

is any capacity to increase the g-fees, those resources should be directed to our housing markets, which still remain too fragile.

I find it incredibly ironic that my Republican colleagues, many of whom say they believe the mortgage securitization market should be completely privatized, have suggested an offset that uses a 10-year revenue stream from the enterprises' business operations as a piggy bank for governmental purposes. This seems like inconsistent policy at best.

This bill is deeply flawed, but I could not in good conscience vote against providing a tax cut to the middle class and providing desperately needed relief to nearly 10,000 Rhode Islanders who would have lost jobless benefits through the month of January.

I will not stop fighting for the middle class, to continue jobless benefits and working to improve our economy and create jobs. I will work tirelessly to continue the payroll tax cut and jobless benefits through the rest of the year and to fix this egregious reduction in benefits.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to consideration of the conference report to accompany H.R. 2055, which the clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2055), making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same. Signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings of the RECORD of Thursday, December 15, 2011.)

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 15 minutes of debate with 5 minutes each for the Senator from Hawaii, Mr. INOUE; the Senator from Mississippi, Mr. COCHRAN; and the Senator from Arizona, Mr. MCCAIN.

The Senator from Hawaii.

Mr. INOUE. Mr. President, the omnibus bill the Senate considers this morning represents a victory for compromise, a victory for American taxpayers, and a victory for the appropriations process.

The measure before us funds everything from our men and women in uniform to students who strive to improve their future through higher education, from environmental protection to protecting our children from harmful

products, and from homeland security to the Securities and Exchange Commission.

With the exception of the Department of Defense, all these agencies have been running on a continuing resolution for well over a year. Mr. President, this must stop because it is no way to run a government, particularly one that must learn to do more with less. How can an agency be more efficient when it is operating under budget plans that were developed 2 or even 3 years ago?

Last year, the Congress enacted only one appropriations measure—the Defense bill. This year, we have passed a minibus containing three bills, and we are now considering the final package incorporating the nine remaining bills. While it is true we again fall short of regular order, it is also true, if the Senate passes this measure and the President signs it into law, we will have succeeded in enacting each of our bills prior to the end of the calendar year for the first time since 2009.

I would note for my colleagues that in the Senate, the Appropriations Committee reported 11 bills, 9 of them with overwhelming bipartisan support, and by that I mean 30 to 0 or 29 to 1. We moved four of our bills across the Senate floor with an opportunity for every Senator to provide amendments. We accomplish all of this at a time when partisanship is high and the desire by some to delay even the most innocuous of bills has made it difficult to get any measure to the President.

As chairman of the Defense Subcommittee, I would like to take a few minutes to discuss this portion of the bill.

The Omnibus appropriations bill includes \$633.3 billion for the Department of Defense. This amount includes a \$20.8 billion reduction from the President's request for the base defense budget and a reduction of \$2.5 billion from the overseas contingency operations request.

Although these substantial reductions in the defense budget mean many tough decisions had to be made, I wish to assure my colleagues that all recommendations in the Defense bill were made in a fully bipartisan, bicameral manner.

Most importantly, let me assure my colleagues this agreement takes care of our men and women in uniform and their families, fully supports military readiness, protects the forces, and maintains our technological edge. It complies with the earmark moratorium and contains no congressionally directed spending items.

At the same time, it reins in defense spending and takes important steps to improve the Department's fiscal accountability. The conference agreement recommends 775 reductions to individual programs primarily due to program terminations or delays or changes to policies of programs since the submission of the budget 10 months ago.

As the chairman of the full committee, I am proud of the work done on these nine bills by the Appropriations Committee, its members, and its staff, each of whom have worked diligently late into the night for many months to arrive to this point. All of the subcommittee chairmen and ranking members should be recognized for their leadership and achievement in completing these nine remaining bills.

I also wish to recognize the dedicated staff on both sides of the aisle for their months of effort and their commitment to completing their individual bills.

Mr. President, this is a strong, bipartisan bill, and I urge my colleagues on both sides of the aisle to vote yes and send it to the President for his signature.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. COCHRAN addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, let me say I am pleased to join the chairman of the committee, the distinguished Senator from Hawaii, in urging approval of the Omnibus appropriations bill as well as the bill to provide funds for disaster relief. These bills fully comply with the requirements of the Budget Control Act. The process for reviewing requests for provisions in this bill were held in open public hearings. Senators testified before our committee. Others from around the country came to Washington to express their views.

Together with appropriations bills that have already been enacted, the omnibus brings appropriations for the basic operations of our government to \$1.043 trillion. The disaster bill provides an additional \$8 billion for disaster relief in response to damages incurred from floods, tornadoes, and hurricanes that have plagued much of the country during the spring and summer months. These funds are within the limits established in the Budget Control Act, specifically for disaster relief. Total discretionary spending carried in all of the fiscal year 2012 appropriations bills will be \$31 billion below last year's level.

I would have to say our committee opened its hearing rooms to those who wanted to express views on the funding levels of all of the programs that were important throughout our Federal budget process. There are some dramatic reductions in spending, such as the Independent Payment Advisory Board and the co-op program created in the health care bill. We zeroed out funding for some of the energy credit subsidy provisions of this bill. That was hard to do, but savings were needed and the committee responded to those needs.

The bill eliminates 22 programs in the Labor-HHS chapter for a savings of over \$¼ billion. But we don't hear about that. People don't brag about reducing funding. But this committee did

that because it was responsible, in our judgment, to do it.

I am very pleased to have had the honor of working closely with the chairman of the committee, one of the finest Members of this Senate, and we urge the approval of this legislation.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, before my friend from Arizona speaks, I ask unanimous consent that the next three votes in order be 10 minutes in duration.

