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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 31, 2012.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

KEYSTONE XL PIPELINE AND THE K-FAST BILL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, across the globe, Iran continues its saber rattling. The little fella from the desert, Ahmadinejad, threatens to block the Strait of Hormuz and all the oil shipments going through it.

This worries Americans who can't afford for the price of gasoline to go up.

What if we made unstable Middle Eastern countries irrelevant to our energy security? Imagine a place where the United States actually controlled its own energy destiny. There are two different paths to that world. The administration and environmental obstructionists will tell you the only way to energy independence is through so-called ''clean and green'' energy projects funded at taxpayer expense.

This may sound good in a sound bite, but these projects are expensive, unreliable, and in many cases they continue to fail.

Cases in point, three companies: Solyndra, Ener1, and Beacon Power. In each of these cases, the Federal Government has taken taxpayer money and gambled it on risky projects. With Solyndra, half a billion taxpayer dollars were poured into a company that was doomed to fail. The result: Solyndra went belly up, 1,000 people lost their jobs, and the American people will never see a refund on their money.

Clean energy may be a noble goal, but we're just not there yet.

The second path to controlling our energy destiny is an all-of-the-above approach: solar, wind, nuclear, clean coal, natural gas, and yes, oil.

For now, oil is the most reliable and cost-effective source of energy we have. That's one reason why the Keystone XL pipeline is a golden opportunity for our country. This project, unlike Solyndra, won't cost the taxpayers any of their money.

It would bring 750,000 barrels of oil per day from our stable ally, Canada, down to refineries in my district in southeast Texas. Equally important, it would create at least 100,000 jobs in its lifetime, including 20,000 immediate construction and manufacturing jobs. But unfortunately, the administration has said no to Keystone pipeline. It said no to our national interest. It said no to jobs. It said no to energy security. It said no to our ally Canada. It said no to the will of the American people because most Americans support the pipeline. But it did say yes—yes to China, because China will probably be the recipient of that Canadian oil and the jobs if the pipeline is not built in the United States. Now, isn't that lovely?

Keystone would enhance our energy security by bringing almost as much oil as we get from Saudi Arabia to the United States. It would help enhance our foreign policy by bolstering our relationship with Canada instead of depending on unstable Middle Eastern countries. But radical obstructionists got their way when they took to the streets in front of the White House and threatened their support for the President.

They seem to conveniently forget that pipelines are the safest way to transport oil.

Failure to approve the pipeline is putting our national security, energy security, and economic security at risk. That is why I have introduced, along with my friend DAN BOREN from Oklahoma, the bipartisan Keystone for a Secure Tomorrow Act, or K-FAST for short. This bill would allow Congress to act immediately and approve the permit for the Keystone XL pipeline.

There is precedent for congressional approval of pipelines. In 1973, the same type of special interest groups were holding back the permit for the Trans-Alaska pipeline. After 4 years of delay, Congress finally took direct action and successfully approved that pipeline.

I'm pleased that a bipartisan group of 45 Senators agree that Congress should approve the Keystone pipeline. The Hoeven-Lugar-Vitter bill, similar to my bill, would do that.

While green energy is a worthwhile ambition, we simply cannot afford to reject a reliable supply of energy.

So while the administration continues to say no to Americans, Congress has the obligation and the legal ability to say yes. Let's make Keystone pipeline a reality.

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It's time we create jobs, bring energy to the United States, and make Middle Eastern politics and turmoil irrelevant to our national and energy security. It's time to think of the American people because they can't wait.

And that's just the way it is.

AMERICAN HERO, JOHN ''JACK'' FRANCIS HANNIGAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FLORES) for 5 minutes.

Mr. FLORES. Mr. Speaker, I rise today to remember an American hero from this country's Greatest Generation. John ''Jack'' Francis Hannigan was born March 27, 1918 to Frank Hannigan and Elsie Sternweiss Hannigan in New York City. He attended parochial school throughout his life, obtaining a college degree and a law degree from St. John's University in New York. Through his beloved sister Myrtle, he met the love of his life, Marion Josephine Ronayne, and he also fell in love with her large and caring Irish family. They were married on May 2, 1942 at Maxwell Air Force Base in Montgomery, Alabama, thus beginning a union that lasted 67 years.

