginning of our country. What the President wanted to do and what we Democrats want to do is to build the infrastructure, the foundation upon which the economy grows. And we can do it. We can pay for it because every dollar we invest in the infrastructure immediately turns around and develops $1.75 of growth in the economy. So it's not money down a rat hole. It is money that builds the foundation and then expands the economy immediately. It is the very best way to put people back to work immediately, together with education.

Mr. TONKO. The reach that we ought to make to our history, to let it speak to us, the reach we ought to make to the boldness that we embraced in times that preceded us ought to speak to us, ought to feed our soul, ought to feed our mindset. The courageous steps that we were asked to take that we took together as a Nation, committed to a cause, this is the sort of leadership that I think is required. The President is asking us to respond in very challenging times to these orders of investment.

Now, I can tell you in my district, the birthplace of the Erie Canal, mill towns that have achieved and changed the quality of life of peoples around the world, we're watching nanotechnology, semiconductor science, advanced battery manufacturing, chips manufacturing, a growth area happening within the capital region of New York, all built upon, I think, a public-private sector partnership, government inserted in a way that provides for the priming of the pump that goes where you absorb risk which, perhaps, the private sector won't take. And we're now seen as a global center of operations in certain areas. And it's growing and it's expanding. Now is not the time to walk away from that progress. Now is the time to invest in these dreams—these American dreams that people have always seen as the nobleness of the American saga.

Mr. GARAMENDI. I want to just pick this up. I do want to come back to our manufacturing policies before we wrap up here. But before we do, just to pull together the American Jobs Act that the President proposed back in September, A, folks, it did not increase the deficit.

□ 2030

The program was paid for, paid for by changes in the tax policy of the United States, policies that the President continues to talk about today that we eliminate the tax benefits that go unnecessarily to the oil company, the oil industry. Some $5 billion to $15 billion a year of subsidy is going to the wealthiest industry in the world. Pull those back. And the extraordinarily low taxes that have been available to the super rich, the top 1 percent, restore those to the Clinton era tax and other tax proposals that he had made so that the proposal was fully paid for—not decreasing the deficit but rather putting people back to work and creating the jobs that are necessary to move the economy and to get the American middle class back into the game so that they can prosper and so that we can rebuild those American manufacturing jobs, the 9 million jobs in manufacturing that were lost between 1990 and 2010.

Keep in mind that over the last 29 months, there has been private sector job growth every one of those 29 months. And so when people say, no, no, it's not good; say, it's not good enough, but at least it is happening. Men and women are going back to work in the private sector. The public sector continues to lose jobs and continues to shed jobs. But on the private sector job side, in part because of the policies we've been talking about here and the inherent strength of the American entrepreneurial and business spirit, people are coming back, not as strong as we want, but if the American Jobs Act were in place in its fullness, we would be moving towards a more balanced budget, reducing the deficit, and putting people back to work. We're not there yet, but we've not given up on this. And one of the major pieces in this is what we call Make it in America, because manufacturing matters.

I know in your district you've been talking a lot about this Mohawk Valley and about this great history. I'm not going to let you continue on without saying, hey, I'm from California. And we know entrepreneurship, and we know about the next generation of jobs and the next innovation. But New York still is there, and we'll vie with you for the best in the Nation.

Mr. TONKO. Absolutely. And I see the order of progress, Representative GARAMENDI, that we've achieved in that private sector that you just outlined. And it's regrettable that the solution for which the President is calling to provide for the public sector side, which would speak to greater numbers of employment, because we've taken that 4 million-plus in the private sector and reduced the overall results by losing some public sector opportunities which speak to soundness of community, public safety, educating the young, and providing for public protection out there. These are important aspects of quality of life. They ought to be embraced.

So we've denied part of the President's agenda. We've recognized the success and strength part of his plan, but there's been this partisan divide, there's been this holding back on progress because perish the thought if the White House should look good in this comeback from a recession.

Well, you need to place—we need to place the public good, the Nation's good, ahead of partisan divide. It is absolutely essential. And to then criticize the President by restraining some of the progress that he's been trying to cultivate and saying he's not cleaning up the mess quick enough, well, there was a huge mess delivered just before he assumed office—8.2 million jobs is a tough situation from which to walk forward from. And I think that there is a solution there, and we ought to work and put America first, the needs of this Nation first so as to be able to continue to walk forward and not negate any of the progress that we're achieving.

Mr. GARAMENDI. Let me pick up one of the issues the President has been talking about recently, and we actually worked on this more than a year and a half, almost 2 years ago, and that was the tax policy. At the outset, I talked about policies, tax policies being one of them. American tax policies until December of 2010 actually allowed and gave to American corporations a tax reduction, a tax break when they offshore jobs. Send a job oversees and reduce your taxes. Hello? How could that be?

I don't know where it came from, but that was the law of the land until the

Democrats, then in control of Congress, pushed through a piece of legislation that ended $12 billion a year of tax breaks for corporations that offshored, sent jobs oversees.

I will just note parenthetically that not one Republican voted to end that extraordinarily damaging tax proposal that rewarded companies with lower taxes when they offshored jobs. Not one Republican voted to repeal that law. However, the Democrats stood together, the President signed that, and it is now the law. There is still about another 4, 5, maybe $6 billion of tax breaks that companies get when they offshore jobs. We've been working to eliminate those, and the President talks about it very often. He also talks about something that we should do, and that is to reward the onshoring of jobs.

When companies bring the jobs back home, they should receive a tax break. When you want to send jobs offshore, you should receive a penalty and certainly ought not receive a tax reduction. Now, that's good public policy. It hasn't happened. We don't control the House of Representatives, and all tax bills have to start in the House of Representatives. So we keep pleading with our Republican colleagues, please, please, give American corporations a tax break when they onshore jobs, and end the remaining tax breaks for offshoring jobs.

Mr. TONKO. Let me tell you, that is welcome news to my manufacturing base. I hear it all the time. They support the efforts of the President to reward those who produce jobs here in the U.S. and where we provide benefits for returning jobs, onshoring them as you suggest. That is welcome news. That is welcome news to the manufacturing base, as is the call for action by the President for investments in advance manufacturing. And I know that's compete and compete effectively, and to allow for job growth to come via the private sector base.

We need to invest in that new day of manufacturing. It is not dead. I refuse to submit to this notion that manufacturing is dead in this country. It is alive, it is well, and it needs to be retrofitted so as to be advanced in nature and in character. Let's get moving forward, and let's, again, reward those job creators, not paying people to offshore or send out of this Nation. Our hugest export was jobs in the decade preceding this administration.

Mr. GARAMENDI. You talk about reward and about tax policy, as was I. And let me give you another one, and I know that you and I are working on this together: tax policy. Right now we provide, we Americans provide a tax credit, a tax reduction, for those who put up solar programs or wind turbines. The thing is, that's our tax money. The question is, where is it being spent? Is it being spent on American-made equipment, or is it being spent on foreign made equipment? All too often, those tax subsidies are used to purchase foreign equipment.

This piece of legislation which I'm working on together with Mr. TONKO, H.R. 613, basically says that if you're using our tax money, for example, the Highway Trust Fund tax money, for buses, trains, or building roads, then you must spend that money on American-made equipment. Similarly, with solar and wind, if you're going to get a tax credit, if you're going to use American taxpayers' money to build something, then it's going to be made in America. We're going to return the American manufacturing by using our tax money on American-made goods and services.

Mr. TONKO, we're nearing the end of our time. Why don't you take a run at wrapping? I get the last 30 seconds. You take the next 90 seconds.

Mr. TONKO. Let me do this quickly, Representative GARAMENDI. We're the greatest nation in the world. I believe our greatest days lie ahead of us. Let us take our golden moments in history when we were faced with heavy challenges, where we responded accordingly with the belief in the worker, belief in the American way, the pioneer spirit, and did it in an order of investment.

Let those solutions-oriented moments speak to us today. We need the soundest of solutions, we need the respect for the American worker, and our greatest days lie ahead. It's a spirit of optimism that we should embrace, a history that ought to challenge, feed us, and inspire us. With that, I thank you for yielding this evening.

Mr. GARAMENDI. Well, Mr. TONKO, thank you for joining us this evening. I thank our two gentlemen from the armed services who were here earlier. And, yes, our best days do lie ahead. It's about public policies, it's about the entrepreneurial spirit, and it's about America's desire to be the best. We're going to make it in America. We're going to make it in America because we will, once again, make things in America. We will rebuild the American middle class.

It's about policy, it's about the spirit of America. It can be done and it will be done, and we're here to see that it does get done.

Mr. TONKO, thank you for this evening.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all Members that it is not in order to bring to the attention of the House an occupant in the gallery.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PLATTS (at the request of Mr. CANTOR) for today on account of attending a funeral.

Mr. STIVERS (at the request of Mr. CANTOR) for today through July 27 on account of military service in the Ohio Army National Guard.

Mr. REYES (at the request of Ms. PELOSI) for today and for the balance of the week on account of medical reasons.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro Tempore, Mr. LEWIS of California, on Friday, July 13, 2012.

H.R. 3902. An act to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 2, 2012, she presented to the President of the United States, for his approval, the following bill.

H.R. 4348. To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

Karen L. Haas, Clerk of the House, further reported that on July 16, 2012, she presented to the President of the United States, for his approval, the following bill.

H.R. 3902. To amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia.

ADJOURNMENT

Mr. TONKO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 18, 2012, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second quarter of 2012 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JANICE ROBINSON, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 20 AND MAY 27, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Janice Robinson	5/20	5/21	Republic of Korea		350.00		(3)				350.00
	5/21	5/24	Peoples Republic of China		1,224.00		(3)				1,224.00
	5/24	5/26	India		579.00		(3)				579.00
	5/26	5/27	German Federation		291.00		(3)				291.00
Committee total											2,444.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

JANICE ROBINSON, June 25, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, BARRY JACKSON, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 19 AND MAY 25, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Barry Jackson	5/19	5/22	Thailand		417.00		15,680.00				16,097.00
	5/22	5/25	People's Republic of China		1,422.00						1,422.00
Committee total											17,519.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BARRY JACKSON, June 25, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, BARRY JACKSON, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 14 AND JUNE 18, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Barry Jackson	6/15	6/18	Egypt		801.00		8,696.00				9,497.00
Committee total											9,497.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BARRY JACKSON, June 25, 1012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE UNITED ARAB EMIRATES AND AFGHANISTAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 1 AND JUNE 5, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. David Dreier	6/2	6/3	United Arab Emirates		454.00		12,478.00				12,932.00
Hon. David E. Price	6/2	6/3	United Arab Emirates		454.00		12,478.00				12,932.00
Brad Smith	6/2	6/3	United Arab Emirates		454.00		12,478.00				12,932.00
Rachael Leman	6/2	6/3	United Arab Emirates		454.00		12,478.00				12,932.00
John Lis	6/2	6/3	United Arab Emirates		454.00		12,478.00				12,932.00
Hon. David Dreier	6/3	6/4	Afghanistan		28.00		(3)				28.00
Hon. David E. Price	6/3	6/4	Afghanistan		28.00		(3)				28.00
Brad Smith	6/3	6/4	Afghanistan		28.00		(3)				28.00
Rachael Leman	6/3	6/4	Afghanistan		28.00		(3)				28.00
John Lis	6/3	6/4	Afghanistan		28.00		(3)				28.00
Committee total											64,800.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. DAVID DREIER, June 29, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO DENMARK AND FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 9 AND JUNE 12, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Cliff Stearns	6/9	6/11	Denmark		828.00		(3)				828.00
Hon. James Costa	6/9	6/11	Denmark		828.00		(3)				828.00
Hon. John Duncan	6/9	6/11	Denmark		828.00		(3)				828.00
Hon. Mario Diaz-Balart	6/9	6/11	Denmark		828.00		(3)				828.00
Hon. Donald Manzullo	6/9	6/11	Denmark		828.00		(3)				828.00
Hon. Bill Huizenga	6/9	6/11	Denmark		828.00		(3)				828.00
Hon. Corrine Brown	6/9	6/11	Denmark		828.00		(3)				828.00
Hon. Tim Holden	6/9	6/11	Denmark		828.00		(3)				828.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO DENMARK AND FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 9 AND JUNE 12, 2012—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Janice Robinson	6/9	6/11	Denmark		828.00		(3)				828.00
Greg McCarthy	6/9	6/11	Denmark		828.00		(3)				828.00
Ed Rice	6/9	6/11	Denmark		828.00		(3)				828.00
Amber Garlock	6/9	6/11	Denmark		828.00		(3)				828.00
Steve Sutton	6/9	6/11	Denmark		828.00		(3)				828.00
Hon. Cliff Stearns	6/11	6/12	France		324.00		(3)				324.00
Hon. James Costa	6/11	6/12	France		324.00		(3)				324.00
Hon. John Duncan	6/11	6/12	France		324.00		(3)				324.00
Hon. Mario Diaz-Balart	6/11	6/12	France		324.00		(3)				324.00
Hon. Donald Manzullo	6/11	6/12	France		324.00		(3)				324.00
Hon. Bill Huizenga	6/11	6/12	France		324.00		(3)				324.00
Hon. Corrine Brown	6/11	6/12	France		324.00		(3)				324.00
Hon. Tim Holden	6/11	6/12	France		324.00		(3)				324.00
Janice Robinson	6/11	6/12	France		324.00		(3)				324.00
Greg McCarthy	6/11	6/12	France		324.00		(3)				324.00
Ed Rice	6/11	6/12	France		342.00		(3)				342.00
Amber Garlock	6/11	6/12	France		342.00		(3)				342.00
Steve Sutton	6/11	6/12	France		342.00		(3)				342.00
Committee total											15,030.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. CLIFF STEARNS, June 29, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ESTONIA FOR THE NATO PARLIAMENTARY ASSEMBLY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 24 AND MAY 28, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mike Turner	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Hon. Carolyn McCarthy	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Hon. John Shimkus	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Hon. Mike Ross	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Hon. Gus Bilirakis	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Hon. Rob Bishop	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Hon. David Scott	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Kelly Craven	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Riley Moore	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
David Fite	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Greg McCarthy	5/24	5/28	Estonia		1,016.36		(3)				1,016.36
Commitee total											11,179.96

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. MICHAEL R. TURNER, June 21, 2012.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DOC HASTINGS, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Vice Chairman, July 12, 2012.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6932. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Dracaena Plants From Costa Rica [Doc. No.: APHIS-2011-0073] (RIN: 0579-AD54) received June 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6933. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tart Cherries Grown in the States of Michigan, et al.; Final Free and Restricted Percentages for the 2011-12 Crop Year for Tart Cherries [Doc. No.: AMS-FV-11-0085; FV11-930-3 FR] received June 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6934. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California, Arizona, and New Mexico; Order Amending Marketing Order No. 983 [Doc. No.: AMS-FV-10-0099; FV11-983-1 FR] received June 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6935. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Domestic Dates Produced or Packed in Riverside County, CA: Order Amending Marketing Order 987 [Doc. No.: AMS-FV-10-0025; FV10-987-1 FR] received June 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6936. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Dusky Gopher Frog (Previously Mississippi Gopher Frog) [Docket No.: FWS-R4-ES-2010-0024] (RIN: 1018-AW89) received June 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6937. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 162(m)(4)(C) — Dividends and Dividend Equivalents on Restricted Stock and Restricted Stock Units (Rev. Rul. 2012-19) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6938. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — July 2012 (Rev. Rul. 2012-20) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6939. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Modification to Consolidated Return Regulation Permitting an Election to Treat a Liquidation of a Target, Followed by a Recontribution to a New Target, as a Cross-Chain Reorganization [TD 9594] (RIN: 1545-BI31) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6940. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Interim Guidance on Tips vs. Service Charges Revenue Ruling 2012-18 received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6941. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 3121 — Tips Included for Both Employee and Employer Taxes (Rev. Rul. 2012-18) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6942. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — PTP-COD Income (Rev. Proc. 2012-28) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6943. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Disregarded Entities and the Indoor Tanning Services Excise Tax [TD 9596] (RIN: 1545-BK39) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6944. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Credit for Carbon Dioxide Sequestration 2012 Section 45Q Inflation Adjustment Factor [Notice 2012-42] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6945. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Qualified Energy Conservation Bonds [Notice 2012-44] received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6946. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Election to include in gross income in year of transfer (Rev. Proc. 2012-29) received June 27, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 1171. A bill to reauthorize and amend the Marine Debris Research, Prevention, and Reduction Act; with an amendment (Rept. 112–584, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 4377. A bill to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes; with an amendment (Rept. 112–596, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1103. A bill to direct the Secretary of the Interior to develop, maintain, and administer an annex in Tinian, Commonwealth of the Northern Mariana Islands, as an extension of the American Memorial Park located in Saipan, and for other purposes (Rept. 112–597). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4400. A bill to designate the Salt Pond Visitor Center at Cape Cod National Seashore as the ''Thomas P. O'Neill, Jr. Salt Pond Visitor Center'', and for other purposes (Rept. 112–598). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4073. A bill to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right of way within and adjacent to Pike National Forest in El Paso County, Colorado, originally granted to the Mt. Manitou Park and Incline Railway Company pursuant to the Act of March 3, 1875; with an amendment (Rept. 112–599). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3706. A bill to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes; with an amendment (Rept. 112–600). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3404. A bill to establish in the Department of the Interior an Under Secretary for Energy, Lands, and Minerals and a Bureau of Ocean Energy, an Ocean Energy Safety Service, and an Office of Natural Resources Revenue, and for other purposes; with an amendment (Rept. 112–601). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3397. A bill to modify the Forest Service Recreation Residence Program by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes (Rept. 112–602). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3388. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; with an amendment (Rept. 112–603). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3210. A bill to amend the Lacey Act Amendments of 1981 to limit the application of that Act with respect to plants and plant products that were imported before the effective date of amendments to that Act enacted in 2008, and for other purposes; with an amendment (Rept. 112–604). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2489. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; with an amendment (Rept. 112–605). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 4043. A bill to amend title 10, United States Code, to direct the Secretary of Defense to establish Southern Sea Otter Military Readiness Areas for national defense purposes, and for other purposes; with an amendment (Rept. 112–606, Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Natural Resources discharged from further consideration.