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

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I would like to yield 2 minutes of my 5 minutes to the Senator from Oklahoma.

Here we are again, a bill that is 1,221 pages long that not one Member of this body has read. These 1,221 pages represent \$915 billion in taxpayer money. Yet here we are with not one amendment. We do, however, have 15 minutes of debate in which to consider a document that is 1,221 pages long, representing \$915 billion of taxpayer money, which is filled with unauthorized, unrequested money.

Now, I haven't had a chance, like the rest of my colleagues, to look at all of this 1,200-page bill, but we have looked at the defense section. There is \$3.5 billion of unrequested, unauthorized funding by the authorizing committee—projects such as this one for Guam.

Here are a couple of my favorites. You thought the bridge to nowhere was bad? Well, there are 53 civilian schoolbuses and 53 repair kits for \$10.7 million and \$12.7 million for a cultural artifacts repository. That is in the name of defense. That is in the name of defense—schoolbuses and a cultural artifact repository.

Here is \$100 million for the Next Generation Bomber, which the Air Force says they do not want and they do not need. How about this cockamamie outfit—the Combat Dragon, which will be crop dusters equipped with weapons. Or the C-17s—\$225 million additional for C-17s that long ago the military said they did not need.

There is \$3.5 billion just in the DOD provisions alone. It is outrageous. It is outrageous.

I have amendments associated with this bill that will save the taxpayers billions of dollars. But, never mind, because we are going to go home for Christmas.

Well, let me tell you, I am going home to a State where they do not have enough in the food banks to take care of the homeless this year. I am going home to a State where half of the homes are underwater. Yet what have we done? We have just wasted billions and billions and billions of taxpayer money on projects that are unneeded, unwanted, and unrequested.

This system is broken. This system is broken. We should have taken up these bills one by one, with amendments,

with debate and discussion. I want to tell the majority leader and the Republican leader that next year, we will have a plan, a group of us, to say we must do that.

We owe it to the taxpayers of America.

I yield to the Senator from Oklahoma.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. I have a question for my colleagues. Are we proud of this process? Have we fulfilled the responsibility to the citizens of this country with this process? Nobody can answer yes to that. And yet nothing seems to change.

You know, \$3.5 billion worth of phony earmarks totally puts an earmark ban on its head. The idea that parochialism trumps our Nation's vital interests puts our responsibility and our oath on its head.

I know the hearts of everybody here. They are great. The intentions are great. With this bill, we have failed America. We failed America in the process, we failed America in our oath. This next year is going to be much more difficult than anybody can anticipate. At a time when we are facing our national survival, business as usual occurs. That is a reflection of lousy leadership by all of us, including me. It means I didn't make my case big enough about what the priorities should be in our country.

It is a great time for reflection. We are going to go home. We are going to pass this bill that is going to be far less than what this country needs in terms of its integrity and its actions. Hopefully, we will think and return with a renewed spirit to fix the ship of state and do what is in the best interest of the Nation, not what is in the best interest of our parochial political careers.

I yield the floor.

BOILER MACT

Ms. COLLINS. Mr. President, I would like to thank the senior Senator from Alaska and the senior Senator from Tennessee for joining me to discuss an issue of great concern to manufacturers across the country, the Environmental Protection Agency's Boiler MACT regulations. I am pleased to serve with both Senators on the Interior Appropriations Subcommittee on which the Senator from Alaska serves as the Ranking Member.

It has been our shared goal to ensure that rules crafted by the EPA with regard to industrial boilers be achievable, affordable, and protective of public health and the environment while not costing thousands of jobs that we can ill-afford to lose. Unfortunately, EPA did not begin its rulemaking with these goals in mind.

To provide EPA with the time the agency itself said it needed to rewrite the rules to better serve the public interest, I introduced the EPA Regulatory Relief Act earlier this year, which now has the support of 41 of my

colleagues on both sides of the aisle. A nearly identical bill passed the House of Representatives with bipartisan support this fall.

With the reconsideration process, EPA has taken steps to respond to some of the concerns raised by U.S. manufacturers. EPA's re-proposed rules, however, still do not address the serious and real concerns of the mills that will be most directly affected by these regulations. Legislative action is still needed to ensure achievable rules, to allow adequate compliance time, and to reduce the risk to business posed by pending litigation.

For these reasons, I was very troubled when the statement of the managers for Division E of the Consolidated Appropriations Act of 2012 included the following:

Boiler MACT.—The conferees are encouraged by the outcome of EPA's reconsideration of the Boiler MACT rule and offer no directives regarding Boiler MACT standards. The proposed rule addresses substantive concerns by including additional flexibility with respect to compliance costs, and a biomass exemption.

Could the Senator from Alaska clarify that this language in no way is an endorsement by the conferees of any particular rulemaking concerning the Boiler MACT issue?

Ms. MURKOWSKI. As a cosponsor of S. 1392, the EPA Regulatory Reform Act, I know how important this issue is to my colleagues on both sides of the aisle. The Senator is correct that this language is not intended by the conferees to convey an endorsement of any EPA Boiler MACT rulemaking proposal.

Ms. COLLINS. I thank the senior Senator from Alaska for clarifying the intent of this language. I remain committed to working with my Senate colleagues and the EPA to help ensure that the Boiler MACT rules are crafted to protect public health without harming the forest products industry, which is the lifeblood of many small, rural communities. Would my friend the senior Senator from Tennessee, who is also an original co-sponsor of the Boiler MACT legislation, like to address this disappointing conference language?