Jack was a navigator and a lawyer in the United States Army Air Corps, serving during World War II in the European theater of operations. As part of the 397th bomb group, also known as the Bridge Busters, he flew 70 combat missions in a B–26 Marauder, including three over Normandy Beach on D-Day. He earned a Purple Heart during his wartime service. In 1948, his commission as a JAG officer was transferred to the newly created United States Air Force.

Jack's and his wife's military service spanned 30 years, living in Alabama, Louisiana, South Carolina, Florida, Georgia, New York, New Jersey, Pennsylvania, New Mexico, Arizona, Germany, Virginia, the Philippine Islands, Massachusetts, Maryland, and, of course, Texas. Throughout his service, he was awarded many medals of commendation, including the Silver Star, the Legion of Merit, the Meritorious Service Medal, the Air Medal, the Air Force Commendation Medal, and the Army Commendation Ribbon. Upon retirement, Colonel Hannigan received the Distinguished Service Medal in 1971 at Randolph Air Force Base in Texas. The Hannigans retired to Allen, Texas, and were active parishioners at St. Jude's Catholic Church. While there, he volunteered his legal services and his wife's typing to many church members.

Jack and Marion raised a large Irish Catholic family with six children. While the family is spread across the country, the love that Jack and Marion held for them is a bond that will forever unite the Hannigan clan. Jack is survived by his children, John F. Hannigan, Jr., United States Air Force retired colonel of Colorado; Mary Gadow of Arizona; Barbara Clark of Massachusetts; Joan Johnston of Massachusetts; Dr. Jim Hannigan of Austin, Texas; Kathy Havel of Dallas, Texas; 14 grandchildren; and 10 great-grandchildren. He will also be remembered for his quick wit, practical jokes, skill with crossword puzzles, love of sports—especially golf—and yes, his ''yes dears'' to his wife, Marion.

This Friday, on February 3, 2012, a memorial service will be held at Arlington National Cemetery to honor his and his wife's life of service to our country.

Mr. Speaker, the service of Mr. and Mrs. Hannigan to our country will never be forgotten. They serve as examples for our current generations of Americans to emulate. God bless their service, and God bless the United States of America.

□ 1210

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, over the weekend, I read an article by the Associated Press that the French have made a decision to fast-track their withdrawal from Afghanistan and bring troops home by the end of 2013 instead of the end of 2014. If France follows through with this accelerated drawdown, they will join other countries like Canada and the Netherlands, who have also drawn down their forces in recent years.

I believe these countries are on the right track.

The Department of Defense has recently been asked to find over $490 billion in cuts. We are currently spending $10 billion a month, which equates to $120 billion a year, in Afghanistan. By bringing our troops home now, we would be saving hundreds of billions of dollars, which would prevent the Department of Defense from cutting other military programs. It simply is common sense to bring our troops home now and not wait.

Mr. Speaker, I would like to quote from a January 20, 2012, New York Times article by Matthew Rosenberg, titled, ''Afghanistan's Soldiers Step Up Killings of Allied Forces'':

''American and other coalition forces here are being killed in increasing numbers by the very Afghan soldiers they fight alongside and train, in attacks motivated by deep-seated animosity between the supposedly allied forces, according to American and Afghan officers and a classified coalition report obtained by The New York Times.''

Mr. Rosenberg further states in his article, ''A decade into the war in Afghanistan, the report makes clear that these killings have become the most visible symptom of a far deeper ailment plaguing the war effort: the contempt each side holds for the other, never mind the Taliban. The ill will and mistrust run deep among civilians and militaries on both sides, raising questions about what future role the U.S. and its allies can expect to play in Afghanistan.''

Mr. Speaker, more important than the money are the young men and women who are sacrificing their lives, limbs, and families by serving in a corrupt nation led by a corrupt leader.

Beside me, Mr. Speaker, is a poster that I have been bringing to the floor from time to time of a young soldier from Fort Bragg, North Carolina, who is sitting in a wheelchair with both legs gone and an arm gone, with his lovely wife standing beside his wheelchair showing him their new apartment.

How many more young men and women have to die? How many more young men and women have to lose their legs, their arms? And the sad part about it is that, as history has shown, no great nation in the history of the world has ever changed Afghanistan; and we're not going to change it either. History has proven that fact time and time again. It is time to bring our troops home from Afghanistan.

Before closing, Mr. Speaker, I want to tell the story of my visit to Walter Reed, which is in Bethesda, Maryland. A young Marine corporal from Camp Lejeune, which I have the privilege to represent, said to me, with his mom in the room: Why don't we come home, Congressman? Why don't we come home?