H.R. 4377 referred to the Committee of the Whole House on the state of the Union.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 459. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes; with an amendment (Rept. 112–607, Part 1); referred to the Committee on Financial Services for a period ending not later than July 18, 2012, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(h) of rule X.

TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII, the following actions were taken by the Speaker:

[The following actions occurred on July 16, 2012]

H.R. 1838. Referral to the Committee on Agriculture extended for a period ending not later than September 14, 2012.

H.R. 3283. Referral to the Committee on Agriculture extended for a period ending not later than September 21, 2012.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BONO MACK (for herself and Mr. BUTTERFIELD):

H.R. 6131. A bill to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LIPINSKI (for himself and Mr. JONES):

H.R. 6132. A bill to amend the Federal charter of the United States Olympic Committee to require the United States Olympic Committee to ensure that goods donated or supplied to athletes are substantially made in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. WESTMORELAND (for himself and Mr. NADLER):

H.R. 6133. A bill to provide clarity on the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, the use of Abraham Lincoln Commemorative Coin surcharges, and for other purposes; to the Committee on Financial Services.

By Mr. FARR (for himself, Mr. PAUL, Mr. COHEN, Mr. ROHRABACHER, Mr. FRANK of Massachusetts, Ms. LEE of California, Mr. HINCHEY, Mr. STARK, Mr. BLUMENAUER, Mr. MORAN, Mr. GRIJALVA, Mr. POLIS, Ms. WOOLSEY, Mr. WAXMAN, Mr. AMASH, Mr. RANGEL, Mr. MCGOVERN, Mr. GEORGE MILLER of California, and Mr. NADLER):

H.R. 6134. A bill to amend title 18, United States Code, to provide an affirmative defense for the medical use of marijuana in accordance with the laws of the various States, and for other purposes; to the Committee on the Judiciary.

By Mr. GEORGE MILLER of California (for himself, Mr. HINOJOSA, Ms. RICHARDSON, Mr. POLIS, Ms. FUDGE, Ms. NORTON, Mr. GRIJALVA, Mr. BISHOP of New York, Mr. DAVIS of Illinois, and Mr. KUCINICH):

H.R. 6135. A bill to increase transparency and reduce students' burdens related to transferring credits between institutions of higher education; to the Committee on Education and the Workforce.

By Mr. MURPHY of Pennsylvania (for himself, Mr. BROUN of Georgia, Mr. TIBERI, Mr. STIVERS, Mr. GENE GREEN of Texas, Mr. GOHMERT, and Mr. ROSS of Florida):

H.R. 6136. A bill to amend the Congressional Budget Act of 1974 to require the Director of the Congressional Budget Office to make all data and other information relating to the estimating of the cost of legislation available on its public website; to the Committee on the Budget.

By Mr. DANIEL E. LUNGREN of California (for himself and Mr. SERRANO):

H. Con. Res. 132. Concurrent resolution providing funding to ensure the printing and production of the authorized number of copies of the revised and updated version of the House document entitled ''Hispanic Americans in Congress'', and for other purposes; to the Committee on House Administration.

By Mr. MURPHY of Pennsylvania:

H. Con. Res. 133. Concurrent resolution authorizing the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal to Arnold Palmer, in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf; to the Committee on House Administration.

By Mr. LIPINSKI:

H. Res. 731. A resolution expressing the sense of the House of Representatives that clothing issued to athletes representing the United States of America should be made in America; to the Committee on the Judiciary.

By Mr. FRANKS of Arizona (for himself, Mr. SHERMAN, Mr. WOLF, Mr. PITTS, Mr. CONNOLLY of Virginia, Mr. SMITH of New Jersey, Mrs. HARTZLER, Mr. VAN HOLLEN, Mr. BURTON of Indiana, Mr. BRADY of Pennsylvania, Mr. JONES, Ms. BUERKLE, Mr. KELLY, Mr. CALVERT, Mr. BILIRAKIS, Mr. FORBES, Mr. ADERHOLT, Mr. SCALISE, Mr. HARRIS, Mr. SENSENBRENNER, Mr. POMPEO, Mr. WALBERG, Mr. MCINTYRE, Mr. CANSECO, Mr. LAMBORN, Mr. POE of Texas, Mr. PETERS, Mr. MARINO, Mr. HUELSKAMP, Mr. SHULER, Mr. GOWDY, Mr. SIRES, and Ms. ESHOO):

H. Res. 732. A resolution calling for the protection of the rights and freedoms of religious minorities in the Arab world; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. BONO MACK:

H.R. 6131.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to clause 3 of section 8 of article I of the Constitution.

By Mr. LIPINSKI:

H.R. 6132.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WESTMORELAND:

H.R. 6133.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 states ''The Congress shall have Power . . . To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.''

By Mr. FARR:

H.R. 6134.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8 [''to regulate commerce''], and Amendment IV [''to be secure . . . against unreasonable searches and seizures''], and Amendment VI [''the accused shall . . . have compulsory process for obtaining witnesses in his favor . . .''].

By Mr. GEORGE MILLER of California:

H.R. 6135.

Congress has the power to enact this legislation pursuant to the following:

Art. 1 sec. 8, clause 1 and 3

By Mr. MURPHY of Pennsylvania:

H.R. 6136.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 9, Clause 7 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Mr. SIRES.

H.R. 178: Mr. WOMACK, Mr. REED, and Mr. GERLACH.

H.R. 181: Mr. WOMACK.

H.R. 219: Mr. ROSS of Florida.

H.R. 333: Mr. STIVERS, Mr. REED, Mr. YODER, Ms. BONAMICI, and Mr. ISRAEL.

H.R. 458: Mr. CLARKE of Michigan.

H.R. 459: Mr. PALAZZO.

H.R. 574: Mr. SCHIFF.

H.R. 639: Ms. BONAMICI.

H.R. 687: Mr. SCHILLING, Mr. LANGEVIN, Mr. COFFMAN of Colorado, Mr. TIERNEY, Mr. STIVERS, and Mr. ISRAEL.

H.R. 694: Ms. RICHARDSON and Ms. HAHN.

H.R. 726: Mr. WALDEN.

H.R. 733: Mr. RIVERA, Mr. YODER, Mr. TONKO, and Mr. DINGELL.

H.R. 860: Mr. FORTENBERRY, Mr. KISSELL, Mr. LOEBSACK, Mr. ROGERS of Alabama, and Mr. BARROW.

H.R. 894: Mr. LARSEN of Washington.

H.R. 905: Mr. NUGENT.

H.R. 930: Ms. TSONGAS.

H.R. 949: Mr. JOHNSON of Georgia.

H.R. 965: Mr. LARSEN of Washington and Mr. MARKEY.

H.R. 998: Mr. WATT.

H.R. 1005: Mr. LARSON of Connecticut and Mrs. MCMORRIS RODGERS.

H.R. 1032: Mrs. MYRICK and Mr. WESTMORELAND.

H.R. 1063: Ms. MOORE.
H.R. 1172: Mr. DAVID SCOTT of Georgia.
H.R. 1265: Mr. SHULER.
H.R. 1325: Mr. KINZINGER of Illinois.
H.R. 1327: Ms. RICHARDSON, Mr. MCINTYRE, and Mr. GARAMENDI.
H.R. 1370: Mr. GOHMERT.
H.R. 1386: Mrs. CAPITO.
H.R. 1418: Mr. TURNER of New York.
H.R. 1523: Mrs. DAVIS of California.
H.R. 1564: Mr. PASCRELL and Mr. FARR.
H.R. 1621: Mr. MICHAUD, Mr. WITTMAN, Mrs. SCHMIDT, Ms. RICHARDSON, Mrs. BLACKBURN, Mr. MEEKS, Mr. CARNAHAN, Mr. BISHOP of Georgia, Mr. NUNES, Ms. JACKSON LEE of Texas, Mr. KIND, and Mr. TOWNS.
H.R. 1648: Mr. MURPHY of Connecticut.
H.R. 1681: Mr. CROWLEY.
H.R. 1774: Ms. CLARKE of New York.
H.R. 1775: Mr. NUGENT, Mr. SCOTT of South Carolina, Mr. FORBES, Mr. SCHILLING, Mr. HEINRICH, Mr. WESTMORELAND, Mr. COFFMAN of Colorado, Mr. KING of Iowa, Mr. SHULER, and Mr. LANKFORD.
H.R. 1810: Mr. KING of New York, Mr. FRANK of Massachusetts, Mr. MURPHY of Connecticut, and Mr. MICHAUD.
H.R. 1845: Mr. JOHNSON of Georgia, Mr. GALLEGLY, Mr. MURPHY of Connecticut, and Mr. KISSELL.
H.R. 1876: Ms. BONAMICI.
H.R. 2020: Mr. HEINRICH.
H.R. 2051: Mr. BUCHANAN.
H.R. 2082: Mr. FITZPATRICK.
H.R. 2130: Ms. HIRONO and Mr. CAPUANO.
H.R. 2239: Mr. BOREN.
H.R. 2267: Mr. QUIGLEY Mr. HARPER, Mr. LARSEN of Washington, Mr. CLARKE of Michigan, Mr. LUETKEMEYER, and Mr. CARTER.
H.R. 2335: Mr. SESSIONS.
H.R. 2468: Mr. BARROW.
H.R. 2479: Mr. PAUL.
H.R. 2499: Mr. CROWLEY and Ms. BONAMICI.
H.R. 2566: Mr. MORAN.
H.R. 2637: Mr. DOYLE and Ms. ROYBAL-ALLARD.
H.R. 2672: Mr. CARNAHAN.
H.R. 2962: Mr. FITZPATRICK.
H.R. 2982: Ms. LORETTA SANCHEZ of California, Mr. DAVID SCOTT of Georgia, and Mr. LARSEN of Washington.
H.R. 3091: Mr. WESTMORELAND.
H.R. 3179: Mr. AMODEI.
H.R. 3187: Mr. VAN HOLLEN, Ms. SUTTON, and Mr. LANKFORD.
H.R. 3238: Ms. FUDGE and Mr. TOWNS.
H.R. 3242: Mr. CLAY.
H.R. 3323: Mr. SCOTT of South Carolina.
H.R. 3395: Mr. LOEBSACK.
H.R. 3423: Mr. BARLETTA.
H.R. 3429: Mr. CASSIDY and Mr. SOUTHERLAND.
H.R. 3496: Mr. DOGGETT.
H.R. 3510: Mr. BARTLETT.
H.R. 3553: Ms. CLARKE of New York.
H.R. 3591: Mr. CRITZ.
H.R. 3612: Mr. CARNAHAN and Mr. MCINTYRE.
H.R. 3643: Mr. HIMES.
H.R. 3728: Mr. SCHILLING.
H.R. 3762: Mr. BARROW.
H.R. 3769: Mr. TONKO.
H.R. 3798: Ms. EDWARDS, Mr. MEEKS, and Mr. SCHIFF.
H.R. 3803: Mr. LANCE.
H.R. 3816: Mr. BUCSHON.
H.R. 3993: Mr. TURNER of New York.
H.R. 4037: Mr. FALEOMAVAEGA, Mr. YOUNG of Alaska, and Mr. HONDA.
H.R. 4054: Ms. HIRONO.
H.R. 4057: Mr. HOLT, Mr. HANNA, and Ms. HIRONO.
H.R. 4066: Mr. KISSELL and Ms. HOCHUL.
H.R. 4070: Ms. HIRONO and Mr. BACHUS.
H.R. 4124: Ms. HIRONO.
H.R. 4158: Ms. EDWARDS and Mr. MCCAUL.
H.R. 4160: Mr. AMODEI.
H.R. 4169: Mr. HASTINGS of Florida, Ms. MOORE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. CLEAVER, and Mr. DOGGETT.
H.R. 4170: Mr. CLAY.
H.R. 4235: Mr. DEUTCH and Mr. FINCHER.
H.R. 4238: Mr. WALZ of Minnesota.
H.R. 4248: Mr. ANDREWS.
H.R. 4342: Mr. CRAWFORD.
H.R. 4345: Mr. HARPER.
H.R. 4373: Mr. GRIJALVA.
H.R. 4403: Mr. MANZULLO.
H.R. 4405: Mr. SHIMKUS, Mr. ROSS of Florida, Mr. CARTER, Mr. RIVERA, Mr. CHABOT, and Mr. COBLE.
H.R. 4818: Mr. KISSELL.
H.R. 5195: Mr. HINCHEY and MS. NORTON.
H.R. 5542: Mr. WALZ of Minnesota, Mr. ISRAEL, Mr. DOYLE, Mr. KISSELL, Mr. GENE GREEN of Texas, Mr. BACA, Mr. DEFAZIO, and Ms. SEWELL.
H.R. 5545: Mr. FILNER.
H.R. 5638: Mr. SCHAKOWSKY.
H.R. 5684: Mr. BRALEY of Iowa, Ms. PINGREE of Maine, Mr. MURPHY of Connecticut, Mr. HOLT, Ms. SPEIER, Mr. HINCHEY, Ms. HAHN, Ms. RICHARDSON, and Mr. MEEKS.
H.R. 5707: Mr. WALZ of Minnesota.
H.R. 5708: Mrs. ELLMERS and Mr. JONES.
H.R. 5741: Mr. CICILLINE and Mr. SCHOCK.
H.R. 5796: Mr. LANCE, Mr. MULVANEY, Mr. KINZINGER of Illinois, Mr. DAVID SCOTT of Georgia, Mr. SCHOCK, and Mr. COBLE.
H.R. 5822: Mr. COBLE and Mr. ADERHOLT.
H.R. 5840: Mr. SCHIFF, Mr. FLEISCHMANN, Mr. HIMES, Mrs. BLACKBURN, Mr. THOMPSON of Pennsylvania, Mr. COOPER, Mrs. MALONEY, Ms. MOORE, Mr. YOUNG of Alaska, Mr. KILDEE, and Mrs. CAPPS.
H.R. 5844: Mr. DOYLE.
H.R. 5846: Mr. TERRY and Mr. LONG.
H.R. 5850: Mr. DEUTCH and Mr. ISRAEL.
H.R. 5864: Ms. SUTTON.
H.R. 5879: Mr. SCHILLING.
H.R. 5907: Ms. RICHARDSON and Mr. CARDOZA.
H.R. 5910: Mr. ANDREWS.
H.R. 5911: Mr. KING of Iowa.
H.R. 5929: Mr. SCHOCK and Mr. DOLD.
H.R. 5942: Mr. WILSON of South Carolina.
H.R. 5943: Mr. BRALEY of Iowa and Mr. KELLY.
H.R. 5957: Mr. KLINE.
H.R. 5959: Ms. LEE of California.
H.R. 5969: Mr. LATHAM.
H.R. 5970: Mr. LATHAM.
H.R. 5974: Mr. CICILLINE.
H.R. 5977: Mr. WAXMAN.
H.R. 5978: Ms. PINGREE of Maine, Mr. HONDA, Mr. MCGOVERN, and Ms. HAHN.
H.R. 5979: Mr. PRICE of Georgia.
H.R. 5990: Mr. JOHNSON of Illinois.
H.R. 5991: Mr. LUJÁN and Mr. AMODEI.
H.R. 6000: Mr. KLINE.
H.R. 6003: Mr. STARK.
H.R. 6009: Mr. GOSAR.
H.R. 6043: Mrs. MYRICK.
H.R. 6046: Mr. MILLER of North Carolina.
H.R. 6062: Ms. HIRONO and Mr. AMODEI.
H.R. 6063: Mr. SHULER.
H.R. 6075: Mr. PAUL.
H.R. 6082: Mr. LAMBORN and Mr. LANDRY.
H.R. 6087: Mr. KEATING, Mrs. CAPPS, and Mr. CARNAHAN.
H.R. 6088: Mr. JONES, Mr. PAUL, and Mr. FINCHER.
H.R. 6089: Mr. YOUNG of Alaska, Mr. DUFFY, and Mr. AMODEI.
H.R. 6092: Mr. YOUNG of Alaska.
H.R. 6097: Ms. BUERKLE, Mr. MILLER of Florida, Mr. HARRIS, Mr. COBLE, Mr. BURTON of Indiana, and Mr. HASTINGS of Washington.
H.R. 6107: Mr. WESTMORELAND and Ms. BORDALLO.
H.J. Res. 78: Mr. STARK.
H.J. Res. 90: Ms. DELAURO.
H.J. Res. 110: Mr. WALSH of Illinois.
H. Con. Res. 87: Mr. CLEAVER.
H. Res. 134: Mr. HUIZENGA of Michigan and Mr. DENT.
H. Res. 285: Mr. BLUMENAUER.
H. Res. 295: Mr. LATHAM.
H. Res. 298: Mr. YODER and Mr. RANGEL.
H. Res. 341: Mr. YODER.
H. Res. 351: Mr. HURT, Mrs. BLACKBURN, and Mr. ROE of Tennessee.
H. Res. 484: Mr. AL GREEN of Texas.
H. Res. 652: Mr. PAULSEN and Mr. ELLISON.
H. Res. 662: Mr. WESTMORELAND.
H. Res. 687: Mr. VISCLOSKY.
H. Res. 713: Mr. CLEAVER, Ms. LORETTA SANCHEZ of California, Ms. CLARKE of New York, Ms. BALDWIN, Mr. COHEN, Ms. WATERS, Ms. LEE of California, Ms. SPEIER, Mr. FRANK of Massachusetts, Mr. FATTAH, Mrs. CHRISTENSEN, Ms. CHU, Mr. VAN HOLLEN, Mr. HONDA, and Mr. DAVIS of Illinois.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5856

OFFERED BY: MR. KINGSTON

AMENDMENT NO. 2: Page 8, line 2, after the dollar amount, insert ''(reduced by $4,100,000)''.

