

on the outcome of criminal or civil court proceedings; and seeking to impact one's personal credibility in a political campaign. There are others, but those are clearly tangible benefits that come from stating that one served in the military when one did not.

The journey of this Stolen Valor legislation begins with one individual whom I have known for a very long time. His name is Jug Burkett. He was a Vietnam veteran, like myself. He grew up in the military. His father had a career in the military. He identified this problem many years ago and looked at the impact of those who had claimed to have served or who had claimed to have served in areas where they did not on all the areas I just mentioned.

He wrote a book many years called "Stolen Valor." He had quite a journey with this book and has pursued the issue of honesty and integrity in our legal process and in other ways. It was largely because of Jug Burkett's effort that the Stolen Valor Act was passed in 2006.

I do not believe the Supreme Court decision in any way invalidates the concerns Jug Burkett and others have had. In fact, I think what we are doing with this legislation is to make sure proper concerns are laid out without being overly broad so that any words said in a bar room or someone sitting around personally is not going to have legal authorities measuring every single word anyone says.

We have designed this very specifically with respect to the concerns the Supreme Court laid out. I may be offering this bill as an amendment to the National Defense Authorization Act. My hope is this amended language could gain the support of all of our colleagues and that we could move this bill quickly, perhaps as an independent bill.

This bill respects the first amendment. It respects military service, and it assures a special place in our society that has always been reserved for those who have stepped forward and gone into harm's way on our behalf.

By Mrs. BOXER:

S. 3375. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the Berryessa Snow Mountain National Conservation Area Act. Congressman MIKE THOMPSON recently introduced companion legislation to this bill in the House of Representatives, and I thank him for all of the work he has done on advancing this initiative.

This important legislation designates 319,000 acres of public lands in Lake, Mendocino, Napa, and Yolo Counties as the Berryessa Snow Mountain National Conservation Area, or NCA. The area is a haven for hiking, camping, rafting,

and horseback riding, and is home to a diverse array of wildlife including black bears and bald eagles.

My bill does not add any new lands to the Federal Government—the lands included in this NCA are already managed by the Bureau of Land Management, the Bureau of Reclamation, and the U.S. Forest Service. A National Conservation Area designation will require these three agencies to develop a multi-agency management plan in consultation with stakeholders and the public, improving coordination on wildlife preservation, habitat restoration, and recreational opportunities. Creation of the NCA will also help the agencies take a more coordinated approach to preventing and fighting wildfires, combating invasive species and water pollution, and stopping the spread of illegal marijuana growth.

By unifying these individual places under one banner, my bill helps put the Berryessa Snow Mountain region on the map as a destination for new visitors. This region is one of the most biologically diverse, yet least known regions of California. By raising its profile, an NCA designation will boost tourism and increase business opportunities in the region's gateway communities. The Outdoor Industry Association has estimated that outdoor recreation supports 408,000 jobs and contributes \$46 billion annually to California's economy, underscoring the immense potential of sites such as the proposed Berryessa Snow Mountain NCA to drive local economic growth. Additionally, the region will become recognized by more people as uniform signage and publications are created to reach more diverse audiences, allowing them to learn more about this beautiful area.

Finally, this designation enables more people to share in the management of these wonderful resources through the creation of a public advisory committee. Local citizens, outdoor enthusiasts, business owners, and other stakeholders will be granted an official avenue to provide input on how to best care for these beautiful rivers, ridges, forests, canyons, and creeks, along with their diverse plant and wildlife species.

Creation of this proposed National Conservation Area has strong support from a large coalition of local governments, elected officials, business owners, landowners, farmers, private individuals, and many conservation and recreation groups. This bill is the culmination of a grassroots effort of concerned citizens taking the initiative to care for the beautiful areas in their communities, and I am proud to support their work and commitment. I particularly applaud Tuleyome, a local nonprofit active in protecting wilderness and agriculture in the western Sacramento Valley and Inner Coast Range, for their leadership on this effort.

I look forward to working with my colleagues to pass this important legislation. The Berryessa Snow Mountain

region deserves national status and recognition, and I urge my colleagues to join me in supporting this effort.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2508. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table.

