

operations, the Administration will be retiring a score or more of modern combat ships (cruisers and amphibious vessels and frigates) well before their useful life. In order to reach a 350-ship fleet in our lifetime, we would need to increase shipbuilding to an average of 15 ships every year. The latest budget the administration has advanced proposes buying just 41 ships over five years. It is anything but certain that the administration's budgets will sustain even that rate of only eight ships per year, but even if they do, the United States is headed for a Navy of 240–250 ships at best.

So how is the Obama administration getting to a 300-ship Navy? It projects a huge increase in naval shipbuilding beginning years down the road, most of which would come after a second Obama term. In other words, the administration is radically cutting the size and strength of the Navy now, while trying to avoid accountability by assuming that a future president will find the means to fix the problem in the future.

This compromises our national security. The Navy is the foundation of America's economic and political presence in the world. Other nations, like China, Russia, North Korea and Iran, are watching what we do—and on the basis of the evidence, they are undoubtedly concluding that America is declining in power and resolution. Russia and China have each embarked on ambitious and enormously expensive naval buildups with weapons designed specifically against American carriers and submarines.

WHAT SHOULD THE COMMITTEE DO?

I urge the committee to step up to the challenge of the current crisis just as its former leader Carl Vinson did. That does not just mean adding money and ships to the Administration's request. It means instead providing a new framework of debate based on a sound and simple strategy just as Vinson did. It means focusing the Debate on those key issues where legislation can be determinant.

The current fiscal crisis should be harnessed as a catalyst to enable the undertaking of deep changes.

The two highest priorities for the Committee should be fundamentally changing the disastrous systemic dysfunction of the DoD procurement process, and completely re-setting the military compensation system.

PROCUREMENT

The Department of Defense acquisition process is seriously broken. Under the current system, it takes decades, not years, to develop and field weapons systems. Even worse, an increasing number of acquisition programs are plagued by cost over runs, schedule slips and failures to perform. The many horror stories like the F-35, the Air Force tanker scandal, the Navy shipbuilding failures and the Army armor disasters are only the visible tip of an iceberg. The major cause has been unbridled bureaucratic bloat (e.g. 690,000 DoD civilians, 250 uniformed Joint task forces) resulting in complete loss of line authority and accountability. As the House Armed Services Committee formally concluded:

"Simply put, the Department of Defense acquisition process is broken. The ability of the Department to conduct the large scale acquisitions required to ensure our future national security is a concern of the committee. The rising costs and lengthening schedules of major defense acquisition programs lead to more expensive platforms fielded with fewer numbers."

That is, of course, an understatement. We are really engaged in a form of unilateral disarmament through runaway costs. Unless the acquisition system is fixed it will soon be

impossible to maintain a military of sufficient size and sophistication with which to secure our liberties and protect the national interest. The solution is clear and achievable.

MILITARY COMPENSATION

Just as entitlements are steadily squeezing out discretionary spending in the Federal budget, personnel costs in the Pentagon are squeezing out operations and modernization. There has not been a comprehensive overhaul of military compensation, retirement, and medical care since the original Gates Commission during the Nixon Administration. It is long overdue. Over the last several years the Pentagon has done the difficult work through the Defense Business Board to establish the hard facts necessary to undertake such an effort. The Independent QDR panel two years ago recommended the establishment of a bi-partisan commission to undertake the task and report to Congress and the President. Now is the time to act on that recommendation.

SUMMARY

This committee has an historic constitutional responsibility, and in the present fiscal crisis a unique opportunity to put our Navy back on the proper course to secure our future security. The Committee can't do everything and must concentrate its efforts on the highest priorities where its unique power can be decisive. I urge you to do so.

NOMINATIONS OBJECTIONS

CHRISTOPHER MEADE

Mr. GRASSLEY. Madam President. I intend to object to proceeding to the nomination of Christopher Meade to be General Counsel to the Treasury Department for the following reason: At his confirmation hearing, I asked Mr. Meade for the Treasury Department's legal basis for not responding to an oversight request I made regarding the Committee on Foreign Investment in the United States. Mr. Meade is currently the Acting General Counsel and his response appeared to indicate that he interpreted a statute which states: "Nothing in this subsection shall be construed to prevent disclosure to either House of Congress or to any duly authorized committee or subcommittee of the Congress" as a limitation on Congress' ability to access information. The plain reading of the statute appears contrary to this interpretation.