Page 8, line 11, after the dollar amount, insert ''(reduced by $4,200,000)''.

Page 8, line 15, after the dollar amount, insert ''(reduced by $2,300,000)''.

Page 8, line 24, after the dollar amount, insert ''(reduced by $1,900,000)''.

Page 10, line 23, after the dollar amount, insert ''(reduced by $4,000,000)''.

Page 11, line 25, after the dollar amount, insert ''(reduced by $700,000)''.

Page 12, line 17, after the dollar amount, insert ''(reduced by $53,900,000)''.

Page 13, line 9, after the dollar amount, insert ''(reduced by $1,200,000)''.

Page 153, line 15, after the dollar amount, insert ''(reduced by $72,300,000)''.

H.R. 5856

OFFERED BY: MR. POE OF TEXAS

AMENDMENT NO. 3: Page 125, lines 17 and 19, after each dollar amount, insert ''(reduced by $1,300,000,000)''.

Page 153, line 15, after the dollar amount, insert ''(increased by $1,300,000,000)''.

H.R. 5856

OFFERED BY: MS. MCCOLLUM

AMENDMENT NO. 4: Page 2, line 22, insert after the dollar amount the following: ''(reduced by $96,950,000)''.

Page 3, line 9, insert after the dollar amount the following: ''(reduced by $25,550,000)''.

Page 3, line 20, insert after the dollar amount the following: ''(reduced by $23,710,000)''.

Page 4, line 8, insert after the dollar amount the following: ''(reduced by $23,900,000)''.

Page 8, line 2, insert after the dollar amount the following: ''(reduced by $10,100,000)''.

Page 8, line 11, insert after the dollar amount the following: ''(reduced by $1,360,000)''.

Page 8, line 15, insert after the dollar amount the following: ''(reduced by $2,230,000)''.

Page 8, line 24, insert after the dollar amount the following: ''(reduced by $3,970,000)''.

Page 153, line 15, insert after the dollar amount the following: ''(increased by $187,770,000)''.

H.R. 5856

OFFERED BY: MR. NADLER

AMENDMENT NO. 5: Page 2, line 22, insert after the dollar amount the following: ''(increased by $426,636,000)''.

Page 3, line 9, insert after the dollar amount the following: ''(increased by $217,282,000)''.

Page 3, line 20, insert after the dollar amount the following: ''(increased by $191,935,000)''.

Page 4, line 8, insert after the dollar amount the following: ''(increased by $236,374,000)''.

Page 4, line 21, insert after the dollar amount the following: ''(increased by $49,872,000)''.

Page 5, line 9, insert after the dollar amount the following: ''(increased by $16,690,000)''.

Page 5, line 23, insert after the dollar amount the following: ''(increased by $13,569,000)''.

Page 6, line 13, insert after the dollar amount the following: ''(increased by $15,370,000)''.

Page 7, line 2, insert after the dollar amount the following: ''(increased by $75,780,000)''.

Page 7, line 16, insert after the dollar amount the following: ''(increased by $26,735,000)''.

Page 8, line 2, insert after the dollar amount the following: ''(reduced by $568,000,000)''.

Page 8, line 11, insert after the dollar amount the following: ''(reduced by $295,000,000)''.

Page 8, line 15, insert after the dollar amount the following: ''(reduced by $255,000,000)''.

Page 8, line 24, insert after the dollar amount the following: ''(reduced by $314,000,000)''.

Page 10, line 23, insert after the dollar amount the following: ''(reduced by $67,000,000)''.

Page 11, line 8, insert after the dollar amount the following: ''(reduced by $21,000,000)''.

Page 11, line 17, insert after the dollar amount the following: ''(reduced by $17,000,000)''.

Page 11, line 25, insert after the dollar amount the following: ''(reduced by $20,000,000)''.

Page 12, line 17, insert after the dollar amount the following: ''(reduced by $101,000,000)''.

Page 13, line 9, insert after the dollar amount the following: ''(reduced by $36,000,000)''.

H.R. 5856

OFFERED BY: MR. LANGEVIN

AMENDMENT NO. 6: Page 9, line 6, after the dollar amount, insert ''(reduced by $15,000,000)''.

Page 35, line 15, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 35, line 23, after the dollar amount, insert ''(increased by $15,000,000)''.

H.R. 5856

OFFERED BY: MS. RICHARDSON

AMENDMENT NO. 7: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to reduce the number of C–17 aircraft of the Armed Forces.

H.R. 5856

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 8: Page 9, line 6, after the dollar amount, insert ''(reduced by $88,952,000)''.

Page 16, line 24, after the dollar amount, insert ''(increased by $88,952,000)''.

EXTENSIONS OF REMARKS

VICTIMS OF COMMUNISM MEMORIAL FOUNDATION

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. ROHRABACHER. Mr. Speaker, I submit a speech by former House Member Joseph J. DioGuardi which highlights the disastrous effects Communism had for the Albanian population in the Balkans and the ongoing efforts of the people there to find healing. The following is a copy of those remarks.

VICTIMS OF COMMUNISM MEMORIAL

The Honorable Joseph J. DioGuardi

I want to thank the leaders of the Victims of Communism Memorial Foundation, especially Dr. Lee Edwards and Ed Priola. And, on behalf of all Albanians and freedom-loving people everywhere, I hasten to commemorate here today the historic deeds of the late Congressman Tom Lantos, who cofounded this Memorial with President George W. Bush, and who was the original architect of the full diplomatic recognition of Albania by the United States in June 1990 and the independence of Kosova in February 2008.

I also want to thank my good friend Congressman DANA ROHRABACHER, who supported this memorial from the beginning, but could not be with us today.

My wife, Shirley Cloyes, a recognized Balkan scholar, is also here. She just wrote an article for this occasion, entitled ''The Denial of Memory: It Is Time for Albania To Confront Its Communist Past.'' Copies will be available for those who are interested at the reception.

Let me also introduce Pellumb Lamaj and Rajmond Sejko, survivors who spent years doing hard labor in one of the most brutal prisons in Communist Albania, called Spaç. (You can read about their stories in Shirley's article.)

Annette Lantos, 22 years ago, almost to the day, your late husband, Tom Lantos, and I were the first U.S. officials in 50 years to enter the State of Albania, then still under the boot of communism. (You were with us on that historic day.) We went with a strong message, after crossing the border from Kosova, which was under the Serbian Communist regime's brutal occupation. We told Communist Dictator Ramiz Alia that the Berlin Wall had been torn down in October (1989), and that it was time to tear down the Communist iron curtain still separating Albania and the Albanian people from democracy, Europe, and the rest of the world. Annette, we started a movement. Within weeks, people were rushing into foreign embassies seeking asylum, and by September 1990, a huge boat loaded with thousands of freedom-seeking Albanians left the port of Durres for the shores of Italy, much like my father's Albanian ancestors did in the 15th century to escape the onslaught of the Ottoman Turks.

But here we are today—to pay tribute to the victims of communism all over the world. I want to say a few words about the most brutal atheistic Communist regime that held the Albanian people hostage in their country, which was turned into a prison through state-sponsored terror, with crimes against humanity as its hallmark. The Albanian people had fought hard against the Italian fascist regime under Mussolini and the German Nazis under Hitler. Their honor code of besa (trust/faith) gave them the strength, moral and physical, to save every Jew in Albania and over 2,000 who fled there from Yugoslavia and Western Europe for protection during the Holocaust. Unfortunately, the Albanian people were betrayed during World War II by a new leader, Enver Hoxha, who replaced Nazi occupation with the most brutal Stalinist Communist regime anyone could imagine, for 45 years.

Hoxha's aim was to kill the freedom-loving spirit of the Albanian people and to destroy their communal soul in favor of building a totalitarian state under the rule of his Communist Party. His psychopathic regime instilled fear and terror in every household—fear of strangers, fear of authority, and even fear of betrayal by family, friends, and neighbors seeking favor with Communist officials. Hoxha's regime created an inhuman lack of trust in anyone and everything. Husbands could not trust their wives, parents their children, and siblings each other. By breaking the ancient Albanian honor and trust code of besa, communism created a culture where one had to be constantly on watch and on guard, not knowing where the next threat to life, limb, and family might strike.

This horrible state of terror was ''formally'' abandoned in Albania in 1992, with the first democratic election. Nevertheless, two decades later, the scars of communism and the twin cultures of fear and corruption still linger in Albania. Political parties openly fight for power, and the spoils of corruption keep the country out of the European Union, while former Communist neighbors, such as Slovenia, Croatia, Romania, Greece, and Serbia, are either already in the EU or on the path to admission.

On behalf of the victims of communism in Albania, Mr. Ambassador (addressing Albanian Ambassador Gilbert Galanxhi), I am taking this opportunity to appeal to your government to bring real democracy to Albania, to apologize formally to the victims of communism and their families, to set up a truth and reconciliation commission, and finally to open the Communist archives for all to see, which will allow families to begin the long process of healing and restore trust in the government and its leaders.

As Shirley Cloyes DioGuardi, Balkan Affairs Adviser to the Albanian American Civic League, wrote in her October 2011 article, ''The Protracted Fall of Communism in Albania'':

''I have come to the conclusion in recent months that the biggest mistake in post-Communist Albania was that the criminals of the Hoxha era were not brought to trial and that the country never instituted a truth and reconciliation commission. . . . ''

Burying the Communist Albanian past has brought neither justice nor healing to those who suffered. If anything, it has continued their suffering. This reminds me of the Jewish survivors of the Holocaust who were forced to suffer in silence for years until Israel sought to fully reveal the traumatic legacy of Nazism and to shock the conscience of the world—beginning with the capture and trial in 1961 of Adolf Eichmann, one of the chief architects of Hitler's plan to exterminate European Jewry. In Albania, I believe that we need to start the process of healing the pain of the past (a past that is very much alive today) by obtaining from the Albanian government as full accounting as possible of the Hoxha era. The names of those persecuted, imprisoned, and executed by the Hoxha regime should be released to both the Albanian public and the international community.

HONORING THE MEMORY OF HENRY SCHIMBERG

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mrs. CAPPS. Mr. Speaker, today I rise to honor the memory of Henry A. Schimberg—a talented entrepreneur and distinguished member of the Santa Barbara community. Mr. Schimberg passed away on June 29, 2012 while traveling in Europe with his wife, Marjorie.

Henry Schimberg was born in Chicago in 1933 and went on to attend Beloit College in Wisconsin, where he received his Bachelor of Arts degree in 1954. Henry started his extremely successful career as a truck driver at Royal Crown Bottling Co. in Chicago in 1958. After decades of working in the bottling industry, Henry became the president and COO of Coca-Cola Enterprises in 1990; in 1998 he became the company's CEO. During his tenure, Coca-Cola Enterprises experienced the most financially successful period in its history.

Mr. Schimberg shared a deep passion for ethics with my late husband, Walter. Henry was deeply involved with the Walter H. Capps Center for the Study of Ethics, Religion, and Public Life at the University of California, Santa Barbara and the Center's efforts in developing a strong sense of personal and business ethics among future business and corporate leaders. The Center's annual undergraduate seminar, ''Ethics, Enterprise, and

Leadership,'' is an innovative course designed in part by Mr. Schimberg that introduces students to the diverse frameworks of ethical decision-making and teaches them to evaluate actual corporate and business dilemmas from ethical, legal and business perspectives. Henry was a regular speaker at the course and was greatly admired by his students and the faculty at UCSB. I have no doubt that his legacy will be carried on through this wonderful course that upholds values dear to his and my family's hearts.

Henry is survived by his wife, Marjorie; son, Aaron Schimberg and his wife Vanessa; daughter, Alexis Schimberg and her husband Jason Rothenberg; and his siblings, Elsa Dimick, Deedee Gartman and her husband Jerry; and Jake Schimberg and his wife Hollie.

Henry's passing has been felt deeply by the many people who were touched by his life and accomplishments. The Santa Barbara community will miss an invaluable leader and friend. I offer my most heartfelt condolences to Henry's family and friends. Please join me in honoring this exemplary American.

INDIAN HEALTH CARE IMPROVEMENT ACT (IHCIA)

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. YOUNG of Alaska. Mr. Speaker, I would like to speak to a provision of the Affordable Care Act (ACA) that I believe should be exempted from the wholesale repeal of ACA, and that is section 10221—which is the Indian Health Care Improvement Act (IHCIA) provisions of the bill. I urge my colleagues in the House of Representatives not to forget that with the repeal of the Affordable Care Act, there would also be a repeal of the permanent reauthorization of the IHCIA, which ensures that American Indians and Alaska Natives will have access to improved health care.

The IHCIA amendments enacted in 10221 of ACA were developed completely separate from ACA and had a distinct legislative history. The IHCIA amendments were developed in a more than decade long process involving tribes, tribal organizations of the federal government on how best to update the quite out of date IHCIA—which had its last major reauthorization in 1992.

While I was a proponent of considering the IHCIA independently, ultimately the IHCIA provisions were included in ACA. The ACA was a legislative vehicle that was moving so that the IHCIA provisions could finally be enacted.

There are a number of key provisions within IHCIA that will greatly enhance the well being of tribal communities. Such provisions include: new and expanded authorities for behavioral health prevention and treatment services; authorities for demonstration projects including projects for innovative health care facility construction and health professional shortages; and authority for the provision of dialysis services.

The health of American Indian and Alaska Native people, who already endure some of the largest negative health disparities, should not be negatively affected because the IHCIA provisions, through chance, were included in ACA.

HONORING DR. LAWRENCE CARUTH

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. MARINO. Mr. Speaker, I rise today in honor of my constituent, Dr. Lawrence Caruth, and congratulate him on the occasion of his retirement.

Born in 1937 in Sterling Township, Wayne County to Stanley and Ruth Caruth, Lawrence worked on his family farm until entering Gettysburg College in 1957. In 1955, at the age of 17, Lawrence enlisted in the Pennsylvania National Guard. After participating in the Reserve Officers Training Corps throughout college, Lawrence was awarded the rank of Second Lieutenant. In 1965, he earned his Doctorate in Dental Medicine from the University of Pennsylvania and opened his dental practice in Honesdale in 1969.

Dr. Caruth served as an innovator in his field, introducing many dental technologies to the community. He also worked to provide patients with more convenient care, bringing specialists from the Scranton area to his office in Honesdale. In 1975, Dr. Caruth's practice developed into the Cherry Ridge Dental Center, where he had thirteen specialists working in his facility.

While continuing his practice at Cherry Ridge Dental Center, Dr. Caruth served as a Liaison Officer for West Point Military Academy, as well as a Dental Officer, Chief, and Commander for 317th Medical Detachment in Scranton. He was one of few dentists to ever command an Army Hospital when he was Commander of the 322nd General Hospital.

After an illustrious career with the U.S. Army, Dr. Caruth retired in 1997 with numerous medals, including the Legion of Merit Medal, the Meritorious Service Medal, the Army Commendation Medal, and the National Defense Service Medal with One Service Star.

Dr. Caruth has remained an active member of his community, serving as previous President and current Treasurer of the Honesdale Rotary Club. He is also a member of the American Dental Association, the Pennsylvania Dental Association, the Scranton District Dental Society, the American Legion, and has previously served on the Cherry Ridge Planning Commission.

Lawrence is the father of two, Edward and Amy Beth, and the grandfather of five. He still resides in Honesdale with his wife Betty.

Mr. Speaker, I rise today to honor Dr. Lawrence Caruth, and ask my colleagues to join me in praising his commitment to Pennsylvania's 10th Congressional District.