Mr. ALEXANDER. This issue is of particular importance to me as well. I strongly object to the language included in the Interior Appropriations bill regarding Boiler MACT. The Boiler MACT is an unworkable regulation that will reduce pollutants like mercury, which is good policy, but forces those reductions in a way that is not realistic for companies to comply. This regulation could result in the loss of 340,000 jobs nationwide and cost Tennessee companies \$530 million. My support for the Omnibus bill does not change my position on this issue, and I will continue to push for the passage of strong bipartisan legislation that will overturn the terrible Boiler MACT regulation and find a better way to accomplish the pollution reductions that are

needed. I thank Senator COLLINS for her leadership on this issue and I also appreciate the Senator from Alaska clarifying the intent of this language.

Mr. LEAHY. Mr. chairman, as Chairman of the Department of State and Foreign Operations Subcommittee, I want to speak briefly about the agreement that I and the ranking member, Senator LINDSEY GRAHAM, have reached with the House and that is reflected in division I of this Omnibus bill.

I want to thank Senator GRAHAM, along with House Subcommittee chair KAY GRANGER and ranking member NITA LOWEY and their staffs, for working in such a bipartisan way to resolve our many differences. It is a good example of how a divided Congress can deal with controversial issues and produce an outcome that protects a broad range of interests.

The Department of State and Foreign Operations conference agreement is a compromise. It is neither a Democratic nor Republican bill. It will not make anyone completely happy. But while it does not include everything that I or Senator GRAHAM wanted, it does a good job of addressing the key national security needs of the country.

This is a must-pass bill. The alternative is another year of a continuing resolution, which would force drastic cuts in funding for programs about which Republicans and Democrats feel strongly.

This conference agreement does many things. It supports the Nation's counterterrorism efforts in South Asia, the Horn of Africa, and East Asia; responds to turbulent events in the Middle East and north Africa and threats on the Mexican border; combats transnational crime, piracy of intellectual property, and the denial of fundamental freedoms; promotes access for U.S. companies to foreign markets; operates and secures our embassies and consulates that serve millions of Americans traveling, working, and studying overseas; preserves U.S. influence in key international organizations and alliances; supports economic development, governance, and the rule of law in Africa, Latin America, and Asia; and responds to a massive famine in Somalia, floods in El Salvador, and other humanitarian disasters.

We do this and much more with a base budget allocation that is \$8.7 billion below the President's request and a combined base and overseas contingency operations total that is \$6.1 billion below the President's request.

These are not Democratic or Republican issues. The funds in this conference agreement will determine whether the United States remains the global leader it has been since the Second World War.

Just as past generations rallied to meet the formidable challenges of the Great Depression, the Nazis, and the Cold War, we will bear responsibility if we fail to meet the challenges of today.

It is no wonder that other countries—our allies and our competitors—are

spending more each year to project their influence around the world and to compete in the global marketplace.

Our leadership is being challenged unlike at any time since the Cold War. In Latin America, which is a larger market for U.S. exports than any other region except the European Union, our share is shrinking while China's is growing. It is the same story everywhere.

There is simply no substitute for U.S. global leadership. The world is changing profoundly, and we cannot afford to retrench or succumb to isolationism.

The funding in this conference agreement enables us to engage with our allies and deter our adversaries and competitors. It is similar to what was reported by the Appropriations Committee on a bipartisan vote of 28 to 2. For those who are focused on reducing Federal spending, it cuts base spending by \$6 billion below the fiscal year 2011 continuing resolution. It freezes spending or scales back many Department of State and U.S. Agency for International Development operations and programs and will force reductions in planned expenditures.

To the extent that there are funding increases in this bill, they are primarily due to the transition from military to civilian operations in Iraq which will mean billions of dollars in savings to American taxpayers, and to meet pledges to the international financial institutions.

I doubt there is a single Member of Congress who does not care if the United States becomes a second- or third-rate power. As a Vermonter, I know the people of my State want the United States to live up to its ideals, to set an example for the rest of the world. We expect the United States to lead, to build alliances, to help American companies compete successfully, and to protect the interests and security of its citizens.

Yet there are unmistakable signs that our global influence is already waning. It is not preordained that the United States will remain the world's dominant power. As former Secretary of State Condoleezza Rice said, "If we don't lead, somebody else will."

We need to stop acting like these investments do not matter; that the State Department is not important; that we do not need the United Nations; that what happens in Brazil, Russia, the Philippines, Somalia, or other countries does not matter; and that global threats to the environment, public health, and safety will somehow be solved by others.

This conference agreement balances our priorities. Again, funding for these programs was requested by Republicans and Democrats.

This country is at a crossroads. We can retreat from the world, as some in the other body seem to want while China and our other competitors continue to expand their influence, or we can remain a leader. The conference agreement adopts the latter course,

and Members on both sides of the aisle deserve credit for that.

Mr. President, the funding in this bill is strongly supported by the Department of Defense. Along with the U.S. military, it is the best form of insurance the American people have.

Finally, I want to thank Chairman INOUE and Vice Chairman COCHRAN, as well as the majority and minority leaders for their support in completing this omnibus bill.

Mr. ALEXANDER. Mr. President, this omnibus appropriations bill funds the Federal Government through September 30, 2012, at the level of spending agreed to this past August in the Budget Control Act, which reduces overall spending by \$2.1 trillion over the next 10 years.

If Congress continues to follow the terms of the Budget Control Act, discretionary spending—which is 39 percent of the Federal budget—will increase at about the rate of inflation over the next nine years.

Unfortunately, mandatory entitlement spending—which is 55 percent of the Federal budget—is out of control and is growing at the rate of 3 to 4 times inflation over the next 9 years according to the Bipartisan Policy Center.

There are some good reasons to support this spending bill.

One good reason to support the bill is to support House Republicans. Now that they are in the majority, they are changing the priorities of the spending bills in important places, and that is a good start at reducing spending and changing the priorities of the government.