In addition, Mr. Meade appeared to interpret a statute which requires CFIUS to brief certain specified Members of Congress as restricting CFIUS' ability to brief anyone except those members. Again, the plain reading of the statute appears contrary to this interpretation. There is nothing in this statute which restricts Treasury from briefing any other Members of Congress.

In an attempt to give Mr. Meade an opportunity to clarify his statements and explain his legal reasoning I wrote Mr. Meade another letter asking him to explain his logic and legal reasoning. I expect his reply shortly.

The most important role a Department General Counsel plays is in the interpretation of statutes passed by

Congress. If Congress cannot be satisfied that Mr. Meade will impartially and accurately interpret statutes, this is a grave concern. The issues I have raised appear uncontroversial. If a statute says that "nothing" in it can be construed to prevent the disclosure of information to Congress, I do not expect it to be interpreted to limit Congress' ability to access information. If a statute does not limit CFIUS' ability to brief Members of Congress, I do not expect it to be interpreted to limit CFIUS' ability to brief Members of Congress.

I strongly believe that Congress' job does not end once it passes a statute. It is our job to ensure that the Executive Branch enforces the statute the way it was written. I will object to proceeding to Mr. Meade's nomination until he demonstrates that he will interpret these statutes consistent with their plain meaning.

BILL SCHULTZ

Madam President, I would also like to express my opposition to moving forward with Bill Schultz as the General Counsel for the Health and Human Services Administration. My objection is due to the agency's refusal to respond to my oversight requests. It is not based on Mr. Schultz's qualifications or ability to do the job. I have met with Mr. Schultz and believe him to be fair and hard working.

However, as I mentioned to him during his nomination hearing and when I met with him personally—I have many unanswered letters and document requests pending with HHS. Specifically: I have received no response to my December 6, 2011, letter eliminating the age restriction on Plan B; I received no response to Chairman ISSA and my April 5, 2012, letter to FDA regarding the monitoring of FDA employees; I received no response to my July 16, 2012, letter to FDA regarding the monitoring of FDA employees; I received no response to my July 24, 2012, letter to FDA regarding the monitoring of FDA employees.

This is unacceptable.

FDA intentionally spied on confidential communication with Congress, the Office of Special Counsel, and the whistleblowers private attorneys. Furthermore, in a meeting with my staff you indicated that one month was too long for letters from Congress to go unanswered. My letters have gone unanswered ranging from 7 months to over a year.

Until I receive answers to my letters and document requests, I am hesitant to agree to any movement on this nomination.

KALMBACH FEEDS 50TH ANNIVERSARY

Mr. PORTMAN. Madam President, today I wish to congratulate Kalmbach Feeds, a family-owned company, on 50 years of serving Ohio farms and agribusiness. Kalmbach Farms was founded in 1963 by Milton and Ruth Kalmbach,

and their goal was to “create a new way of doing business.” Starting the business with only one truck and one employee, the Kalmbach family opened a mix-and-grind plant in Upper Sandusky, OH. That operation has grown into the large commercial farm it is today.

Kalmbach Farms has been on the forefront of feed production. The farm manufactures and sells nutritional products for all livestock and poultry species and has been devoted to providing customers feed at a fair price. The Kalmbach family has been able to expand its business model to include nutritional products for mink, wildlife, swine, and pets. With branches in both Michigan and Indiana, Kalmbach Farms’ products are regional leaders in the animal nutrition industry and are distributed in several States, including Ohio, Indiana, Michigan, Kentucky, West Virginia, Illinois, and New York.

Kalmbach Farms is now run by Milton and Ruth’s son, Paul Kalmbach. This proud Ohio company employs over 250 people, and since the business began there has not been a single layoff. Kalmbach Feeds is continuing to look to the future by expanding the business and offering more employment opportunities for individuals interested in agriculture. I would like to congratulate the Kalmbach family on their 50 years of quality service.

ADDITIONAL STATEMENTS

CONGRATULATING THE ROTARY CLUB OF CARSON CITY

• Mr. HELLER. Madam President, today I wish to congratulate one of my home State’s finest community organizations, the Rotary Club of Carson City, for its 75 years of service to the Carson City community.