A TRIBUTE TO HONOR THE LIFE AND MEMORY OF ROBERT KIRKMAN ARNOLD

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Ms. ESHOO. Mr. Speaker, I rise today to honor Robert (Bob) Kirkman Arnold, who passed away on May 22, 2012 at the age of 88 in Palo Alto, California, surrounded by his loved ones. Bob is survived by his wife Carrie Knopf, his three children, Kirk, Kevin and Michael, their spouses and his three grandchildren; by Carrie's three children, Bret, Karen and Clay, their spouses and by her six grandchildren.

Raised in San Francisco by his parents, Agnes and George, Bob attended Lowell High School where he was Senior Class President before graduating in 1941. He met his late wife, Margaret ''Peg'' Koshland, while attending the University of California at Berkeley. At 6′4½, Bob played center on the Bears basketball team, where he was known as ''Hap'' Arnold. Bob and Peg were married in March, 1945.

After World War II broke out, Bob volunteered for the U.S. Army but the war ended before he arrived in Japan. Upon returning home, he resumed his education at U.C. Berkeley, earning a Ph.D. in Economics. He moved to Palo Alto, where he and Peg raised their three children, Kirk, Kevin and Michael. Bob was an economist at Stanford Research Institute until 1969, when he and Stephen Levy founded an economics consulting business called The Center for the Continuing Study of the California Economy.

Bob ran for Congress in 1968 on an antiwar platform. While he didn't win the primary, he won many hearts and minds. He was devoted to finding novel ways to educate the public on economic topics, and he was always ready to join a march, give a speech, or offer his support to help the causes in which he believed.

Peg passed away in 1999, and in 2005, Bob married the lovely and wonderful Carrie Knopf from Palo Alto. Carrie and her late husband, Kermit Knopf, had been friends with Bob and Peg for many years. Bob and Carrie were inseparable and enjoyed 13 wonderful years together with their families.

Mr. Speaker, I ask my colleagues to join me in extending our deepest condolences to Mr. Arnold's wife, Carrie Knopf, and their entire family. Bob was a wonderful man who brought much joy to the lives he touched and he will always be remembered for his integrity, intelligence, storytelling, limericks, exuberant good humor and the unmatched positive energy and passion he shared with everyone. He bettered our community and strengthened our country.

DR. QANTA AHMED'S TESTIMONY TO HOMELAND SECURITY COMMITTEE ON THE 'THE AMERICAN MUSLIM RESPONSE TO HEARINGS ON RADICALIZATION IN THEIR COMMUNITY'

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. WOLF. Mr. Speaker, I submit insightful and compelling testimony given by Dr. Qanta A. A. Ahmed before the House Homeland Security Committee last month. I commend Chairman PETER KING for continuing this series of hearings looking at the challenge of radicalization in the U.S. and how it impacts the American Muslim community.

I urge all of my colleagues to read Dr. Ahmed's testimony, especially given her firsthand experience with radicalized youth in Pakistan and her recent series of columns and editorials on the threat of radicalization in the West.

THE AMERICAN MUSLIM RESPONSE TO HEARINGS ON RADICALIZATION WITHIN THEIR COMMUNITY—CONGRESSIONAL TESTIMONY TO THE U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON HOMELAND SECURITY, WASHINGTON DC, JUNE 20TH 2012

Qanta A. A. Ahmed MD, FACP, FCCP, FAASM, Associate Professor of Medicine, The State University of New York, USA

Good morning. Thank you Chairman King and Ranking Committee Member Congressman Thompson and distinguished members of the Committee for the opportunity to testify today on such an important issue.

MY MUSLIM IDENTITY

I am a British citizen, and a Permanent Resident in these United States where I have made my home for fourteen years. I am a practicing physician and a practicing Muslim. Religion stems from the etymological Latin root relegere, meaning to be gathered or bound together. An individual's narrative of his or her religious experience is often a catalogue of relationships and my Islam is no different, beginning with the gift of Islam from my parents.

There is no divide between any of my multiple roles as I have learned following the example of my parents, both of whom remain true to their faith without encroaching upon the public space yet always espousing pluralism and tolerance. They raised me to observe Islam in the same manner.

I pray, I fast during Ramadan, I find worship in my work and I have also completed the Hajj—the Muslim pilgrimage to Mecca. Each year I am fortunate to be able to exceed the Islamic duties of charity required of me annually. My parents support my views which I express here in this chamber today and all of my actions which have led me to this moment. As a family, for generations, we have explicitly repudiated all forms of violence—including those conducted in the name of Islam—long before the specter of radical Islamism ever blighted these United States.

MY VANTAGE AS AN INTERNATIONALLY EXPERIENCED MUSLIM PHYSICIAN

In my 21 years since qualification, I have practiced on three continents; here in the Americas in the United States—in both South Carolina and New York, in Europe, chiefly in London, and in Asia, namely when I practiced medicine for two years, from November 1999 to November 2001 in Riyadh, Saudi Arabia.

This peripatetic path has allowed me to engage intimately with Saudi Muslims as I attended them in their critical illnesses, and later work for many years to improving their public health and that for all Muslim pilgrims to Mecca; and with British Diaspora Muslims as I attended them in Britain's capital. I functioned in these roles as a treating physician, a physician-educator, a physician colleague, a mentor to training doctors. My work has led to numerous publications both in the medical academe and the mainstream media.

For over a decade, I have also been invited to teach and speak at numerous conferences in the Muslim Majority world including for the Saudi Arabian National Guard Health Affairs, for the Saudi Arabian Ministry of Health, for the US Consulate in Jeddah, for the Saudi Arabian Soccer Federation, the American University of Sharjah and other settings. I have also been asked to visit hospitals and meet physician colleagues in Pakistan. Most recently in November 2011, as a visiting professor I was invited by FIFA to the first meetings evaluating impacts of Ramadan on the elite Muslim footballer convening in both Doha, Qatar and in Riyadh, Saudi Arabia.

I have therefore lived among, met, treated, taught, worked with, published with, researched with, befriended and, on occasion, been repudiated and abandoned, by many Muslims in many dimensions.

MY EXPERIENCE OF THE BURDEN OF RADICAL ISLAMISM ON MY AMERICAN PATIENTS

Currently, my work as an attending sleep disorders specialist involves personally attending to the World Trade Center First Responder patient population of Nassau County at Winthrop University Hospital. Our hospital provides state-of-the-art care to 2500 of these Americans without financial burden each year through the provenance of the Zadroga Bill, spearheaded by Chairman King and his colleagues.

Hence patients in my personal practice today include multiple members of US law enforcement including active duty, disabled and former NYPD, active duty FBI agents, active, disabled and retired FDNY, former members of the New York Federal Crime Bureau and others who are officially designated as World Trade Center First Responders—6000 of the nation's 40,000 first responders live on Long Island. Many of these patients have roles in counter terrorism task forces today.

I treat these men and women for sleep-related complications developed as a result of their service to our nation including obstructive sleep apnea syndrome, post-traumatic stress disorder, anxiety, depression and other conditions. Attending them gives me special insights into the indiscriminate burden of radical Islamist acts born by our community a decade after they assaulted humanity in my adoptive home, New York City, an assault I witnessed from Riyadh, Saudi Arabia.

Understanding the work and the suffering of my patients and the toll it takes on them makes clear to me the enormous sacrifice they and their families make to safeguard us at times of crisis and in between, a sacrifice much of the nation has forgotten, or remains unaware of. As a Muslim meeting these Americans reveals the devastating impact of radical Islamism to which few others—Muslims or non-Muslim—will ever be privy.

MY EXPERIENCE WITH CONTEMPORARY RADICAL ISLAMIST IDEOLOGY

In Spring 2010, in recognition of my academic work on Hajj Medicine and health diplomacy, I was selected as the first Muslim woman to complete a Templeton Cambridge Journalism Fellowship in Science and Religion at the University of Cambridge in England. Following a meeting with an internationally recognized expert in counterterrorism, I reviewed data exposing me to the brutality of contemporary radical Islamists and decided to focus my fellowship on the psychological manipulation of Islam into the service of terror. I thus specifically evaluated the mechanisms of martyrdom and jihadist ideology as expressed by contemporary radical Islamists. This work both informed my specific knowledge and the many publications I have authored since. My experience of being a Templeton Cambridge Fellow adds special academic context useful to me in interpreting the salient findings of this series of investigative hearings.

As a result of my work at Cambridge, I have met with some of the leading minds approaching counter terrorism studies. One such meeting with one Pakistani neuropsychologist piqued my interest sufficiently to travel to the North West frontier Province of Pakistan (now renamed KPK) in March 2012 to visit Malakand, now secured by the Pakistani military. There, I spent three days at 'Sabaoon', the Pakistani school founded by civilians to deprogram child militant operatives engaged in militancy with the Pakistani Taliban. There I treated local villagers and traveled to nearby Mingora to see rehabilitated child militants readjusting to community life after successful deprogramming.

At Sabaoon, I met with doctors, teachers, psychotherapists, military leaders and the child militant rehabilitees themselves all boys aged between 10 and 20. I was also invited to attend the relatives of these boys for a one day traveling clinic to provide basic medical care during which I met, interviewed, examined and treated the mothers, sisters, grandmothers, siblings, children and spouses of convicted militant operatives, suicide operation 'martyrs' and suspects currently in detention in Saudi Arabia. I recorded many photographs of my visit which I can share in a classified forum if the Committee determines there is a need.

During the visit, though I was not granted clearance to question the students directly, under supervision of my fellow physician colleagues and with the Pakistani Rangers nearby, I was allowed to meet with one 15–year old Pakistani boy in particular. I listened to him for about an hour as he described his transition from a school boy of 13 walking to school, his seduction by an older boy with tales of a 'purer', 'more legitimate' Islam—that of the Taliban's—his voluntary decision to run away and join a network of Taliban militants, his deliberate and very labyrinthine confinements in hiding centers called 'markaz' (centers), his handlers' persistent and successful maneuvering defeating the dedicated efforts of his parents to retrieve him, his training and preparation which he chillingly termed 'Tarbiyyat' which means 'religious education' (consisting of advanced training in the use of a handgun, the deployment of a grenade and the successful detonation of a suicide jacket) and, finally, his ultimate surrender to a police officer in the designated target of attack—a nearby mosque. I have in my possession his de-identified narrative which can be reviewed in a classified forum but as is not available for disclosure in this public record.

This young boy's naïveté, his isolated and distorted world view, his lack of knowledge of Bin Laden or 9–11 and his indoctrination all revealed to me that Islamist ideologies are active, alive and moving ahead far beyond the reach of 20th Century Al-Qaedah ideology. Further, his halting and unconfident Urdu reminded me much of the nascent transition from boyhood to manhood of my own brothers when they were younger, who fortunately have been sheltered from such manipulations by opportunities our family could give them because we are so attached to our native Britain and Islam, not Islamism.

Further, the young boy also revealed his Islamist-indoctrinated hatred of certain sects of Muslims, including Shias who are a minority in Pakistan, his belief that anyone collaborating with a western-dressed individual was an enemy of Islam—including Pakistani troops who are usually dressed in western trousers—and that any who engaged with US troops was also an enemy to Islam.

Exactly these ideologies are being promoted in the United States today, often through portals—whether via internet portals, recurrent migration to Somalia, Sudan, Pakistan, Yemen or other locations, circulated videos, or pockets of extremism in numerous centers of gatherings including mosques and this series of investigative hearings have revealed that. The essential construct is the same—separation, supremacy and unquestioning acceptance of nihilistic ambitions—including the deployment of brutally violent measures—all of which collude to eradicate any other diversity.

Since 2009, I have authored dozens of Opinion columns and Editorials published in the mainstream American, British, Dutch, Israeli and Pakistani press examining the politics and theology of radical contemporary Islamist ideologies.

Unsurprisingly, I have learned the consequences of opining in the free press. I have been subject to personal attack and abuse online. In my journalistic activities I also have learned how difficult it is for American newspaper editors, American network television producers and American media bookers to approach either solicited or unsolicited opinion pieces or television interviews concerning issues pertaining to Islam. There has been a distinct chill in the public discourse including here in the United States which is driven by the rising cries of Islamophobia, the advancing grip of Islamist claims of defamation of Islam which they advance through Islamist Lawfare, the internationalization without protest of Blasphemy laws and the general fear of political 'incorrectness' which leads to an enormous loss of counter-arguments in the debate about Islamism and its distinctions from Islam.

THE REACTION TO THE HEARINGS IN THE MUSLIM COMMUNITY

My community begins with my family who not only supports these hearings but have welcomed them. We have a large family thriving in the United States from coast to coast, settled in this country since the 1960s. One of my family members, my cousin, has served in the United States Navy. Earlier than that, some of my maternal Uncles trained and studied in 1950s America as invited scholars. Many of us are American citizens. We are also very well acquainted with the abuses and discrimination that pass for 'official Islam' as expressed in Islamist Pakistan and are extremely aware of the hazards of empowering those who espouse a supremacist ideology born of Islamism but masquerading as Islam. To my surprise not a single member of my family discouraged me from participating in these investigative hearings even though they remain aware of the risks this can pose to me in my every day life.

I also have a vibrant Muslim readership among my almost 100,000 readers of my book, who communicate with me through social network platforms, letters and emails or respond on line to articles I have authored in almost every major mainstream publication in the United States. Many of my self-identifying Muslim readers express fear that the investigative hearings will misrepresent Islam and fuel Islamophobia while also expressing excitement that this discussion is entering the public space in such an auspicious arena. Their sentiment about the investigative hearings revolve more around the scrutiny of activities of some Muslim Americans rather than the actual findings of the investigative hearings which few of them could cite.

For my support of these investigative hearings and for my writings sympathetic to the concerns of these investigative hearings I have also been subject to intimidation on Twitter often from self-identifying Muslims who clearly denounce these hearings. Their abusive hostility is largely centered on the claim that my views supportive of these investigative hearings as unrepresentative of Muslim Americans.

On a professional level many of my former academic Muslim colleagues now eschew contact with me as my political voice has become more widely heard, some because of the personal affront it causes them and others because they are beholden to theocractic Muslim states and now see their relationship with me as a risk. It is significant that only one member of my circle of academic Muslim colleagues in the Middle East wrote to me with encouragement. They see my support of America in general as 'collusion'.

A recent publication on Huffington Post is more encouraging of the Muslim American reaction. In it I wrote about my Evolution as an Anti Islamist Muslim and I found it generated an overwhelming response many of them very positive from self identified Muslims who commented my views to be ahead of the public awareness and supported my endeavors and views including my call for the exposure of the imposter of Islamism to be distinguished from Islam.

It is however important to add that as an Anti-Islamist Muslim my community IS America, as Islam demands it, not an enclave within America, but the entire nation. These investigative hearings while entitled to examine the reaction of American Muslims within their communities might be better expressed as our reaction within America because this is what Islam teaches us—that we must collaborate, cooperative, enhance and contribute to the community surrounding us, and not remain in insular, disengaged groups which engender and then empower silos of disconnection and disaffection.

Unfortunately the reaction in wider America to these investigative hearings has been initial vilification and later disdain as manifested by the extraordinary disinterest of the mainstream media in the hard findings of these hearings. This uninformed response has not been redirected by informed motivated media coverage despite the opportunity to redress the balance, revealing the wider media may itself have some discomfort denouncing Islamism.

HOW I INTERPRET THE FINDINGS OF THE HEARINGS

These investigative hearings reveal radicalization is ongoing in multiple sectors right here in the United States, in our civilian community, in our military community and in our prison community. Muslims in America can be radicalized despite the best efforts of their parents or mentors. We also have learned radicalization in America is usually facilitated by handlers and Islamist seducers who operate on multiple planes using multiple forms of media and are facile at identifying or exploiting the vulnerable. This is exactly how Pakistani Taliban Islamists operate in Pakistan and elsewhere based on what I have seen in person and my extensive reading of, and meetings with, counter terrorism experts. We cannot ignore the domestic risks here and threat both to our national security, and by extrapolation, to international security. I cite a few examples revealed by these investigative hearings:

On December 7th 2011, Daris Long, father of a son murdered by radical Islamists testified ''the political correctness exhibited by the government over offending anyone in admitting the truth about Islamist extremism masked alarm bells that were going off. Warnings were ignored, Major Nidal Hassan was able to openly praise the Little Rock shootings in front of fellow army officers and then commit his own jihad''. This is consistent with the shortcomings of language and the paralysis of political correctness that I identify as one of the barriers to examining radical Islamism in the United States.

On March 12th, 2011, Melvin Bledsoe testified that his son Abdul Hakim Muhammad was 'brainwashed' by Nashville Muslims leading to his terrorist training in Yemen to return to murder one soldier and injure another at a US military recruitment center. This confirms the same forces seducing a Pakistani schoolboy in the SWAT are at work in the American heartland.

On July 27th 2011, Ahmed Hussen, President of the Canadian Somali Congress recognized our vulnerability in this ideological battle of Islamism with Islam and Islamism's exploitation of victimhood 'There has not been a parallel attempt to counter the toxic anti Western narrative that creates a culture of victimhood in the minds of members of our community.' This confirms the utility to Islamists of cultivating a manufactured sense of victimhood among vulnerable Muslims.