Another good reason is that the bill is consistent with the Budget Control Act. The Omnibus brings total discretionary spending to \$1.043 trillion, and it brings total disaster spending to \$10.4 billion. Both of those figures are consistent with the Budget Control Act and are a good first step toward getting discretionary spending under control over the next decade.

The bill also supports several important national priorities: It provides an additional \$5.1 billion for defense and a \$338 million increase for nuclear weapons modernization; increases border security; fully funds veterans' healthcare; and shows Congress can lead by example by cutting our own budget by 5.2 percent.

The bill denies the administration *carte blanche* on running the government and allows Congress to set priorities as it should in our constitutional system. The omnibus cuts the Environmental Protection Agency's budget by \$233 million, cuts the National Labor Relations Board's budget by \$4 million, and supports the development of Small Modular Reactors.

This year there have been 12 disasters that caused more than \$1 billion in damage—the highest on record. Families are struggling to recover from historic tornado outbreaks, flooding, wildfires, and other natural disasters in virtually every part of the country.

The omnibus brings total disaster spending for fiscal year 2012 to \$10.4 billion. The Budget Control Act allows Congress to spend up to an additional \$11.3 billion in fiscal year 2012 for disasters. Although this means there is only \$900 million left to address any additional disasters in fiscal year 2012, it shows that Congress is starting to take the issue of spending and debt seriously by living within an agreed upon framework for total spending.

Even though the Budget Control Act does not require disaster spending to be offset—some argue that it should be—the Budget Control Act ensures disaster spending is really for disasters and keeps Congress from spending more than the historical average. The House has proposed to offset this spending with a 1.83 percent across-the-board cut to all discretionary spending, excluding defense programs, military construction projects and veterans funding.

I do not believe that an across-the-board cut is a wise way to reduce spending. Congress should identify wasteful spending, like the credit loan subsidies we eliminated in the Energy and Water Appropriations bill, and find specific ways to cut spending and make government more effective.

Any bill of this size will include things we don't support. We do not do enough to reduce duplicative programs, and many programs that should be eliminated are still funded.

But there is one provision in the manager's report that I really want to take exception to.

I strongly object to the language included in the Interior Appropriations bill regarding Boiler MACT. The Boiler MACT is a regulation that will reduce pollutants like mercury, which is a good goal, but forces reductions in a way that is not realistic for companies to comply. This unworkable regulation could result in the loss of 340,000 jobs nationwide and cost Tennessee companies \$530 million.

My support for the omnibus bill does not change my position on this issue, and I will continue to push for the passage of strong bipartisan legislation that will overturn the terrible Boiler MACT regulation and find a better way to accomplish the pollution reductions that are needed.

Mr. LEVIN. Mr. President, I wish to comment on two specific issues regarding the conference report to H.R. 2055, the omnibus spending measure before us.

First, I am pleased that the conference report includes \$22 million for the Facility for Rare Isotope Beams, or FRIB, at Michigan State University. While this is less than the amount in the administration's budget request, it is a clear endorsement by Congress to move forward with this facility.

FRIB is critical to maintaining America's worldwide preeminence in nuclear physics and a major component of Michigan's economic future. MSU has solid and well-known expertise in

the field of rare isotopes and nuclear physics. It has the largest nuclear physics faculty in the Nation and a nuclear physics graduate program ranked No. 1 in the country. Those were some of the reasons it was selected by the Department of Energy for design, construction, and operation of FRIB after an extensive competition over a multiyear period.

I am encouraged that particularly in these difficult budget times the Congress has endorsed the importance of this facility. Second, I would point to another critical component of my State's economic future, the Great Lakes.

I am disappointed that Great Lakes Restoration Initiative funding has been reduced from the originally planned funding levels. I am relieved, however, that \$300 million is included in the conference report, \$50 million more than the amount in the House bill.

The conference report includes two important provisions related to Asian carp and other invasive species that present significant threats to the Great Lakes. The conference report includes a provision I have requested authorizing the Army Corps of Engineers to implement emergency measures to prevent Asian carp and other invasive species from entering the Great Lakes. Also welcome is an increase of about \$5 million in funding to operate electric dispersal barriers designed to prevent these fish from entering the Great Lakes, bringing funding for the barriers to \$23.6 million. The conference report also includes about \$3 million to continue study of possible separation of the Great Lakes from the Mississippi River watershed, which would significantly reduce risk to the Great Lakes from Asian carp. I will continue to work with colleagues to urge the Army Corps to accelerate this study.

I am disappointed that projects enabling Great Lakes harbor dredging continue to receive reduced funding. The conference report acknowledges that funding levels are inadequate to meet existing needs. I welcome the conferees' decision to include an additional \$173 million in funding for navigation projects nationwide, and I will work to ensure that the Great Lakes, which face a substantial backlog of dredging and other operations and maintenance needs, receive a share of this funding consistent with the high level of need.

Mr. COCHRAN. Mr. President, I rise in support of both the omnibus appropriations bill and the bill to provide funds for disaster relief. They have been approved by the other body by overwhelming, bipartisan votes. I urge the Senate to approve these bills.

They fully comply with the requirements of the Budget Control Act. Together with appropriations bills already enacted, the omnibus brings appropriations for the basic operations of government to the \$1.043 trillion level established in the Act. The disaster bill provides an additional \$8 billion for

disaster relief in response to the floods, tornados and hurricanes that plagued much of the country during the spring and summer months. These funds are within the limits established in the BCA specifically for disaster relief. Total discretionary spending carried in all of the fiscal year 2012 appropriations bills will be \$31 billion below last year's level.