SA 2509. Mr. HATCH (for himself, Mr. BROWN of Massachusetts, Mr. TOOMEY, Mr. RISCH, Mr. PORTMAN, Mr. ROBERTS, Mr. ISAKSON, Mr. JOHANNIS, Mr. COATS, Mr. KIRK, Ms. COLLINS, Mrs. HUTCHISON, Mr. KYL, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. BURR, Ms. AYOTTE, Mr. RUBIO, Mr. LUGAR, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, Mr. ALEXANDER, Mr. HELLER, Mr. BOOZMAN, Mr. GRAHAM, Mr. HOEVEN, Mr. THUNE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2510. Mr. HATCH (for himself, Mr. JOHANNIS, Mr. RISCH, Mr. PORTMAN, Mr. ROBERTS, Mr. ISAKSON, Mr. COATS, Mr. KIRK, Ms. COLLINS, Mrs. HUTCHISON, Mr. KYL, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. BURR, Mr. COCHRAN, Mr. RUBIO, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, Mr. ALEXANDER, Mr. HELLER, Mr. BOOZMAN, Mr. GRAHAM, Mr. HOEVEN, Mr. THUNE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2511. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2512. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2513. Mr. BROWN of Ohio (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2514. Mr. THUNE (for himself, Mr. ROBERTS, Mr. BLUNT, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2515. Mr. BENNET (for himself, Mr. MORAN, Mr. UDALL of Colorado, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2516. Mr. FRANKEN (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2517. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2518. Mr. THUNE (for himself, Mr. RUBIO, Mr. GRAHAM, and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2519. Mr. WHITEHOUSE (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2520. Mr. BENNET (for himself, Mr. MORAN, Mr. UDALL of Colorado, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2521. Mr. REID (for Ms. LANDRIEU) proposed an amendment to the bill S. 2237, supra.

SA 2522. Mr. REID proposed an amendment to amendment SA 2521 proposed by Mr. REID (for Ms. LANDRIEU) to the bill S. 2237, supra.

SA 2523. Mr. REID proposed an amendment to amendment SA 2522 proposed by Mr. REID to the amendment SA 2521 proposed by Mr. REID (for Ms. LANDRIEU) to the bill S. 2237, supra.

SA 2524. Mr. REID proposed an amendment to the bill S. 2237, supra.

SA 2525. Mr. REID proposed an amendment to amendment SA 2524 proposed by Mr. REID to the bill S. 2237, supra.

SA 2526. Mr. REID proposed an amendment to the bill S. 2237, supra.

SA 2527. Mr. REID proposed an amendment to amendment SA 2526 proposed by Mr. REID to the bill S. 2237, supra.

SA 2528. Mr. REID proposed an amendment to amendment SA 2527 proposed by Mr. REID to the amendment SA 2526 proposed by Mr. REID to the bill S. 2237, supra.

SA 2529. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2530. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

SA 2531. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2237, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2508.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **SEC. \_\_\_\_ . POINT OF ORDER ON LEGISLATION THAT RAISES INCOME TAX RATES ON SMALL BUSINESSES.**

(a) POINT OF ORDER.—

(1) IN GENERAL.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that includes any provision which increases Federal income tax rates.

(2) DEFINITION.—In this section, the term “Federal income tax rates” means any rate of tax under—

(A) subsection (a), (b), (c), (d), or (e) of section 1 of the Internal Revenue Code of 1986,

(B) section 11(b) of such Code, or

(C) section 55(b) of such Code.

(b) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

**SA 2509.** Mr. HATCH (for himself, Mr. BROWN of Massachusetts, Mr. TOOMEY, Mr. RISCH, Mr. PORTMAN, Mr. ROBERTS, Mr. ISAKSON, Mr. JOHANNIS, Mr. COATS, Mr. KIRK, Ms. COLLINS, Mrs. HUTCHINSON, Mr. KYL, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. BURR, Ms. AYOTTE, Mr. RUBIO, Mr. LUGAR, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, Mr. ALEXANDER, Mr. HELLER, Mr. BOOZMAN, Mr. GRAHAM, Mr. HOEVEN, Mr. THUNE, and Mr. WICKER) submitted an amend-

ment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

#### **1. REPEAL OF MEDICAL DEVICE EXCISE TAX.**

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 4221 of such Code is amended by striking the last sentence.