MY MOTIVATION TO ENTER THE PUBLIC DISCOURSE: TO COMBAT ISLAMISM

In the years since 9–11, every Muslim has been compelled to confront his or her identity. This has been a direct function of the martyrdom terrorism acts of 9–11. Since then, the lay audience and much of expert opinion has been unable to separate Islamism from Islam. Today this is our greatest challenge. Distinguishing Islam and Islamism requires nuance and care, which few in the media are prepared to provide or even qualified to identify.

Some, while well intentioned but deeply uninformed, retaliate against the sound intelligence and counter measures that must be taken, including mechanisms such as these investigative hearings, and instead unwittingly collude with the non violent manifestations of the Islamists which have long since evolved to new elements masquerading as the 'peaceful' translators and 'owners' of Islam. I am here to tell you non-violent Islamists are not the owners of Islam nor is their intent peaceful.

I was in Riyadh, Saudi Arabia when the Towers fell. Within hours, I discovered my

sentiments of loss and sorrow were not widely shared, either by Saudi physician colleagues or by fellow non Saudi Muslim expatriate workers, many of whom had been trained by Americans in New York City like myself or other cities in the United States—some of us even shared the same professors of medicine.

This discovery came as a terrible shock to my naiveties at the time and I was patronizingly ridiculed for being so 'pro-American'. I realized the version of Islam my parents had given, and our reverence for the nations who had sheltered and reared me—Britain and the United States—wasn't widely accepted. That fellow physicians, as highly trained and as privileged as I, could be elated at the loss of life and the transient bowing of America's spirit utterly displaced me to a new, harsher reality.

In the wake of 9–11, I saw Osama bin Laden feted as a hero in Pakistan, nation of my matrilineal and patrilineal heritage. On one trip I recall a Pakistani driver in Karachi explaining to me why 7 years after 9–11, Pakistani families were still naming their newborns Osama in his honor. He was still deified, recognized by many as a 'defender' of Islam, a 'warrior savior'. Nothing could be more offensive to my beliefs as a Muslim or my principles as a human being. This was extraordinarily difficult to reconcile with the knowledge that Islam condemns all murder, and particularly the execution of non-combatant civilians in any setting. In my mind Bin Laden and his sympathizers had renounced Islam by their acts and represented nothing more than violent terrorists and those who named their firstborns after Osama were lionizing nothing more than a mass murderer.

Soon after my return from Saudi Arabia, I began to record my experiences in a manuscript that would become my first book, In the Land of Invisible Women now in its 10th edition and published in 13 countries including Muslim majority Senegal, Indonesia, Turkey, Pakistan and Mauritius. Realizing I would be representing two versions of Islam—mine, and that espoused by the theocracy of Saudi Arabia—I needed to broaden my reading around key areas.

It was in my reading that I discovered the political ideology termed Islamism, and the many strains of contemporary radical Islamism, both violent and non-violent. I learned unlike my own experience, many Muslims struggled with a pervasive sense of inferiority, influencing their beliefs, sense of justice and identities leading to deep and rather novel resentments. The fascist supremacy of Islamist ideologues was therefore a predictably appealing, if very frightening development, which was completely alien to the Islam I knew.

Over this decade the Islamist voice has become increasingly prominent both in the United States and globally—whether in advancing the intrusion of the ritual symbolism of Islam into the public space—for instance the battle for the niqab in the public arena in France, the demands for the veil to be permitted in FIFA soccer tournaments, or the most recent debacle involving the vilification of the NYPD for their counter terrorism efforts drawing false accusations of Muslim profiling.

Throughout the world, including in the United States, the Islamists' goal is one and the same: to stoke the fires of unwitting Muslims into believing in their own manufactured sense of victimhood as a means to exploit both the uninformed Muslim and often times the liberal democracies where we make our homes. It is this last fallacy, of collective victimhood, that most fuels my drive to expose Islamism for what it is—a weak yet vicious imposter for a great religion, an imposter which seeks to exploit and devour both Muslims and non Muslims alike in its pursuit for power and dominance. These forces are at work as we testify now in this room at this hearing—an effort by three Muslims which will predictably be derisively labeled as a collaboration in our own persecution. I am here to testify that nothing could be further from reality.

CIVIL LIBERTIES OF MUSLIMS ARE NOT AT STAKE

Many critics of these investigative hearings (both Muslim and not) charge them with a threat to Muslims' civil liberties in America. My most vociferous opponents, referring to Muslims' American civil liberties, state: 'give away your freedoms not mine' (an American Muslim); 'This is not 1910 America and what happened to the Jews—Jews have only just stopped walking on eggshells in America. Watching what's happening to Muslims makes me sick' (an American Jew); 'We need a Rosa Parks to stand up for Muslim rights' (a non Muslim American); 'Park 51 shows Muslims do not have civil rights'; 'some want Lower Manhattan to be 'An American Jerusalem' (a non Muslim American). They identify my support of these investigative hearings as my collusion in the fictional erosion of Muslim civil liberties.

While I respect the fears which birth these concerns, I can firmly strip them aside. Muslims in America do not have the painful history of African Americans or of Jewish Americans. Our privileges as Muslim Americans today have been guaranteed in part by the struggles of the Civil Rights era and by the travails of the Jewish Americans before us. We do not, in any extrapolation, face similar disadvantages as earlier American history reveals. To claim such is a gross distortion of history and demographic data in the United States proves this.

I would also add I denounce the above assertions of an equivalency between the sufferings of other minority populations in America and that of Muslim Americans with some authority. I understand all about being a Muslim woman without civil rights as predicated by my two years living under Wahabi theocracy without any civil or human rights including those Islam bequeathed me 1500 years ago. I also understand the total extinction of civil rights on minorities—both Muslim and non Muslim—as experienced in Islamist Pakistan as described to me by Christians, Ahmadi Muslims and Zoroastrians during my last visit to Pakistan and in my extensive contact with minorities.

I have lived the impact of the Islamist narrative both in Saudi Arabia, during my extensive travels in Pakistan and in my years treating Americans in New York as well as when examining the lives of my orthodox Bengali British migrants in East London or training some of the very neo-orthodox Muslim doctors of that area.

MUSLIMS ARE NOT VICTIMIZED BY THE HOMELAND SECURITY COMMITTEE'S INVESTIGATIONS

As you learn of my biography, know that I am part of an economically powerful American demographic. According to Pew Forum data Muslims are mainstream and mostly middle class. I am rather representative.

Like me, 65% of Muslims in America are first generation and 18% of us have South Asian heritage. The majority of foreign-born Muslim Americans arrived, like me, in the 1990s—50% of us have moved here for economic or educational opportunity—I did so for both reasons. 46% of us are, like me, women, and around 31% are my age—between 40 and 54. We are a multiracial multiethnic group with over 68 different nationalities before becoming American. Our income and education reflects the US public and 16% of us earn more than $100,000 annually compared to 17% of the general US public who do the same—a 1% disparity.

In my native Britain, the income disparity for those Muslims who earn over 40,000 sterling annually is more than 10%. Equivalent incomes earned in France comparing between Muslim and average public show even greater disparity of 12%, in Germany 14% in Spain 19%.

Muslims in America have achieved more, faster, and more often, in America than in any other Muslim Diaspora setting. My experience is very much the mainstream Muslim American experience. I ask the committee to recognize that most Muslims are not mistreated by efforts to protect our integrity as Americans though they are certainly entitled to be offended at these efforts and America guarantees their right to be offended.

The offence claimed by many Muslim Americans whether at the first hearing in this series or for instance pertaining to the NYPD's activities more recently, is misplaced. Instead of denouncing methods of intelligence gathering, Muslims in America should be denouncing the findings of those intelligence missions: the active Islamists among us. The furore has been misdirected, much to the benefit of committed Islamists at work within this nation's borders.

WHY IS IT SO HARD TO DISCUSS THE ISLAMIST THREAT TO THE UNITED STATES OF AMERICA?

There are serious shortcomings of language in engaging in this particular discourse. In the post 9–11 era there has been a gravitation towards extreme speech and a pervasive lack of integrative complexity in public speech as shown by critically important research performed at the University of Cambridge among others. Such lack of nuance is very well exploited by the cultivating Islamist.

The arrival of a sense of 'otherization' of Muslims into the public lens has facilitated the grip of Islamist Lawfare on the public dialogue—fueling both the victimhood of Muslims and the outcries of the offended liberal. The false claims and crocodile tears of Islamophobia and the encroaching advancement of the idea of defamation of religion which is pushed by the Organization of the Islamic Cooperation (OIC) elsewhere, here in America intimidates journalists, news media and others from engaging in dialogue who may face spurious lawsuits if they dare engage in this dialogue.

These profound problems with language have extended to the US government decree banning enforcement agencies from discussing the very threats we have heard at this series of hearings, banning the word 'Islamist' for instance. This sanitization of our lexicon reveals a shocking and perhaps specious reluctance to engage with the problem or worse, a foolhardy embrace, unintentional or otherwise, with the Islamist stance.

IN CONCLUSION

Islam is nothing if not justice. Any injustice committed or pursued in the name of Islam is anathema to the believing Muslim and counter to the ideal which is Islam, yet Islamists demand unjust abominations—foundational to their beliefs—of their subscribers.

Muslims must remember their duties, not only to themselves, or their Maker, but also to their society wherever they find themselves. Unlike Islamism which mandates it, Islam reviles claims to supremacy, instead appealing for humility. The Prophet Mohammed (SAW) himself admonished his followers not to make claims of supremacy over Moses, or indeed any other messenger of God. The Qur'an repeatedly reminds the Muslim that 'to each is sent a Law and a Way' and to each they must 'judge themselves by their Law and their Way'. Islamist Muslims overlook this and many other principles of Islam.

Our role as believers is to cooperate and collaborate and enhance the world, not to oppress, discriminate, exclude or murder others. Major Muslim majority nations under the guise of democracy—foremost Pakistan—are operating as Islamist Supremacists who legally persecute Muslim and non-Muslim minorities to extinction with impunity. These are not the ways of Muslims. These are the ways of fascists.

We must redirect media interpretation and expose their bias and painful lack of contextual perspective while commending the efforts of these investigative hearings in anticipation of future hearings which will surely assess progress, intervention and outcome data of measures enacted since.

We also cannot examine the radical Islamist threat in the United States in a domestic vacuum. This is a transnational, cross-continental issue mandating an international response. While we have been pursuing conventional international warfare and in fact have assassinated the leader of Al Qaedah for instance, we have remained dangerously vulnerable because of our delayed realization of the political science aspects of Islamist ideology and the very serious threat this poses to our democracy. These are vulnerabilities which cannot be safeguarded by drones, or gunships but instead must be secured by counter ideological warfare which begins here, by widening the debate, discussion and scholarship in this arena.

There is an overwhelming need for focused examination of the interface of Islam and Islamism. These investigative hearings provide the first public foray examining this divide in real-time as expressed in contemporary America. Until these questions are asked, and later answered, until more American Muslims confront the discomfort of disarticulation from their unquestioning brotherhood with the 'Ummah' and its worst elements, the shifts between Islam, Islamism and the West, between puritanical Islamists masquerading as Muslims and true moderate non Islamist Muslims, will continue to be tectonic and devastating.

In my position of privilege and opportunity, one shared with many Muslims in America, if I do not oppose Islamism, I am failing in my Muslim duty to American society and in failing American society, I profoundly fail as a Muslim. I am reminded of a saying attributed to the Prophet Mohammed by one of his companions who recounted it to an early believer:

''Whoever sees a wrong and is able to put it right with his hand, let him do so; if he can't, then with his tongue, if he can't, then with his heart. That is the bare minimum of faith'.

This, having both hand, tongue, and heart, I am committed to live by and therefore I thank you Chairman King, Ranking Committee Member Congressman Thompson and the distinguished members of the Committee on Homeland Security for enabling me to fulfill the bare minimum of my belief today.

HONORING CHARLES M. ''SKIP'' RUSSELL

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to honor a great constituent. Charles ''Skip'' Russell of Enfield, Connecticut passed away earlier this week and will be interred with Military Honors at St. Patrick King Street Cemetery. Skip was a mentor and friend to many, coaching Little League for over ten years, and serving as the Past Grand Knight of the Knights of Columbus Council 50. An Enfield resident since 1951, Skip began as an employee of Bigelow-Stanford Carpet Company. He later served as Sales Manager with Nutmeg Building Supplies for 35 years until his retirement in 1992.

During World War II, Skip was also proud to serve his country in both the Merchant Marines and the United States Army. For his years of outstanding service, Skip was awarded the World War II Victory Medal. Committed to supporting veterans and their families, he remained a lifelong member of AMVETS.

Even after his retirement, Skip was a dedicated and active participant in local grassroots politics of Enfield, Connecticut. As a member of the Enfield Democratic Committee, Skip contributed enthusiastically to local efforts. He was always the first at Headquarters to volunteer for projects, and he could always be counted on to have a car trunk full of signs and hand cards, and pockets stuffed with stickers and buttons. Skip was an eloquent supporter of Social Security and Medicare at numerous public forums in the Enfield area. His passion and energy for the political process will be fondly remembered by all his fellow campaigners, as well as the many elected officials and candidates who were fortunate enough to meet him.

Skip Russell's legacy is not just that of a devoted father, husband, and servicemen, but also of an engaged and involved citizen in his local community. Skip will be dearly missed by his wife, children, grandchildren, great grandchild, and all those in Enfield whom he touched with his years of community service. I ask my colleagues to join me in mourning the loss and honoring the life of Skip Russell.

THE EFFECTS OF INCARCERATION ON THE MENTAL AND PHYSICAL HEALTH OF FORMER PRESIDENT CHEN SHUI-BIAN OF TAIWAN

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. ANDREWS. Mr. Speaker, as a strong supporter of Taiwan and a founding member of the Congressional Taiwan Caucus, I would like to bring to your attention an issue of concern to Taiwanese Americans and the people of Taiwan.

The former President of Taiwan, Mr. Chen Shui-Bian, is currently serving a 19-year prison sentence for corruption charges. He has been incarcerated for over 1,200 days thus far. Today, I am inserting into the CONGRESSIONAL RECORD a summary report drafted by a three-man medical team led by former professor Joseph Lin, Ph.D., and professors of the University of California at Davis Medical Center, Ken Yoneda, M.D., and Charles Whitcomb, M.D., who visited Mr. Chen Shui-Bian in jail in Taiwan last month in their capacity as private citizens. The report is titled, ''The Effects of Incarceration on the Mental and Physical Health of Former President Chen Shui-Bian of Taiwan.'' A full transcript of the report is available here: http://www.fapa.org/public/CSB_Report_to_TLHRC_12Jul2012.pdf.

These medical professionals traveled to Taiwan in June 2012 to assess President Chen's physical and mental condition, and to inquire into reports of inhumane living conditions and confinement. The physicians concluded that President Chen's imprisonment conditions are contributing to President Chen's health problems. In their recommendations the report concludes: ''Former President Chen Shui-Bian [should] be released from confinement on medical parole based on the above assessments, conclusion and recommendations, and on compelling humanitarian grounds.''

I am entering this report into the CONGRESSIONAL RECORD and, in light of the conclusions, ask that the distinguished Tom Lantos Human Rights Commission investigate this important case at its earliest convenience.

REPORT TO THE TOM LANTOS HUMAN RIGHTS COMMISSION, UNITED STATES HOUSE OF REPRESENTATIVES

AN ASSESSMENT AND RECOMMENDATIONS

THE EFFECTS OF INCARCERATION ON THE MENTAL AND PHYSICAL HEALTH OF FORMER PRESIDENT CHEN SHUI-BIAN OF TAIWAN

(By U.S. Citizen Medical Team—Joseph Lin, Ph.D., Ken Yoneda, M.D., Charles Whitcomb, M.D.)

July 12, 2012

SUMMARY

Former President CHEN SHUI-BIAN (CSB) has been in and out of detention since November 12, 2008 and incarcerated in Taipei Prison, Taoyuan County since Dec. 2, 2010. On Monday June 11, 2012 a team of three private United States citizens (a Ph.D. team leader, and two medical doctors) evaluated CSB in Taipei Prison with the purpose of assessing his medical health and the conditions of his confinement amidst reports of his failing health and potential human rights violations. They were allowed to interview and examine him for approximately fifty-five minutes, had access to much of his medical records, and interviewed three independent Taiwanese physicians who had seen him as visitors to the prison but who were not a part of his prison appointed medical team. The visit was followed by detailed discussions with the Taiwan Medical Panel which included the three physicians mentioned above.

CSB has been imprisoned for over four years; sometime in late 2011 or early 2012 he began experiencing increasingly more severe and debilitating symptoms, which culminated in his transport to two different hospitals for medical evaluation. He described ongoing episodes of severe paroxysms of dyspnea (difficulty breathing) with no apparent triggers, accompanied by a sensation of choking and feelings of great dread, as if

he was going to die. These episodes were at times accompanied by chest tightness, a feeling of congestion not allowing him to take either a deep breath in or out. While the episodes have become perhaps less frequent and less severe since he regularly started taking esomeprazole around mid-May, 2012 for gastro-esophageal reflux disease (GERD), esophagitis (inflammation of the esophagus), duodenitis (inflammation of the duodenum) and gastritis (inflammation of the stomach), they continued to be quite debilitating in nature. Even at rest he continued to have a sensation of congestion and the feeling that he could not get a good breath in or out. It is notable that he had never experienced similar episodes prior to his incarceration. As well, he described progressive dyspnea on exertion over the prior 6 months. Previously he could jog approximately 1.5 miles but now he could not walk at a normal pace without getting dyspneic.