Within the omnibus there are many adjustments in funding levels for individual programs. The bill increases the base budget for the Department of Defense by \$5 billion. It provides increases for border security, nuclear weapons modernization, the National Institutes of Health, and veterans medical care. The bill maintains the maximum Pell grant award at its current level, but pays for that with a series of needed reforms.

The bill reduces funding for the National Labor Relations Board, the Environmental Protection Agency, FEMA grants, and the Election Assistance Commission. It cuts the Independent Payment Advisory Board and the co-op program created in the health care bill. It zeroes out funding for energy credit subsidies. It eliminates 22 programs in the Labor-HHS chapter for a savings of a quarter of a billion dollars.

This conference report also carries a number of policy provisions that are important to members on my side of the aisle. These include limitations on funding for needle exchange programs and certain Department of Labor regulations. There is language to maintain a balanced permitting process for grazing on Federal lands, construction of logging roads, and domestic oil and gas production.

I sincerely wish that it were not necessary to act on an omnibus bill. I prefer that all Members have the opportunity to consider, amend, and vote on appropriations bills individually.

The Appropriations Committee has consistently produced bills in a timely manner for consideration in the Senate and in the House, but we are sometimes unable to advance bills to the floor due to circumstances beyond our control. This year, our efforts were complicated greatly by the absence of a budget resolution and a protracted, summer-long battle over the debt ceiling bill.

Many members on my side of the aisle have decried the fact that it has been nearly 1,000 days since the Senate last approved a budget resolution. That criticism is absolutely valid. It is deplorable that at a time of fiscal crisis we have not adopted a comprehensive budget in so long.

What we do have, however, is a budget for discretionary spending that was laid out in the Budget Control Act. That Act included caps that lock in recent cuts in discretionary spending and hold future discretionary growth below the rate of inflation.

The Appropriations Committee did not write the Budget Control Act. Some members of our committee voted

for it, some against. But 74 members of the Senate did vote for it, including a majority of members on both sides of the aisle. That is more votes than I can recall any budget resolution ever receiving.

So now it is time to implement the Budget Control Act through the enactment of the remaining fiscal year 2012 appropriations bills. A bipartisan, bicameral agreement has been reached. There is no money to be saved by resorting to a year-long Continuing Resolution. It would be an omnibus bill itself, and would result in overspending in some areas and underinvestment in others.

I am pleased to have worked with Chairman INOUE, our committee members, and the conferees in the other body to negotiate this legislation.

The Senate did not win every argument with the other body. But this conference report is a fair compromise with many positive features, and it is consistent with the guidance in the Budget Control Act. I hope that it will be a stepping stone toward the more timely and measured consideration of appropriations bills in the future.

I urge my colleagues to support the conference report and the disaster relief bill.

Mr. REED. Mr. President, as chairman of the Interior, Environment, and Related Agencies Subcommittee, I would like to take a few moments to highlight some of the provisions of the Interior division of the Consolidated Appropriations Act for fiscal year 2012.

The subcommittee's conference allocation totaled \$29.175 billion. Although the Interior Subcommittee received a fair allocation, that number nevertheless represents a real cut of approximately 4 percent below the commensurate 2011 funding level. Despite the size of the cut, overall we were still able to fund critically needed infrastructure that will provide jobs for thousands of Americans in every State in our Nation.

Let me start with the Environmental Protection Agency, EPA. The conference report contains \$8.5 billion in new budget authority. That is a reduction of approximately 3.5 percent below the equivalent 2011 level, but still a significant investment in our scientific research capabilities, our environmental programs, and critically needed water and sewer infrastructure.

Included in the funding for EPA is \$1.4 billion for the Clean Water State Revolving Fund and \$919 million for the Drinking Water State Revolving Fund. Combined, this is nearly \$800 million more than was initially provided by the House. The investments we are making in the clean water fund will lead to the start of approximately 473 new wastewater projects nationwide and will put more than 81,000 Americans to work when combined with State matching funds. In addition, the funding provided for the drinking water fund translates into 353

new drinking water projects nationwide and more than 50,000 jobs all across the country when combined with State matching funds.

This is a tremendous economic boost for every State in the Nation and one that I am pleased that we could deliver. In addition to the funding, we have ensured that Davis-Bacon wage protections will be permanently applied to the use of these funds.

No less important than the EPA are the land management agencies that account for the majority of the Interior bill. The conference report provides \$5.9 billion for basic operational expenses for the National Park Service, the Fish and Wildlife Service, the Forest Service, and the Bureau of Land Management. That amount is virtually identical to the 2011 enacted level and ensures that each of those agencies will be able to continue to operate and maintain their facilities as the American people expect.

The conference agreement includes \$197.5 million for the new Bureau of Safety and Environmental Enforcement. Included in this amount is an additional \$62 million for offshore oil and gas inspections that will be available from inspection fees assessed to the industry, which is appropriate given the tremendous profits generated by the industry.

The conference report also provides \$322 million for the protection of land and other environmentally sensitive areas through the Land and Water Conservation Fund. This represents an increase of 7 percent over the current enacted level.

For Native Americans, the bill provides \$6.8 billion to help improve the quality and accessibility of education, health care, and law enforcement programs for some of this Nation's most vulnerable populations. Included in that amount is \$3.8 billion for Indian health services, an increase of more than 5 percent over last year. These funds will allow those in Indian Country to receive the necessary care they deserve and will go a long way toward stemming the crisis in health care.

The conference report provides more than \$1.3 billion for our cultural and arts agencies, including \$146 million for each of the National Endowment for the Arts and Humanities; \$811 million for the Smithsonian Institution, including funding to begin construction of the African-American History and Culture Museum; and \$36 million for the Kennedy Center.