The Rotary Club of Carson City has been committed to their ideal of “He Profits Most Who Serves Best” for three quarters of a century. In 1937, Hans Jepson and Rev. John L. Harvey formed the Carson City Club with 25 members on their chapter roll. Today, the Rotary Club in Carson City has grown to over 90 members who live by their motto “Service Above Self” while providing vitally important community service to the Carson City area.

In addition, the club has been committed to fostering and promoting the educational pursuits of students in Carson City. Each year, they award a 4-year college scholarship to a non-traditional student, as well as sponsor high school students to participate in an international youth exchange program. The Carson Rotary Club also recognizes excellence in the classroom and academic achievement by honoring a local student of the week and teacher of the month throughout each school year.

The Rotarians are an important example of the kind of dedicated service which makes our communities great.

Today, I ask my colleagues to join me in congratulating the Rotary Club of Carson City for 75 years of service to the people of Nevada. •

TRIBUTE TO ARTHUR A. KLEIN

• Mr. TESTER. Mr. President, today I wish to honor Arthur A. Klein, a veteran of World War II and resident of Billings, MT.

It is my honor to share the story of Art’s service in World War II, because no story of bravery—and especially not one from our “greatest generation”—should ever be forgotten.

Art was born October 17, 1921, in Killam, Canada, to a large and hard-working prairie family. Hard times forced Art to move to Spokane, WA, to find work, but he soon enlisted in the U.S. Marine Corps in 1939 for a chance to proudly serve the Nation he would eventually adopt as his own.

In August 1941, the Marine Corps assigned Art to the First Marine Defense Battalion on Wake Island: a remote atoll 2,300 miles west of Hawaii where the U.S. Navy was building a military base. Four hundred and forty-nine U.S. marines, 68 U.S. Navy personnel, 6 Army Air Corps soldiers, and 1,221 civilian workers occupied the three islands comprising Wake Atoll.

Because of the International Date Line, the Japanese attack on Pearl Harbor was December 8, 1941, at Wake Island. Wake Islands naval commander received radio reports of the Japanese attack on Pearl Harbor and ordered the island to full alert. Following the attack on Pearl Harbor the Japanese planes attacked Wake Island. While defending the island, Mr. Klein was shot in the leg.

U.S. forces on Wake Island fought for many days without reinforcements or support, but they couldn’t hold against overwhelming Japanese forces. To save civilians and military forces, the islands U.S. naval commander was forced to surrender the garrison.

On January 12, 1942, Mr. Klein was placed aboard the Japanese ship Nitta Maru and crowded into the ship’s cargo hold. In the ship’s cargo hold, Mr. Klein endured 7 days before docking in Japan.

For the next 4 years, Mr. Klein worked in Japanese coal mines and crude steel mills. Once, a guard clubbed Mr. Klein into unconsciousness for simply picking a small onion to eat.

Losing weight and in declining health, Mr. Klein never gave up hope. In September 1945, when Allied forces victoriously liberated Mr. Klein and other prisoners in Japan, Mr. Klein weighed 85 pounds.

Returning in triumph to America and freedom, Mr. Klein, now a sergeant in the Marine Corps, spent weeks in a military hospital to recover from his captivity. Art eventually left the Marine Corps, became an American citizen, and began a successful business career.

Art settled in Billings, MT, and has been active in veterans organizations

where he continues being a source of inspiration, courage, and patriotism for us all. A fellow veteran recently asked Art what kept him going during his WWII captivity. In response, Mr. Klein, now 91 years of age, struggled to raise a now frail right arm as high as he could, and with a clenched fist and inspiring smile, said, “The USA.”

On behalf of a grateful nation, I commend Mr. Klein and his service to America. •

MESSAGE FROM THE HOUSE

At 2:46 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 667. An act to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 667. An act to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

Under the authority of the order of the Senate of February 14, 2013, the following bill was read the first and second times by unanimous consent, and placed on the calendar:

S. 388. A bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-426. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Importation of Horses from Contagious Equine Metritis-Affected Countries” ((RIN0579-AD31) (Docket No. APHIS-2008-0112)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-427. A communication from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Rural Broadband Access Loans and Loan Guarantees” (RIN0572-AC06) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-428. A communication from the Director of the Regulatory Management Division,