Chen is confined to a small cell, approximately 58 square feet that he shares with another inmate, and is allowed to be outside his cell for only one hour a day. Until recently he had been permitted to be outside his cell for only 30 minutes a day. Around May of 20, 2012, it was increased to 60 minutes a day. In contrast, other prisoners are allowed outside of their cells for eight hours a day to work and interact with other prisoners. He stated that his cell is at times cold and damp and at other times hot, humid and damp, having inadequate ventilation and no air conditioning. He sleeps on the floor, which can be cold and damp, and experiences chills despite blankets. He feels depressed, experiencing anger and tearfulness, worries a great deal, has frequent nightmares and feelings of hopelessness that have all worsened with the ailing health of his wife and mother. He denied suicidal ideation, stating the he must fight on for the sake of his family and country. While confined to his cell, he must kneel on the ground to write and consequently suffers from chronic pain in his knees.

Despite good cooperation from the prison officials, extensive consultation with other local physicians, and a thorough review of the available medical records, the three-person team concluded that adequate assessment of CSB's medical condition and his conditions of confinement required further evaluation. They had grave concerns regarding CSB's health and believe that it will continue to deteriorate, should he remain in his present prison confines. Although his evaluations at Taoyuan General Hospital and Chang Gung Memorial Hospital together appear comprehensive and of high quality, his recent hospitalization at Chang Gung Memorial Hospital was limited to around 6 hours and his symptoms remain incompletely explained. His medical evaluation thus remains incomplete. Stress, without a doubt was believed to be a major contributor, if not the major cause of his symptoms, but his symptoms in conjunction with the spirometry (breathing tests) that he was not able to complete satisfactorily, but displayed severely reduced inspiratory and expiratory flows, suggest he may have vocal cord dysfunction (VCD) with severe intermittent vocal cord spasm. This disorder can be very difficult to diagnose and treat and often requires very specialized expertise to accomplish. This problem will likely continue in the presence of his present stressors and will worsen with additional and ongoing stressors. Certainly gastro-esophageal reflux can precipitate and worsen VCD and in his case treatment appeared to have ameliorated, but had not satisfactorily controlled his symptoms. In addition, the bronchiectasis seen on his chest CT, suggests that he may have been chronically aspirating gastric acid into and damaging his airways. Coronary artery disease and structural cardiac disease did not appear to be the cause of his ongoing symptoms, but conditions such as stress cardiomyopathy, evolving pulmonary arterial hypertension and thromboembolic disease are considerations. His chest x-rays reportedly revealed atelectasis and his bronchoscopy revealed a lesion in his bronchus. Unfortunately, the medical team was unable to personally review his radiographs, bronchoscopy pictures, cardiac catheterization films and echocardiogram to help complete their evaluation.

The individual members (admitted non-experts on international human rights of prisoners) of the medical team all felt that the prison conditions as described to them were unacceptable for the general prison population and they raised concerns regarding the human rights of all prisoners in Taiwan. Furthermore, the team found it deeply disturbing that any prisoner who was this ill, would continually be subjected to these severe conditions. For a former President of Taiwan to be confined under such conditions was considered unimaginable.

The consensus recommendations of the team were that former President CHEN SHUI-BIAN be evaluated at a comprehensive tertiary care center and that the doctors be allowed to fully evaluate him, to review his records in their entirety, to speak to his previous treating physicians and to have access to directly view any and all of his radiographs, spirometry, bronchoscopy pictures, cardiac catheterization films and echocardiogram. In addition, it was concluded that the harsh conditions of his confinement were an ongoing source of great emotional and physical stress and must be significantly improved otherwise his symptoms and his health will continue to deteriorate. As physicians without specific expertise in psychiatry or psychology they could not determine whether CSB met the criteria for an adjustment disorder, major depression or post-traumatic stress disorder (PTSD), but voiced concern that he could develop such problems if his conditions of confinement remained unchanged. They could not offer an expert opinion as to how much his conditions needed to be improved to avoid psychological damage or whether at this point it was at all preventable.

RECOMMENDATIONS

After careful consideration, the team makes the following recommendations:

1. That former President CHEN SHUI-BIAN (CSB) be transferred to a tertiary care medical facility where he could receive subspecialty evaluation care.

2. That consideration be given to the request by CSB and his family that he be evaluated at National Taiwan University Hospital given his familiarity with and trust in the facility where he had previously been evaluated during his Presidency.

3. That he be evaluated by a team of physicians consisting of at minimum the following:

a. A physician with specific expertise in vocal cord dysfunction.

b. A pulmonologist.

c. A cardiologist.

d. A psychiatrist.

e. A primary care physician or hospitalist.

4. That full pulmonary function testing be conducted including lung volumes and DLCO with particular attention paid to the flow volume loops.

5. That there be a review of his echocardiogram specifically looking for Takotsubo's cardiomyopathy. That his cardiac catheterization film be reviewed.

6. That a review of his chest CT be performed.

7. That a cosyntropin stimulation test, thyroid function tests, ferritin, iron binding capacity and an evaluation of his hepatitis status be considered.

8. That further evaluation and testing would be at the discretion of the evaluating physicians.

9. That there be immediate improvement in his confinement conditions at the very least, in accordance with Standard Minimum Rules of the Treatment of Prisoners (Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July, 1957 and 2076 (LXII) of 13 May, 1977).

10. That a full investigation be conducted by independent third parties specifically human rights specialists to determine if the Taipei Prison authorities are in compliance with international standards of incarceration and if CSB's human rights are being violated.

11. That the Tom Lantos Human Rights Commission convene a hearing to determine the facts and extent of human rights violations concerning the incarceration of CSB.

12. That former President CHEN SHUI-BIAN be released from confinement on medical parole based on the above assessments, conclusion and recommendations and on compelling humanitarian grounds.

Submitted by:

JOSEPH LIN, PH.D.

KEN YONEDA, M.D.

CHARLES WHITCOMB, M.D.

IN HONOR OF CORPORAL JOSHUA SAMS, UNITED STATES MARINE SCOUT SNIPER

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. TURNER of Ohio. Mr. Speaker, today I am speaking in honor of United States Marine Scout Sniper CPL Joshua Sams of Wilmington, Ohio. On January 12th, 2012 while on foot patrol, CPL Sams almost lost his life in an improvised explosive device, IED, explosion in Helmand Province in Deply Marsh Garsha, Afghanistan. Losing both his legs and suffering numerous other injuries, Joshua with only his will to live has come back from the brink of death. His father Peter, who served in the Air Force in the Vietnam War and Joshua's lovely wife Lindsey are the unsung heroes of the family. They have stood by Joshua throughout his recovery. Joshua has always been a winner in the game of life. Whether a star quarterback who led his team towards a championship in high school in Ohio, or on the battlefield of honor, his character, courage, and leadership as a Marine and Scout Sniper have inspired all who have been around him. On this day, in tribute to CPL Sams, remember why we live in such a great Nation, and remember men like Joshua and their fine families who provide the bed of Freedom for all of us. Remember the fallen heroes and their

families. I ask that this poem penned in honor of Joshua and his family by Albert Caswell be placed in the CONGRESSIONAL RECORD.

GOING DEEPPPPPPP!

Going . . .
Going Deeppppp!
All In The Game of Life . . .
What will our hearts so seek?
And so strive for to achieve!
Will we fall short?
Or will we go deep?
All in our hearts of honor,
what promises will we so keep!
All in our souls,
to so strive for and so very deep!
Will we shine bright?
Will we put it all on the line?
Will we make each shot so count,
all in our time to so complete?
Wam!
Bam!
Thank you Sams!
As Hero, your life is one that is ever so very sweet!
Because, on battlefields of honor bright!
There are but all those who so bring their light!
Who aim so very high,
as onto greatness they so set their sights!
Who so make the shot,
and make it count all in that fight!
Who but give all that they've so got!
Who so lead, not follow . . . and that says it all . . . that says a lot!
Or on football fields of green . . .
There are but those who are so seen!
Who come up to the line to so convene . . .
Who do not follow, but so lead!
For in The Game of Life,
every step that we so take,
will our very futures all so make!
All in what we have so left,
until we so take our last and final breath's!
Will this world our lives so bless?
Will we go deep all in our life's quest?
Or will we come up short,
only to in our old ages our lives will we so regret!
When, we so realize . . .
That In The Game of Life, our hearts were not so pledged!
Better to die for something,
than live for nothing at all!
Better to give up your two strong legs,
and walk like a hero and stand ever so tall!
Than, walk on two legs and crawl!
Better to go deep,
and put it all on the line . . . than not at all!
Do we do it?
Do we hear that call?
Or in the end,
are we but left with nothing at all!
For In The Game of Life,
Cpl Sams, you've made a difference with it all!
And still you're coming up to that line,
and going deep with that long ball each and every time!
For, your life has been and will always be,
all about going deep and making that call!
Because, some men are put upon this earth!
To So Beseech Us, To So Teach Us . . . in all their worth!
To Lead one and all!
Yea, you United States Marine . . .
all in your most heroic shades of green!
As a sniper out into that darkness of night,
or in the brightness of day unseen!
Inspiring all of your brothers, fellow Marines!
Yea, just like on those football fields of green . . .
You've always completed the long one,
if you know what I mean!
And then when you lost your legs,
and death was but days away!
You could have given up, and given way!
But, you've got miles to go before your last days!
And you've got hearts to so touch in so many ways!
As you run to day light each day!
And you've got that lovely wife Lindsey who is the love of your life,
and so helped your heart to stay!
And children in the future to so raise someday . . .
For you are the kind of son,
that every Father so wished he so had one!
Marine, for you are a Champion in all that you have done!
And it's not even halftime yet,
and In The Game Of Life you have so many victories ahead my son,
so many Championships to so achieve!
As all in your heart of courage to keep!
As what you've always done, compete!
Because, you put GD in Going Deeppppp!

CONGRATULATING COLONEL AMANDA W. GLADNEY

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. AUSTRIA. Mr. Speaker, I rise today to congratulate Colonel Amanda W. Gladney for her outstanding service to our Nation and the United States Air Force.

It is an honor to join the people of Ohio's Seventh Congressional District in congratulating Colonel Gladney upon her relinquishment of command as the Commander, 88th Air Base Wing, Air Force Materiel Command, Wright-Patterson Air Force Base, Ohio.

Colonel Gladney commands one of the largest air base wings in the United States Air Force, with more than 5,000 Air Force military, civilian, and contractor employees. The wing provides support and services to one of the largest, most diverse, and most organizationally complex bases in the Air Force including a major acquisition center, research and development laboratories, a major command headquarters, an airlift wing, and the world's largest military air museum. The base is home to more than 27,000 employees and is the largest single site employer in the State of Ohio.

Colonel Gladney completed the 350 million dollar Base Realignment and Closure Project, including the completion of the Air Force's largest military construction effort since World War II, and drove outreach efforts with 430,000-plus volunteer hours into the local community. I can attest to her solid reputation of dedication to and pride in the men and women of the 88th Air Base Wing.

For her strong dedication of service to our community, I join the people of Ohio's Seventh Congressional District in extending our best wishes upon her new assignment as the Director of Communications for Special Operations Command Europe in Stuttgart, Germany and wish her ongoing success in all future endeavors and in this new capacity.

HONORING THE MACKINAC ISLAND STATE PARK COMMISSION

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. BENISHEK. Mr. Speaker, it is my privilege to recognize the Mackinac Island State Park Commission on the occasion of the bicentennial of the beginning of the War of 1812. This war reasserted America's lasting independence and freed our country from foreign invasion.

Mackinac Island played a decisive role in the war effort. Ceded to the United States by Britain in 1796, Fort Mackinac was the site of two battles during the conflict: one in which the fort was captured in a bloodless battle by the British, and another in which American forces bravely attempted to take back the island and its fort, but were ultimately repelled. According to local legend, fallen soldiers of this battle are buried at the Fort Mackinac Post Cemetery, which by custom flies its flag at half-staff to honor the many unknown soldiers buried in its hallowed ground. This war also marked the end of conflict between the United States and Great Britain and ultimately led to peaceful relations with England and Canada, two of our nation's greatest allies.

The Mackinac Island State Park Commission has been a leader in preserving this proud history. Since the site of the first land battle of the War of 1812 and an important memorial to our armed forces are both located on this island, I would like to commend the Commission, its board and its employees for their dedication to the island, its sites, its people, and its organization of this year's bicentennial commemoration.

I wish to extend my best wishes to the people of Mackinac Island, visitors, and the governments of the United States and Canada as they commemorate this solemn and significant occasion.

IN REMEMBRANCE OF DR. ANNA SCHWARTZ

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. BRADY of Texas. Mr. Speaker, last month, the United States lost one of its most pre-eminent minds.

Anna J. Schwartz, perhaps the most pioneering economist in her generation, passed away at the age of 96. Dr. Schwartz had considerable impact upon how academics and others think about monetary policy and the role it can play in sustaining the economic health of nations. She was best known for coauthoring, along with Milton Friedman, ''A Monetary History of the United States, 1867–1960.'' The book's thesis attributed the worst depth of the Great Depression to the Federal Reserve's restricting the supply of money, when it should have expanded it. Its conclusions revolutionized both our understanding of that era and how its history was being taught.

The book was instantly recognized as a classic in its field. ''Anna did all of the work, and I got most of the recognition,'' Friedman, who received the Noble Prize in economic science in 1976, observed.

As he did most things, Friedman had that right. Had Anna either been born male or entered the world a generation later, she certainly would have won more plaudits than she did and received those that came her way much earlier in her career.

Yet in many ways, hers was the typical American story, one we would do well to keep in mind as we prepare to celebrate the 236th anniversary of our nation's independence.

The third child of Jewish immigrants from eastern Europe, Anna, at an early age, showed that pioneering spirit that so characterizes the best of America. While at Walton High School in the Bronx, she showed a particular bend for economics, hardly a field known to be hospitable to women. ''I found it more exciting than literature or foreign languages.'' She was only 18 when she graduated from Barnard College. She would be well into middle age when she obtained her Ph.D.

Right until the end, Anna remained active in her field. She lectured officials at the Federal Reserve when she thought they made wrong calls and blissfully engaged in debates in the opinion pages of newspapers to correct misstatements of fact and of economics by columnists she thought incorrigible.

Looking back on her career, she quoted the poet Wordsworth:

''Bliss was it in that dawn to be alive/But to be young was very heaven!''

I ask that the House join in paying tribute to this most inspiring woman and in expressing both our gratitude and condolences to her family.

TRIBUTE TO CARMEN CASTRO-CONROY AND HUD-CERTIFIED HOUSING COUNSELORS

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise to bring to my colleagues' attention the ''First Person Singular'' interview by Amanda Abrams that appeared in the Washington Post magazine on Sunday, July 15, 2012 about my constituent, Carmen Castro-Conroy, the senior HUD-certified housing counselor serving my congressional district.

I commend this article to my colleagues because it highlights the dedication and compassion of the HUD-certified counselors who are assisting those hardest hit by the housing crisis. These counselors, whose services are funded by the federal government, help homeowners who are behind or at risk of becoming behind on their mortgages to analyze their options, prepare modification applications, and advocate on their behalf. Statistics show that homeowners who utilize these counseling services have greater success in obtaining mortgage relief from their lenders than those who do not.

My staff and I have worked with Ms. Castro-Conroy since the housing crisis began. She is a leader in her field—a truly outstanding, professional and dedicated public servant. As Ms. Castro-Conroy notes in her interview, applying for assistance is often emotionally difficult—and made even more so by the poor quality of service homeowners so often receive from the banks. Counselors like Ms. Castro-Conroy help homeowners to navigate these challenges with diligence and care.

I hope that this article will help to educate my colleagues who fund these counseling services and the homeowners who use them about the invaluable services that our HUD-certified counselors are providing.

FIRST PERSON SINGULAR: CARMEN CASTRO-CONROY, 40, GAITHERSBURG, HOUSING COUNSELOR, HOUSING INITIATIVE PARTNERSHIP

(By Amanda Abrams)

We see a lot of families who have either lost their jobs or experienced income reduction through a cut in salary or another type of crisis related to illness, death, divorce, disability. We see all of it. They feel overwhelmed. Our job is to educate them so they can know all the options available and make good decisions.

Losing a home is devastating; just thinking about losing a home is very stressful. It's not necessarily just a house that we're talking about, it's a family. Some clients come to us when things have very much deteriorated, and they're under a lot of stress and their health is at risk. Not everyone will stay in the homes they're in, but it's better to be at peace than to try to keep a home that they cannot afford and end up in a hospital. It's difficult if you've lived in a home for a long time, and it's the only place that you think you're going to be okay.