All in all, this bill represents sound investments in the scientific, natural, and cultural resources that come under the jurisdiction of this subcommittee. Given resources at hand, not everyone will be satisfied, but I am confident that we have made wise funding decisions that will maximize our limited dollars.

It is also important to note what is not included in the conference report.

It is no secret that the Interior and Environment appropriations bill at-

tracted more than its fair share of legislative riders that were designed to prohibit the EPA, and in some cases the Department of the Interior, from undertaking their responsibilities to protect public health and our natural resources. The bill that was considered by the House this summer was replete with riders that do not belong in an appropriations measure. This bill has eliminated or modified these legislative proposals so that agencies can continue to function effectively.

Finally, I wish to thank the subcommittee's ranking member, Senator MURKOWSKI, for all the assistance she provided throughout our conference negotiations with the House. She has provided invaluable assistance to me this year because of her unique insights into the issues that are central to this bill. I sincerely appreciate having had the benefit of her thoughts. I also want to commend and thank the staff of the Interior Subcommittee—Peter

Kiefhaber, Virginia James, Rachael Taylor, and Ryan Hunt of the majority staff and Leif Fannesbeck of the minority staff—for their work, service, and sacrifice.

I also want to comment on a few items in the other divisions of this conference report. My colleagues who led the negotiations on these parts of the bill also faced enormous challenges in reaching agreement with the House, and I commend them for their efforts under difficult circumstances.

With respect to Labor, Health and Human Services, HHS, and Education, I am pleased that the conference report maintains the maximum Pell grant at \$5,550 and continues funding the campus-based aid programs at last year's levels. Absent this Federal student aid, millions of Americans would not be able to afford college. Unfortunately, in order to maintain the maximum grant, tough sacrifices were made. The conference report rolls back provisions that I fought for to make the financial aid process easier and more substantial for families with modest incomes. Among other things, the conference report lowers the annual income threshold to automatically qualify for the maximum grant from \$30,000 to \$23,000. While I believe it is important to maintain support for the maximum Pell grant, I am troubled by the hurdles being erected to qualify for this assistance.

I am pleased that the conference agreement includes \$28.7 million for literacy and school library programs. I want to thank Chairman HARKIN, Vice Chairman COCHRAN, as well as Senators GRASSLEY, STABENOW, WICKER, and SNOWE, who have worked with me to maintain Federal investments in these programs because they recognize that literacy remains at the core of academic achievement for all children and is a strong indicator for long-term success and opportunity. The conference report also provides \$3.48 billion for the Low-Income Home Energy Assistance Program, LIHEAP. While that level is

\$900 million more than the President's request, it nonetheless represents a \$1.2 billion or 25-percent cut for the main Federal program that assists low-income households with their energy bills.

Given the high price of energy, dropping winter temperatures, and the tough economy, I hope that we can revisit this issue. To that end, I have been joined by Senators SNOWE and SANDERS and other colleagues in introducing the LIHEAP Protection Act, which would maintain level funding for the LIHEAP at last year's level of \$4.7 billion. We are urging leadership to bring up this bill soon so Congress can take prompt action to fully restore this funding.

Finally, the Labor, HHS, and Education division of the conference report includes nearly \$560 million, a \$34 million increase, for States to purchase immunizations for the uninsured and underinsured. I strongly support this wise investment since every dollar invested in the seven recommended pediatric vaccines saves \$16.50 in direct and indirect health care costs.

Under the Energy and Water division, I am pleased that the bill increases the funding for the Army Corp's Continuing Authorities Program from the levels provided by the Senate and the House. I want to thank and commend Chairman FEINSTEIN for working to boost the Section 205 flood control program from \$5 million to more than \$18.7 million.

As with LIHEAP, the Weatherization Assistance Program, WAP, which helps low-income families improve the energy efficiency of their homes and saves each participant an estimated \$437 annually in energy costs, experienced a significant reduction from the fiscal year 2011 level, dropping 61 percent from \$174 million to \$68 million. This is the lowest funding level since 1978, the year after the program's inception in 1977, and I hope that next year we can begin to restore this funding.

The Financial Services and General Government division carries funding for the Securities and Exchange Commission, SEC, and other financial regulators. I know that Chairman DURBIN shares my concern and frustration over the efforts of House Republicans to deprive these regulators of the authority and funding to oversee financial markets.

Regrettably, the conference report cuts SEC funding by \$86 million from the administration's request and the Senate-passed appropriations bill. In addition, the conference report rescinds \$25 million from an SEC reserve fund that Senator SHELBY and I created outside of the appropriations process in order to ensure that the SEC would always have access to the funds it needs for technology and long-term funding needs. These cuts were made despite the fact that the SEC's budget is completely paid for by fees it collects on the securities industry and is off-bud-

et. In other words, decreasing the SEC's funding has no effect on our budget deficit; it only serves to hamstring the SEC and to slow implementation of the Wall Street Reform Act.

I do want to acknowledge the fact that while the conference report does not add resources to what was provided under the Commodity Futures Trading Commission, CFTC, under the Agriculture Appropriations Act, it does grant CFTC limit transfer authority so that it will not have to lay off personnel. This is not enough to make the CFTC the cop on the beat we need it to be, but it is a critical change.

As the months pass and the financial crisis of 2008 seems further away, we should not and cannot forget that the failure to effectively regulate the financial sector came at tremendous cost to the average American. We must remind ourselves of why we passed the Wall Street Reform Act, and why it needs to be robustly funded, so that we never have to endure such staggering costs again.

In conclusion, Mr. President, the conference report we are voting on is far from perfect, but recognizing the limited resources available and the challenge of negotiating with the House, it is a reasonable agreement.

Mr. CONRAD. Mr. President, I rise to offer for the record the Budget Committee's official scoring of H.R. 2055, the Consolidated Appropriations Act, 2012, and H.R. 3672, the Disaster Relief Appropriations Act, 2012.