(2) Paragraph (2) of section 6416(b) of such Code is amended by striking the last sentence.

(c) CLERICAL AMENDMENT.—The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E.

**SA 2510.** Mr. HATCH (for himself, Mr. JOHANNIS, Mr. RISCH, Mr. PORTMAN, Mr. ROBERTS, Mr. ISAKSON, Mr. COATS, Mr. KIRK, Ms. COLLINS, Mrs. HUTCHINSON, Mr. KYL, Mr. BARRASSO, Mr. MCCAIN, Mr. COBURN, Mr. BURR, Mr. COCHRAN, Mr. RUBIO, Mr. CRAPO, Mr. CORNYN, Mr. INHOFE, Mr. ALEXANDER, Mr. HELLER, Mr. BOOZMAN, Mr. GRAHAM, Mr. HOEVEN, Mr. THUNE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

#### **1. REPEAL OF TAX ON INDIVIDUALS WHO FAIL TO MAINTAIN MINIMUM ESSENTIAL COVERAGE.**

Section 5000A of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(h) TERMINATION.—This section shall not apply with respect to any month beginning after the date of the enactment of this subsection.”.

**SA 2511.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2237, to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **TITLE II—GRAZING IMPROVEMENT ACT OF 2012**

##### **SEC. 201. SHORT TITLE.**

This title may be cited as the “Grazing Improvement Act of 2012”.

##### **SEC. 202. TERMS OF GRAZING PERMITS AND LEASES.**

Section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752) is amended—

(1) by striking “ten years” each place it appears and inserting “20 years”; and

(2) in subsection (b)—

(A) by striking “or” at the end of each of paragraphs (1) and (2);

(B) in paragraph (3), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) the initial environmental analysis under National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) regarding a grazing allotment, permit, or lease has not been completed.”.

##### **SEC. 203. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.**

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding at the end the following:

##### **“SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.**

“(a) DEFINITIONS.—In this section:

“(1) CURRENT GRAZING MANAGEMENT.—The term ‘current grazing management’ means grazing in accordance with the terms and conditions of an existing permit or lease and includes any modifications that are consistent with an applicable Department of Interior resource management plan or Department of Agriculture land use plan.

“(2) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(A) the Secretary of Agriculture, with respect to National Forest System land; and

“(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Department of the Interior.

“(b) RENEWAL, TRANSFER, REISSUANCE, AND PENDING PROCESSING.—A grazing permit or lease issued by the Secretary of the Interior, or a grazing permit issued by the Secretary of Agriculture regarding National Forest System land, that expires, is transferred, or is waived shall be renewed or reissued under, as appropriate—

“(1) section 402;

“(2) section 19 of the Act of April 24, 1950 (commonly known as the ‘Granger-Thye Act’; 16 U.S.C. 5801);

“(3) title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or

“(4) section 510 the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–50).

“(c) TERMS; CONDITIONS.—The terms and conditions (except the termination date) contained in an expired, transferred, or waived permit or lease described in subsection (b) shall continue in effect under a renewed or reissued permit or lease until the date on which the Secretary concerned completes the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, in compliance with each applicable law.

“(d) CANCELLATION; SUSPENSION; MODIFICATION.—Notwithstanding subsection (c), a permit or lease described in subsection (b) may be cancelled, suspended, or modified in accordance with applicable law.

“(e) RENEWAL TRANSFER REISSUANCE AFTER PROCESSING.—When the Secretary concerned has completed the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, the Secretary concerned may renew or reissue the permit or lease for a term of 20 years after completion of processing.

“(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—The renewal, reissuance, or transfer of a grazing permit or lease by the Secretary concerned may, at their sole discretion, be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement if—

“(1) the decision to renew, reissue, or transfer continues the current grazing management of the allotment;

“(2) monitoring of the allotment has indicated that the current grazing management has met, or has satisfactorily progressed towards meeting, objectives contained in the