Many times, even if they have family or friends, they feel embarrassed to let people know what they're going through, so they suffer in silence. I tell them that regardless of the outcome, they're not going to be going through this by themselves. It's my responsibility to encourage them and to lift them up. I tell them, ''This is a house; you're bigger than this, and you're going to come out of this stronger.''

I hear a lot of judgment out there of people that go into default, but I always think it could happen to anybody. I have clients who never thought they'd be diagnosed with cancer. Never thought they'd lose a husband. Never thought they were going to lose their job. It makes me very conscious about how one day you could think you have everything, and the next day your life could dramatically change.

I just got an outcome this week of a case I opened in January 2011. This was a client whose husband left her with five children to care for. She went from being a stay-at-home mom to finding a full-time job, but her income still wasn't enough to make regular mortgage payments. She just qualified for a permanent modification, so she'll be able to stay in the property.

I love what I do. I was thinking about this during the weekend, during Mass. This is one way to show that you love God, working in the face of people that are in trouble, people that are suffering. Before '08, I was working in a home-ownership education program. We were all pulled out from that to serve in foreclosure intervention counseling. We didn't know how long it was going to last, and now we're in the fourth year of crisis. And we don't see the light at the end of the tunnel.

Mr. Speaker, I am honored that Carmen Castro-Conroy is my constituent and that she is able to provide such outstanding service to so many others.

IN RECOGNITION OF MS. MARIE ''RIE'' BLAISDELL

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Ms. Marie ''Rie'' Blaisdell. Ms. Blaisdell will be recognized by the Monmouth County Historical Association at the 2012 Garden Party for her outstanding contributions to the association.

Rie Blaisdell has served as a member of the Monmouth County Historical Association since 1959. Ms. Blaisdell continues to volunteer countless hours and is a member of the Board of Trustees. She is a strong advocate for the study of Monmouth County history. Rie is fondly remembered for her role as a docent at Allen House. She often provides animated and historically accurate stories of Revolutionary soldiers for visitors to enjoy. Colleagues continue to applaud Ms. Blaisdell's warm personality, hard work and motivation. Rie Blaisdell continues to personify the qualities of a true historian.

Members of the Monmouth County Historical Association praise Ms. Blaisdell for her instrumental role in launching the Historical Association's first Garden Party in 1975. At its inception, the Historical Association Garden Party included an informal afternoon cocktail party hosted by local residents. Ms. Blaisdell has remained an active Garden Party committee member for 37 years and continues to lend her experience and expertise. Ms. Blaisdell's unending generosity has undoubtedly touched many lives throughout Central New Jersey.

Mr. Speaker, once again, please join me in congratulating Ms. Marie ''Rie'' Blaisdell for receiving the honor bestowed by the Monmouth County Historical Association. Her dedication and service continues to provide inspiration and insight for future generations of historians throughout Monmouth County and New Jersey.

HONORING THE CITY OF RALSTON, NEBRASKA ON ITS 100-YEAR ANNIVERSARY

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. TERRY. Mr. Speaker, I rise today to honor the city of Ralston, Nebraska, for its 100-year anniversary.

Ralston is a city with a population of roughly 6,000 people, all of which are extremely hard working and are some of the friendliest people you will meet. It provides its residents with a small town atmosphere inside of Nebraska's largest city.

Ralston was founded in June 1912 with a population of about 200 people. The population continued to grow until March 23, 1913, when a devastating tornado destroyed much of the town. The residents banned together and decided to rebuild a better, more beautiful city.

The city of Ralston is recognized across the State as being a great place to raise a family. The city plays host to family friendly functions throughout the year and works to promote a safe place for families to reside. Ralston has been ranked as one of the top cities to relocate to in America and one of the most secure places to live in America by national Web sites.

Living an active lifestyle is highly valued by the people of Ralston. There are many citywide events scheduled each month to provide citizens with opportunities to get involved in the community. Ralston has many beautiful parks, campgrounds, and a water and ride park.

The city of Ralston also makes a significant contribution to Nebraska's economy. Members of the Ralston Area Chamber of Commerce work to enhance the city's economy by creating jobs and encouraging the location of new businesses into the community.

Ralston has made meaningful contributions to the State of Nebraska and has been an excellent place for its residents to call home for the last 100 years. I would like to extend my congratulations to the city for a successful century and wish the community many more years of continued success.

NEW YORK STATE AMERICAN LEGION AUXILIARY DEPARTMENT PRESIDENT ANN GEER

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. GIBSON. Mr. Speaker, I rise today on behalf of the people of New York's 20th District to express our sincere appreciation for the continued hard work, dedication, and contributions made to our communities by New York State American Legion Auxiliary Department President Ann Geer.

Department President Geer has worked tirelessly for over 30 years to serve and protect our veterans' interests. As a 24-year veteran of the United States Army, I am personally humbled and appreciative of all the work that Ann has done. She has been active since 1981 in the Joyce-Bell Unit located in Otsego County, which she was able to join due to her husband Stephen's honorable service during the Vietnam era. After only a short period of time, Ann became the Unit President in 1982, a position she served for six years.

Ann's leadership and incredible dedication resulted in her being selected for every major committee and office position at the unit and county level until being elected as full Department President on July 16, 2011. She has since served with honor and distinction, leading the New York Department at a national level while continuing to serve at the local and State levels.

Beyond her service to our military men and women and veterans, Ann has been an active member of the Unadilla, NY community for the past 31 years. Ann raised her two sons while helping hundreds of other children through her career in education. As a dedicated volunteer and community leader, she was a founding member of the Recreation Commission and is active in the Sidney Community Band, in the Academic Team at Unatego High School, and has served on the Unadilla Community Foundation Board.

For these reasons, I am glad to stand today in recognition of NYS American Legion Auxiliary Department President Ann Geer's service in Otsego County, New York State, and across our country. I am honored to be given the opportunity to acknowledge her dedication to our community and especially our veterans. We all owe her a debt of gratitude and appreciation.

HONORING ANNE MITCHELL FELDER

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Ms. BROWN of Florida. Mr. Speaker, on behalf of the constituents of the Third Congressional District of Florida and myself, I rise now to offer my heartfelt condolences and pay special tribute to the life of, Ms. Anne Mitchell Felder, a woman of many talents and passions, who honorably served our country in The United States Army, and who worked as an educator and was a faithful servant to her community and church. Anne Mitchell Felder was a hero, humanitarian, community leader and friend.

We are inspired when we recall the accomplishments of a woman whose lifetime of service and dedication served many and whose lasting influence changed the lives of those around her. Beginning her career as an educator at Lincoln High, in Bradenton, Florida for six years, Anne Mitchell Felder went on to serve in The United States Army's, Women's Army Corps (WAC), where she became a medical laboratory technician at the Reception Center in Ft. Benning, Georgia. A recipient of the WAC three-year Service Ribbon, Good Conduct Medal, the Army Commendation Ribbon, and Victory Pin, Ms. Felder was a hero. She returned to civilian life to follow her passion of educating the young minds of tomorrow by teaching at Jones High School for over 22 years, teaching mathematics, serving as Guidance Counselor and later as Dean of Students. A religious woman who remained active in her church, The New Covenant Baptist Church of Orlando, Ms. Felder was secretary to the Charter Trustee Ministry from 1992–1996 and most recently a member of District Five and the Sanctuary Sunday School Class.

A woman for whom education was important, Anne Mitchell Felder received an Associate of Arts degree from Bethune-Cookman College; a Bachelor of Arts degree from Florida Agricultural and Mechanical College; a Master of Science Degree from Florida Agricultural and Mechanical University; and studied at Columbia University in New York. And, she was a member of Kappa Delta Pi, an honorary society for students in education. She also understood and valued her obligation and duty to serve our society and those in need and did so through Delta Sigma Theta Sorority, Incorporated where she was a Golden Life Member, a 60Years-Plus Member, and a charter president of the Orlando Alumnae Chapter, who enjoyed the status of a Delta Dear.

The life of Anne Mitchell Felder was one of accomplishment and service. We are aware that a life well lived is a life well shared. As an educator and hero, she gave of her talents and gifts to benefit the community, the nation, and her family. In her passing, we pay tribute to an exceptional leader whose courage, strength, and love of her community left an indelible legacy for future generations. She will be remembered and respected because she had an awesome gift of teaching and providing love and support to those who knew her. We offer our prayers for her immediate family and host of loving relatives and friends whose lives have been forever changed by this exceptional woman. We thank our Heavenly Father for allowing us to be blessed with the time spent with Anne Mitchell Felder, our friend, mother, sister, and hero.

Anne Mitchell Felder is survived by her daughter Vicki-Elaine Felder, and brother Thomas Watson Mitchell.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $15,875,734,673,516.05. We've added $5,248,857,624,602.97 to our debt in just over 3 years. This is debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

On this day in 1945, President Harry Truman, Soviet leader Joseph Stalin and British Prime Minister Winston Churchill met at the opening of the Potsdam Conference. We must balance the budget so that we may continue to meet and lead other great world powers.

RECOGNIZING THE LEADERSHIP OF DR. DON BERWICK

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. STARK. Mr. Speaker, Don Berwick was Acting Administrator of the Centers for Medicare and Medicaid Services for President Obama. Unfortunately, the minority party in the U.S. Senate was able to prevent him from being confirmed into the post and so he was forced to leave at the end of 2011.

I've copied below a recent commencement address at Harvard Medical School by Dr. Berwick.

If Dr. Berwick doesn't embody the spirit we want for our medical professionals—as well as our public servants—I don't know who does.

I urge my colleagues to read this speech. Driving people like Dr. Berwick out of public service is not something of which anyone should be proud.

[From JAMA, June 27, 2012]

TO ISAIAH

(By Donald M. Berwick, MD, MPP)

THANK YOU FOR LETTING ME SHARE THIS GLORIOUS DAY with you and your loved ones. Feel good. Feel proud. You've earned it.

In preparation for today, I asked your dean of students what she thinks is on your mind. So, she asked you. The word you used—many of you—was this one: Worried. You're worried about the constant change around you, uncertain about the future of medicine and dentistry. Worried about whether you can make a decent living. You've boarded a boat, and you don't know where it's going.

I can reassure you. You've made a good choice—a spectacularly good choice. The career you've chosen is going to give you many moments of poetry. My favorite is the moment when the door closes—the click of the catch that leaves you and the patient together in the privacy—the sanctity—of the helping relationship. Doors will open too. You'll find ways to contribute to progress that you cannot possibly anticipate now, any more than I could have dreamed of standing here when I was sitting where you are 40 years ago.

But look, I won't lie; I'm worried too. I went to Washington to lead the Centers for Medicare & Medicaid Services, full of hope for our nation's long-overdue journey toward making health care a human right here, at last. In lots of ways, I wasn't disappointed. I often saw good government and the grandeur of democracy—both alive, even if not at the moment entirely well.

But, like you, I also found much that I could not control—a context torn apart by antagonisms—too many people in leadership, from whom we ought to be able to expect more, willing to bend the truth and rewrite facts for their own convenience. I heard irresponsible, cruel, baseless rhetoric about death panels silence mature, compassionate, scientific inquiry into the care we all need and want in the last stages of our lives. I heard meaningless, cynical accusations about rationing repeated over and over again by the same people who then unsheathed their knives to cut Medicaid. I watched fear grow on both sides of the political aisle—fear of authentic questions, fear of reasoned debate, and fear of tomorrow morning's headlines—fear that stifled the respectful, civil, shared inquiry upon which the health of democracy depends.

And so, HSDM and HMS Class of 2012, I'm worried too. I too wonder where this boat is going.

There is a way to get our bearings. When you're in a fog, get a compass. I have one—and you do too. We got our compass the day we decided to be healers. Our compass is a question, and it will point us true north: How will it help the patient?

This patient has a name. It is ''Isaiah.'' He once lived. He was my patient. I dedicate this lecture to him.

You will soon learn a lovely lesson about doctoring; I guarantee it. You will learn that in a professional life that will fly by fast and hard, a hectic life in which thousands of people will honor you by bringing to you their pain and confusion, a few of them will stand out. For reasons you will not control and may never understand, a few will hug your heart, and they will become for you touch points—signposts—like that big boulder on that favorite hike that, when you spot it, tells you exactly where you are. If you allow it—and you should allow it—these patients will enter your soul, and you will, in a way entirely right and proper, love them. These people will be your teachers.

Isaiah taught me. He was 15 when I met him. It was 1984, and I was the officer of the day—the duty doctor in my pediatric practice at the old Harvard Community Health Plan. My nurse practitioner partner pointed to an exam room. ''You better get in there,'' she said. ''That kid is in pain.''

He was in pain. Isaiah was a tough-looking, inner-city kid. I would have crossed the street to avoid meeting him alone on a Roxbury corner at night. I'm not proud of that fact, but I admit it. But here on my examining table he was writhing, sweating in pain. He was yelling obscenities at the air, and, when I tried to examine him, he yelled them at me. ''Don't you f——g touch me! Do something!''

I didn't figure out what was going on that afternoon. Nothing made sense. I diagnosed, illogically, a back sprain, and I sent him home on analgesics. Then, that evening, the report came: an urgent call from the lab. Isaiah didn't have a back sprain; he had acute lymphoblastic leukemia. And we didn't have his phone number.

The police helped track him down that night, to a lonely three-decker, third floor, a solitary house in a weedy lot on Sheldon Street in the heart of Roxbury. Isaiah lived there with his mother, brothers, and his mother's foster children.

What followed was the best of care . . . the glory of biomedical science came to Isaiah's service. Chemotherapy started, and he went predictably into remission. But we knew that ALL in a black teenager behaves badly. Unlike in younger kids, cure was unlikely. He would go into remission for a while, but the cancer would come back and it would kill him. Three years later, he relapsed.

I drove to his apartment one evening in 1987 and sat with Isaiah and his graceful, dignified mother around a table with a plastic red-checkered tablecloth and explained the only option we knew for possible cure—a bone marrow transplant, not when he felt sick, but now, at the first sign of relapse, when he was still feeling fine. He was feeling fine, and I was there to propose treatment that might kill him.

They didn't hesitate. Isaiah wanted to live. He got his transplant, from his brother. His course was stormy, admission after admission followed, then chronic complications of his transplant—diabetes and asthma. His Children's Hospital medical record that year took up five four-inch-thick volumes. But he got through. Isaiah was cured.

We became very close, Isaiah and I, through this time and for years after—long conversations about his life, his hopes, his worries. He always asked me about my kids. And his mother, close, as well. An angel—a tough angel raised by her sharecropper grandfather on a North Carolina farm, who read Isaiah the riot act when she had to and who fiercely protected him—and who, during the darkest times of his course, continued to tend her ten foster children, as well as her own.

I came to know Isaiah well, but it wouldn't be quite right to call us friends—our worlds were too far apart—different galaxies. But my respect and affection for Isaiah grew and grew. His courage. His insight. His generosity.

But there is more to tell.

Isaiah smoked his first dope at age 5. He got his first gun before 10, and, by 12, he had committed his first armed robbery; he was on crack at 14. Even on chemotherapy, he was in and out of police custody. For months after his transplant he tricked me into extra prescriptions for narcotics, which he hoarded and probably sold. Two of his five brothers were in jail—one for murder; and, two years into Isaiah's treatment, a third brother was shot dead—a gun blast through the front door—in a drug dispute.

Isaiah didn't finish school, and he had no idea of what to do for legitimate work. He got and lost job after job for not showing up or being careless. His world was the street corner and his horizon was only one day away. He saw no way out. He hated it, but he saw no way out. He once told me that he thought his leukemia was a blessing, because at least while he was in the hospital, he couldn't be on the streets.

And Isaiah died. One night, 18 years after his leukemia was cured, at 37 years of age, they found him on a street corner, breathing but brain-dead from a prolonged convulsion from uncontrolled diabetes and even more uncontrolled despair.

Isaiah tried to phone me just before that fatal convulsion. He had my home number, and I still have the slip of paper on which my daughter wrote, ''Isaiah called. Please call him back.'' I never did. He would have said, ''Hi, Dr Berwick. It's Isaiah. I'm really sick. I can't take it. I don't know what to do. Please help me.'' Because that is what he often said.

Isaiah spent the last two years of his life in a vegetative state in a nursing home where I sometimes visited him. At his funeral, his family asked me to speak, and I could think of nothing to talk about except his courage.

Isaiah, my patient. Cured of leukemia. Killed by hopelessness.

I bring Isaiah today as my witness to two duties; you have both. It's where your compass points.

First, you will cure his leukemia. You will bring the benefits of biomedical science to him, no less than to anyone else. Isaiah's poverty, his race, his troubled life-line—not one of these facts or any other fact should stand in the way of his right to care—his human right to care. Let the Supreme Court have its day. Let the erratics and vicissitudes of politics play out their careless games. No matter. Health care is a human right; it must be made so in our nation; and it is your duty to make it so. Therefore, for your patients, you will go to the mat, and you will not lose your way. You are a physician, and you have a compass, and it points true north to what the patient needs. You will put the patient first.

But that is not enough. Isaiah's life and death testify to a further duty, one more subtle—but no less important. Maybe this second is not a duty that you meant to embrace; you may not welcome it. It is to cure, not only the killer leukemia; it is to cure the killer injustice.