H.R. 2055 includes the conference report to accompany Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012, as well as legislation for the eight remaining appropriations bills. H.R. 3672 provides disaster relief funding and additional program integrity funding.

H.R. 2055 is divided into nine divisions, one for each of the appropriations bills it contains. Each division will be considered separately for budget enforcement purposes.

Each of the divisions of H.R. 2055 is within its respective subcommittee's allocation for budget authority and outlays. The bill is within security and nonsecurity budget authority limits established by the Budget Control Act.

In addition to regular funding, H.R. 2055 includes \$126.5 billion that has been designated as being for Overseas Contingency Operations. H.R. 3672 includes \$8.1 billion in funding designated as being for disaster relief and \$483 million in additional program integrity funding. Pursuant to section 106(d) of the Budget Control Act, an adjustment to the Appropriations Committee's 302(a) allocation and to budgetary aggregates has been made for these amounts in budget authority and for the outlays flowing therefrom.

Section 1401 of Division G of H.R. 2055, Legislative Branch Appropriations Act, 2012, makes a change to a mandatory program that results in an increase in direct spending in years following the budget year, 2013-2021. This

provision is subject to a point of order established by Section 314 of the 2009 Budget Resolution. H.R. 2055 is not subject to any other budget points of order.

H.R. 3672 is not subject to any budget points of order.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

H.R. 2055, CONSOLIDATED APPROPRIATIONS ACT, 2012,
AND H.R. 3672, DISASTER RELIEF APPROPRIATIONS
ACT, 2012

[Spending comparisons—Conference-Report (in millions of dollars)]

	Security	Non-Security	Total
Division A: Department of Defense Appropriations Act, 2012			
Conference-Report:			
Budget Authority	633,229	0	633,229
Outlays	647,602	10	647,612
Senate 302(b) Allocation:			
Budget Authority	633,230	0	—
Outlays	—	—	654,737
Division A Compared To Senate 302(b) allocation:			
Budget Authority	-1	0	—
Outlays	—	—	-7,125
Division B: Energy and Water Development and Related Agencies Appropriations Act, 2012			
Conference-Report: 1			
Budget Authority	11,000	22,734	33,734
Outlays	11,146	35,276	46,422
Senate 302(b) Allocation:			
Budget Authority	11,000	22,734	—
Outlays	—	—	46,522
Division B Compared To Senate 302(b) allocation:			
Budget Authority	0	0	—
Outlays	—	—	-100
Division C: Financial Services and General Government Appropriations Act, 2012			
Conference-Report:			
Budget Authority	0	19,526	19,526
Outlays	0	23,735	23,735
Senate 302(b) Allocation:			
Budget Authority	0	21,526	—
Outlays	—	—	25,735
Division C Compared To Senate 302(b) allocation: 2			
Budget Authority	0	-2,000	—
Outlays	—	—	-2,000
Division D: Departments of Homeland Security Appropriations Act, 2012			
Conference-Report: 1			
Budget Authority	46,258	0	46,258
Outlays	45,360	0	45,360
Senate 302(b) Allocation:			
Budget Authority	46,258	0	—
Outlays	—	—	45,360
Division D Compared To Senate 302(b) allocation:			
Budget Authority	0	0	—
Outlays	—	—	0
Division E: Department of Interior and Related Agencies Appropriations Act, 2012			
Conference-Report:			
Budget Authority	0	29,175	29,175
Outlays	0	30,866	30,866
Senate 302(b) Allocation:			
Budget Authority	0	29,175	—
Outlays	—	—	30,866
Division E Compared To Senate 302(b) allocation:			
Budget Authority	0	0	—
Outlays	—	—	0
Division F: Departments of Labor, Health and Human Services, Education and Related Agencies Appropriations Act, 2012			
Conference-Report: 3			
Budget Authority	0	156,767	156,767
Outlays	0	179,569	179,569
Senate 302(b) Allocation:			
Budget Authority	0	156,767	—
Outlays	—	—	179,569
Division F Compared To Senate 302(b) allocation:			
Budget Authority	0	0	—
Outlays	—	—	0
Division G: Legislative Branch Appropriations Act, 2012			
Conference-Report:			
Budget Authority	10	4,297	4,307

H.R. 2055, CONSOLIDATED APPROPRIATIONS ACT, 2012, AND H.R. 3672, DISASTER RELIEF APPROPRIATIONS ACT, 2012—Continued

[Spending comparisons—Conference-Report (in millions of dollars)]

	Security	Non-Security	Total
Outlays	10	4,326	4,336
Senate 302(b) Allocation:			
Budget Authority	10	4,297	—
Outlays	—	—	4,336
Division G Compared To:			
Senate 302(b) allocation:			
Budget Authority	0	0	—
Outlays	—	—	0
Division H: Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012			
Conference-Report:			
Budget Authority	71,511	236	71,747
Outlays	78,125	289	78,414
Senate 302(b) Allocation:			
Budget Authority	71,511	236	—
Outlays	—	—	78,414
Division I Compared To:			
Senate 302(b) allocation:			
Budget Authority	0	0	—
Outlays	—	—	0
Division I: Department of State, Foreign Operations and Related Programs Appropriations Act, 2012			
Conference-Report:			
Budget Authority	53,207	136	53,343
Outlays	52,681	199	52,880
Senate 302(b) Allocation:			
Budget Authority	53,207	136	—
Outlays	—	—	52,880
Division I Compared To:			
Senate 302(b) allocation:			
Budget Authority	0	0	—
Outlays	—	—	0

¹Total includes disaster relief funding provided in H.R. 3672.
²P.L. 112-33. Continuing Appropriations Act, 2012, delayed a statutory requirement for the Postal Service to make a payment to the Postal Service Retiree Health Benefit Fund. Because the payment was originally required in 2011, the provision scores as \$2 billion in on-budget savings for 2012.
³Total includes program integrity funding provided in H.R. 3672.

DISASTER RELIEF APPROPRIATIONS ACT, 2012

CORRECTING THE ENROLLMENT OF H.R. 3672

The ACTING PRESIDENT pro tempore. Under the previous order, the conference report is temporarily set aside, and the Senate will proceed to the consideration of H.R. 3672 and H. Con. Res. 94, en bloc, which the clerk will report.

The assistant legislative clerk read as follows:

H. Con. Res. 94, a concurrent resolution directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 3672.

Mr. REID. Mr. President, is there any time remaining?

The ACTING PRESIDENT pro tempore. There is 2 minutes equally divided.

Mr. REID. I yield back on this side. The ACTING PRESIDENT pro tempore. Who yields time?

Mr. McCONNELL. I yield back. Mr. REID. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on passage of the bill. The clerk will call the roll.

The legislative clerk called the roll. Mr. KYL. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

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

The result was announced—yeas 72, nays 27, as follows:

[Rollcall Vote No. 233 Leg.]

YEAS—72

- Akaka
- Alexander
- Baucus
- Begich
- Bennet
- Bingaman
- Blumenthal
- Blunt
- Boozman
- Boxer
- Brown (MA)
- Brown (OH)
- Cantwell
- Cardin
- Carper
- Casey
- Cochran
- Collins
- Conrad
- Coons
- Durbin
- Feinstein
- Franken
- Gillibrand
- Hagan
- Harkin
- Heller
- Hoeven
- Hutchison
- Inouye
- Johanns
- Johnson (SD)
- Kerry
- Klobuchar
- Kohl
- Landrieu
- Lautenberg
- Leahy
- Levin
- Lieberman
- Manchin
- McCaskill
- Menendez
- Merkley
- Mikulski
- Moran
- Murkowski
- Murray
- Nelson (NE)
- Nelson (FL)
- Pryor
- Reed
- Reid
- Roberts
- Rockefeller
- Rubio
- Sanders
- Schumer
- Sessions
- Shaheen
- Shelby
- Snowe
- Stabenow
- Tester
- Udall (CO)
- Udall (NM)
- Vitter
- Warner
- Webb
- Whitehouse
- Wicker
- Wyden

NAYS—27

- Ayotte
- Barrasso
- Burr
- Chambliss
- Coats
- Coburn
- Corker
- Cornyn
- Crapo
- DeMint
- Enzi
- Graham
- Graessley
- Hatch
- Inhofe
- Isakson
- Johnson (WI)
- Kirk
- Kyl
- Lee
- Lugar
- McCain
- McConnell
- Portman
- Risch
- Thune
- Toomey

NOT VOTING—1

- Paul

The bill (H.R. 3672) was passed. The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on H. Con. Res. 94.

Mr. REID. Mr. President, I ask unanimous consent that the Senator from Louisiana be given 2 minutes, and the same on the other side.

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

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I will be as brief as I can, but I ask the Members to reject the House resolution that is before us. I ask Republicans and Democrats to reject the amendment that is before us. It is unnecessary and it violates the Budget Control Act.

We just had a very strong vote—72 Members voted to fund relief for victims of disaster as we struggle to rebuild communities from Vermont to Missouri to the west coast that have been devastated by unprecedented disasters. The weather service just indicated that we had over 12 disasters this year of over \$1 billion each.

Defeat the resolution. It violates the Budget Act, and it sets a disruptive and dangerous precedent for forcing us to fund disasters in the years they occur. It will cut education, transportation, and discretionary programs unnecessarily and in violation of the Budget Control Act.

I thank the Members. Please vote no. The PRESIDING OFFICER. The Senate will be in order.

Who yields time? Is there no time in opposition?

Ms. LANDRIEU. Waive and vote. Vote?

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the concurrent resolution.

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll. The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

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

The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 234 Leg.]

YEAS—43

- Ayotte
- Barrasso
- Blunt
- Boozman
- Burr
- Chambliss
- Coats
- Coburn
- Cochran
- Corker
- Cornyn
- Crapo
- DeMint
- Enzi
- Graham
- Graessley
- Heller
- Hoeven
- Hutchison
- Inhofe
- Isakson
- Johanns
- Johnson (WI)
- Kirk
- Kyl
- Lee
- Lugar
- McCain
- McConnell
- Moran
- Murkowski
- Nelson (NE)
- Portman
- Risch
- Roberts
- Rubio
- Sessions
- Shelby
- Snowe
- Thune
- Toomey
- Vitter
- Wicker

NAYS—56

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

NOT VOTING—1

- Paul

The PRESIDING OFFICER. On this vote the yeas are 43, the nays are 56. Under the previous order requiring 60 votes for the adoption of the amendment, the amendment is rejected.

COMMEMORATING AND HONORING THE SERVICE AND SACRIFICE OF MEMBERS OF THE UNITED STATES ARMED FORCES AND THEIR FAMILIES AS THE OFFICIAL COMBAT MISSION IN IRAQ DRAWS TO A CLOSE

Mr. WHITEHOUSE. Mr. President, in the Senate we come at the war in Iraq from many different points of view, but in one respect I believe we are united and unanimous, and that is an appreciation for our troops who fought and bled and died in Iraq. So before we return to our home States, I ask unanimous consent that we proceed to the immediate consideration of S. Res. 349, a resolution commemorating and honoring the service and sacrifice of members of the United States Armed Forces who served in Iraq, and their families, and we do so as a unified Senate.