Antoine de Saint-Exupéry wrote, ''To become a man is to be responsible; to be ashamed of miseries that you did not cause.'' I say this: To profess to be a healer, that is, to take the oath you take today, is to be responsible; to be ashamed of miseries that you did not cause. That is a heavy burden, and you did not ask for it. But look at the facts.

In our nation—in our great and wealthy nation—the wages of poverty are enormous.

The proportion of our people living below the official poverty line has grown from its low point of 11% in 1973 to more than 15% today; among children, it is 22%—16.4 million; among black Americans, it is 27%. In 2010, more than 46 million Americans were living in poverty; 20 million, in extreme poverty—incomes below $11 000 per year for a family of four. One million American children are homeless. More people are poor in the United States today than at any other time in our nation's history; 1.5 million American households, with 2.8 million children, live here on less than $2 per person per day. And 50 million more Americans live between the poverty line and just 50% above it—the near-poor, for whom, in the words of the Urban Institute, ''The loss of a job, a cut in work hours, a serious health problem, or a rise in housing costs can quickly push them into greater debt, bankruptcy's brink, or even homelessness.'' For the undocumented immigrants within our borders, it's even worse.

For all of these people, our nation's commitment to the social safety net—the portion of our policy and national investment that reaches help to the disadvantaged—is life's blood. And today that net is fraying—badly. In 2010, 20 states eliminated optional Medicaid benefits or decreased coverage. State Social Services Block Grants and Food Stamps are under the gun. Enrollment in the TANF program—Temporary Assistance to Needy Families—has lagged far behind the need. Let me be clear: the will to eradicate poverty in the United States is wavering—it is in serious jeopardy.

In the great entrance hall of the building where I worked at CMS—the Hubert Humphrey Building, headquarters of the Department of Health and Human Services—are chiseled in massive letters the words of the late Senator Humphrey at the dedication of the building in his name. He said, ''The moral test of government is how it treats people in the dawn of life, the children, in the twilight of life, the aged, and in the shadows of life, the sick, the needy, and the handicapped.''

This is also, I believe, the moral test of professions. Those among us in the shadows—they do not speak, not loudly. They do not often vote. They do not contribute to political campaigns or PACs. They employ no lobbyists. They write no op-eds. We pass by their coin cups outstretched, as if invisible, on the corner as we head for Starbucks; and Congress may pass them by too, because they don't vote, and, hey, campaigns cost money. And if those in power do not choose of their own free will to speak for them, the silence descends.

Isaiah was born into the shadows of life. Leukemia could not overtake him, but the shadows could, and they did.

I am not blind to Isaiah's responsibilities; nor was he. He was embarrassed by his failures; he fought against his addictions, his disorganization, and his temptations. He tried. I know that he tried. To say that the cards were stacked against him is too glib; others might have been able to play his hand better. I know that; and he knew that.

But to ignore Isaiah's condition not of his choosing, the harvest of racism, the frailty of the safety net, the vulnerability of the poor, is simply wrong. His survival depended not just on proper chemotherapy, but, equally, on a compassionate society.

I am not sure when the moral test was put on hold; when it became negotiable; when our nation in its political discourse decided that it was uncool to make its ethics explicit and its moral commitments clear—to the people in the dawn, the twilight, and the shadows. But those commitments have never in my lifetime been both so vulnerable and so important.

You are not confused; the world is. You need not forget your purpose, even if the world does. Leaders are not leaders who permit pragmatics to quench purpose. Your purpose is to heal, and what needs to be healed is more than Isaiah's bone marrow; it is our moral marrow—that of a nation founded on our common humanity. My brother, a retired schoolteacher, tells me that he always gets goose bumps when he reads this phrase: ''We, the people . . . We—you, and me, and Isaiah—inclusive.

It is time to recover and celebrate a moral vocabulary in our nation—one that speaks without apology or hesitation of the right to health care—the human right—and, without apology or hesitation, of the absolute unacceptability of the vestiges of racism, the violence of poverty, and blindness to the needs of the least powerful among us.

Now you don your white coats, and you enter a career of privilege. Society gives you rights and license it gives to no one else, in return for which you promise to put the interests of those for whom you care ahead of your own. That promise and that obligation give you voice in public discourse simply because of the oath you have sworn. Use that voice. If you do not speak, who will?

If Isaiah needs a bone marrow transplant, then, by the oath you swear, you will get it for him. But Isaiah needs more. He needs the compassion of a nation, the generosity of a commonwealth. He needs justice. He needs a nation to recall that, no matter what the polls say, and no matter what happens to be temporarily convenient at a time of political combat and economic stress, that the moral test transcends convenience. Isaiah, in his legions, needs those in power—you—to say to others in power that a nation that fails to attend to the needs of those less fortunate among us risks its soul. That is your duty too.

This is my message from Isaiah's life and from his death. Be worried, but do not for one moment be confused. You are healers, every one, healers ashamed of miseries you did not cause. And your voice—every one—can be loud, and forceful, and confident, and your voice will be trusted. In his honor—in Isaiah's honor—please, use it.

Donald M. Berwick, MD, MPP

NAVY CAPTAIN HENRY DOMERACKI

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. CARTER. Mr. Speaker, I would like to take this opportunity to honor United States Navy Captain Henry Domeracki. Captain Domeracki has made countless sacrifices throughout his 36 years of dedicated service to the defense of our great nation. He is an American hero who has received numerous medals and recognitions for his dedicated service. As such, I am proud of his achievements and congratulate him on his recent retirement.

Captain Domeracki was recalled to active duty during the Gulf War in 1991, and served as a Counter-Terrorism Officer/Agent in Europe for six months. In 2004, he was mobilized again for Operation Iraqi Freedom and served as the Chief of Operations for the Coalition Provisional Authority—Baghdad Central in Baghdad, Iraq. During this time, Captain Domeracki built the financial structure for the Baghdad Provincial government and reestablished financial operations for the City of Baghdad. He aided in rebuilding the country of Iraq by managing over $100 million in business development projects and capital outlays.

In 2009, he was mobilized to fill the U.S. Army Civil Affairs' billet. He served as the Chief of Operations for the Multi-National Forces Iraq—Civil Military Operations Directorate and was in charge of the development and vocational training programs and projects for the entire country of Iraq. Captain Domeracki's actions also enabled thousands of militia-aged Iraqis to be employed. He was able to facilitate this through personally coordinating three international conferences and over $2.1 billion in private sector funds from companies in the United Arab Emirates. These funds were invested in business development projects in the various regions of Iraq and enabled the building of ten vocational training schools with over 10,000 students enrolled. Additionally, over 70 agri-businesses and cooperatives, ranging from commercial milk processing to date production, and industrial-level honey processing, were created through these efforts.

In conjunction with his military achievements, Captain Domeracki has thirty-two years of municipal government management experience and has served as the Chief Financial Officer of the Texas Municipal League Intergovernmental Risk Pool for the past twenty years.

Captain Domeracki's awards include the Bronze Star, Defense Meritorious Service Medal (3rd Award), Meritorious Service Medal (4th Award), Joint Service Commendation Medal, Navy & Marine Corps Commendations Medals (3rd Award), Army Commendation Medal, Navy and Marine Corps Achievement Medal (3rd Award), Army Achievement Medal and the Combat Action Ribbon.

Mr. Speaker, thank you for the opportunity to recognize this great American. His selfless service and duty to this country are an inspiration to us all.

IN HONOR OF THE SIGNIFICANT CONTRIBUTIONS OF TAMARA ZAHN TO THE CITY OF INDIANAPOLIS

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. CARSON of Indiana. Mr. Speaker, today I rise to express my gratitude to Tamara Zahn for her considerable achievements over the past two decades as President of Indianapolis Downtown, Inc. Her vision, leadership and tireless determination have helped transform downtown Indianapolis into a first-class destination for visitors and Hoosiers alike.

Our ''Hoosier Hospitality,'' in combination with our well-deserved reputation as a premier

location for sports fans, has made the City of Indianapolis a model for other municipalities looking to rejuvenate their image and grow their local economy.

Under the tenure of Tamara Zahn, our city has witnessed unprecedented growth and a staggering transformation of downtown Indianapolis. Our once sleepy, urban center is now an attractive and pedestrian friendly destination, complete with highly-regarded attractions like the Indianapolis Cultural Trail, Victory Field, White River State Park, and the Eiteljorg Museum, along with first-class accommodations for visitors on any budget. Ms. Zahn's ability to communicate her vision helped make the construction of world-class facilities like Lucas Oil Stadium, Circle Center Mall, and the Indiana Convention Center a reality.

Tamara Zahn was one of the principal drivers of this remarkable transformation. Over the past 19 years, she has galvanized the respective talents and resources of private enterprise and federal, state, and local officials for the purpose of revitalizing our city.

Ms. Zahn's incredible success is testament to her skill and vision as an urban planner, leader and innovator. Her considerable achievements have not gone unrecognized. She has been named one of the ''Most Influential Women in Indianapolis'' and was awarded the prestigious Sagamore of the Wabash award.

Today, I ask my colleagues to join me in honoring Tamara Zahn for her exceptional service to Indianapolis.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF WEST TECH HIGH SCHOOL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 100th anniversary of West Tech High School.

West Tech opened its doors to 224 students on February 15, 1912. In 1931, with an enrollment of 4,000 students, West Tech was distinguished as the largest school in all of Ohio. West Tech graduated more than 40,000 students between 1912 and 1995, when it closed as an operational high school.

West Tech is known for offering the first driver's education classes and the first auto mechanics, aircraft radio operations and repair metallurgy classes in the nation. Its newspaper, The Tatler, became a nationally and internationally recognized student publication.

The high school closed its doors to students in 1995, and the facility re-opened in 2004 as a 189-unit apartment building, named the West Tech Lofts.

To celebrate the 100th anniversary, West Tech will be opening up the public school for the first time since its conversion to the lofts. A week of celebratory events will be hosted between July 17th and the 21st and will feature memorabilia and special exhibits as well as tours and alumni speakers.

Mr. Speaker and colleagues, please join me in recognizing the 100th anniversary of West Tech High School.

RECOGNIZING THE CROATIAN MUSICAL GROUP RUŽE DALMATINKE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Croatian musical heritage group, Ruže Dalmatinke from Seattle, Washington, for being featured in the Homegrown Concert Series at the Library of Congress' American Folklife Center.

The American Folklife Center at the Library of Congress sponsors various programs throughout the year to celebrate and present different cultural traditions to the American people. This summer, Ruže Dalmatinke performed Traditional Croatian Singing.

Lead vocalists and sisters, Binki Franulovic Spahi and Alma Franulovic Plancich, immigrated to the United States with their family after World War II. The sisters have sung together since their childhood and were inspired to form the Ruže Dalmatinke in 1981. The group has passionately shared their Croatian heritage, lifestyle, and music in Washington State since.

Mr. Speaker, it is with great honor that I recognize Ruže Dalmatinke for being featured in the concert series hosted by the Library of Congress. Ruže Dalmatinke has shown incredible devotion to Croatian musical heritage by performing and sharing all around the United States.

IN HONOR OF SEYMOUR ''SY'' POLLOCK

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to congratulate Seymour Pollock, who was raised in Brooklyn, Connecticut in my Congressional District and turned 100 years old on July 8th. Known by his friends and family as ''Sy,'' he is a straightforward man with a complicated backstory. Losing his mother as a young boy, he and his two brothers spent much of their childhood separated. The financial burden of caring for three sons forced his father to place his kids in foster homes, where Sy suffered abuse. Continued domestic instability prompted Sy to leave home and stow away on a cruise ship when he was 16. When he was discovered hiding on board, the teenager told the Captain that his name was Seymour, to which the captain replied ''Well, now you are going to see less.'' Sy worked in the galley until they returned to port.

During World War II, Sy served in the United States Army, where he cleaned and repaired semi-automatic weapons for the troops on the frontlines. His unit was responsible for setting up the coastal defense for what is now Battery Park in New York. After the war, Sy's father bought a building in the Bronx and opened up a business there selling and repairing cash registers. He and his brothers eventually ran that business together.

Sy retired to Florida at 82. He is the father of two daughters and a grandfather of two ambitious young men. I ask my colleagues to join with me in recognizing the extraordinary life of this man who exemplifies the American dream.

IN MEMORY OF L.A. CIVIL RIGHTS ACTIVIST WILLIS EDWARDS

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Ms. RICHARDSON. Mr. Speaker, today I rise to honor the memory of Willis Edwards who died on July 15, 2012, after waging a valiant battle against cancer. He was 66. For more than forty years, Willis Edwards served his community and the nation as a soldier in Vietnam, as an academic support specialist at the University of Southern California, as a civil rights activist and community organizer, as the long-time president of the Hollywood/Beverly Hills Chapter of the NAACP, and a trusted advisor to presidential candidates.

Born in Texas in 1946, Mr. Edwards was raised in Palm Springs and attended California State University at Los Angeles, where he was elected the first African American student body president in the school's history. After graduation Mr. Edwards was drafted into the U.S. Army and sent to Vietnam where he was awarded a Bronze Star. Upon his honorable discharge, Mr. Edwards served as Director of Black Student Services at USC.

Mr. Edwards' political activism in national politics began with Robert F. Kennedy's historic 1968 presidential campaign. Through his dealings with the Democratic Party, he became a supporter and friend of Los Angeles' first black mayor, Tom Bradley, who later appointed him to the city's Social Service Commission in 1973.

In 1982 Mr. Edwards was elected president of the NAACP's Beverly Hills/Hollywood branch. He played a major part in getting the group's Image Awards, a gala that honored African Americans who worked in front of and behind the camera in Hollywood, televised on NBC. He also played a leading role in Reverend Jesse Jackson's 1988 presidential campaign.

Mr. Edwards played a major role in securing national honors for Rosa Parks; friends say that was his proudest accomplishment. He helped to arrange for the civil rights hero to be seated next to First Lady Hillary Rodham Clinton during the 1999 State of the Union address. He also helped secure for her the Congressional Gold Medal, and for her casket to lie in repose in the Rotunda of the Capitol.

It is easy to forget that among all Mr. Edwards accomplishments in the civil rights and political arenas, he was also battling a very personal struggle with HIV. The disease nearly took his life 15 years ago, but he miraculously recovered with the help of new drugs. In a 2001 speech to the NAACP he went public about his experience living with HIV. He helped to tear down barriers in order to have a frank conversation about the disease within the African American Community, where it was still regarded as a taboo subject by many.

Mr. Speaker, with the passing of Willis Edwards, this country has lost a great man and leader. My home state of California and county of Los Angeles has lost a champion and fighter for civil rights and equal opportunity. I have lost a dear friend.

I ask a moment of silence to honor the memory of Willis Edwards.

H.R. 5856—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Ms. MCCOLLUM. Mr. Speaker, tomorrow the House will start debate on H.R. 5856, the Department of Defense Appropriations Act of 2013. In this bill, $388 million is to be appropriated for military bands and musical performances. This is a stunning amount of taxpayer funds to be spending on military music at time of fiscal crisis and tough choices. While the Pentagon's 140 bands and over 5,000 full-time musicians carry on a time honored and noble tradition of military music, this level of spending on a military function that does not directly enhance national security is unsustainable. At a time of trillion dollar budget deficits, Congress needs to act to significantly reduce taxpayer funding of military bands.

It is my intention to offer an amendment on H.R. 5856 to reduce Pentagon spending for military bands and performances for fiscal year 2013 from $388 million to $200 million. The $188 million reduction would be applied to the deficit reduction account established in H.R. 5856.

Earlier this year on H.R. 4310, the National Defense Authorization Act of 2013, the House approved an amendment I offered to limit spending on ''military musical units.'' The amendment stated, ''Amounts authorized to be appropriated pursuant to this Act for military musical units (as such term is defined in section 974 of title 10, United States Code) may not exceed $200,000,000.''

I do not want there to be any misinterpretation or mischaracterization of my intentions when I offer my amendment. My goal is to reduce military musical units, not military personnel in a role essential to our national security.

This is a time of tough choices. My House Republican colleagues have decided to protect and shield millionaires and billionaires from any increase in Federal taxes commensurate with their wealth to help reduce the deficit. Instead, they have targeted domestic programs for cuts making children, seniors, low-income families, and communities all across the country to shoulder the burden of deficit reduction. Now it is the Pentagon's turn to experience some budget cuts that do nothing to reduce military readiness, mission strength, or our troops' ability to defend our Nation.

Unless cuts are made, the Pentagon is on track to spend more than $4 billion over the next decade on military music. It is unconscionable to borrow billions from China to fund deficit spending on the Defense Department's massive musical budget.

I urge all of my colleagues to support the McCollum Amendment to cut military musical spending by $188 million and apply those funds to deficit reduction.

AMENDMENT REGARDING FORMERLY USED DEFENSE SITES H.R. 5856 DEPARTMENT OF DEFENSE APPROPRIATIONS ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 17, 2012

Mr. BLUMENAUER. Mr. Speaker, tonight I offer an amendment to H.R. 5856 that would reduce spending on ''Operation and Maintenance, Defense Wide'' account by $88,952,000 and increase spending on the ''Environmental Restoration, Formerly Used Defense Sites'' account by an equal amount.