It is time that this administration and this Congress say to the American people: We're not going to wait until 2014 to bring our troops home. We're going to start bringing them home in 2013.

And with that, Mr. Speaker, in closing, I ask God to please bless our men and women in uniform. I ask God to please bless the families who have given a loved one dying for freedom in Afghanistan and Iraq. And I will close by asking God three times: God, please, God, please, God, please continue to bless America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 14 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. ELLMERS) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

Bless the Members of this assembly as they set upon the important work that faces them. Help them to make wise decisions in a good manner and to carry their responsibilities steadily with high hopes for a better future for our great Nation.

May they be empowered by what they have heard during their home district visits to work together. May they realize that each of them represents voters who side with their opponents, and that there are millions of Americans who voted for their opponents as well. The work to be done must benefit all Americans. Give them courage to make difficult choices when they are faced with them.

May Your blessing, O God, be with them and with us all this day and every day to come, and may all we do be done for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

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

STOCK ACT

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

Mr. POE of Texas. Madam Speaker, the STOCK Act will prohibit Members of Congress and Federal employees from using nonpublic information for their own personal profit and help prevent insider trading.

Representative TIMOTHY WALZ of Minnesota has introduced this legislation in the House. The Senate has already voted to move forward on the STOCK Act.

I join a bipartisan group of 217 Members in supporting this legislation. Several media reports have indicated that insider trading is a problem in the Halls of Congress.

Madam Speaker, we work for the American people and cannot lose their trust. The STOCK Act or similar legislation is needed because it brings more transparency and oversight.

Insider trading, any way you look at it, is not only illegal in the United States, but it is corrupt and morally wrong. In Washington and in Congress, things must not only be right; they must look right.

And that's just the way it is.

COMMENDING PRESIDENT BARACK OBAMA'S LEADERSHIP IN SUPPORTING WORKING AMERICANS

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

Mr. FALEOMAVAEGA. Madam Speaker, as required by our Constitution, last week President Obama addressed our Nation in his annual State of the Union message before a joint session of Congress. President Obama outlined his blueprint for an America Built to Last, a plan that begins with American manufacturing.

President Obama noted in his address that the American auto industry is back. The President's decision to provide emergency loans to the auto industry saved more than 1.4 million American jobs. This decision by President Obama also prevented personal income losses over 2 years of more than $96 billion and helped make the Big Three automakers—Chrysler, General Motors, and Ford—all profitable for the first time in years.

After taking office, President Obama signed the Recovery Act to get our Nation back to work. As a result, the U.S. has seen 22 consecutive months of private sector job growth, adding more than 3.2 million jobs. Last year we added the most private sector jobs since 2005.

Madam Speaker, I commend President Obama for his vision and leadership. I commend his bold actions and, most of all, his commitment to serving our Nation in these difficult times.

BEYOND THE AFFORDABLE CARE ACT

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

Mr. BURGESS. Madam Speaker, this year the Supreme Court agreed to hear and issue a decision on the Affordable Care Act. Of course, I'm eager to see what happens, and I'll be following the case very carefully, as will millions of Americans. But important steps will need to be taken depending upon how the Court rules. Right now, we do not know if the Court will rule solely on the individual mandate or say that the entire law is unconstitutional. Either way, this House must be prepared.

Now, House conservatives have been working for at least the past 3 years, well before the Affordable Care Act was even passed, to craft policies that focused on patients instead of payments, that focused on quality instead of quantity, innovation instead of stagnation, and affordability as opposed to just being cheap.

I'm fully committed to continuing this work and producing alternative legislation that will benefit the American people without putting an undue burden on the economy.

The Congressional Health Care Caucus discussed this issue today at a briefing. James Capretta and Thomas Miller discussed and shared ways on which we can prepare in the coming months with specific policy ideas. Although no one has a clear idea of how the Court will rule, we do know that we need to work together to consider ideas and craft policies to take care of the American people when their decision is rendered.

DUCKS UNLIMITED

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

Mrs. BLACKBURN. Madam Speaker, it is so true that ''to whom much is given, much is required,'' especially when it comes to ensuring the blessings of creation for our children and grandchildren. Seventy-five years ago, a group of concerned citizens came together to offer their time, talents, and treasures to protect waterfowl populations and preserve wetland habitats.

Ducks Unlimited has a purposed beginning. During the 1937 Dust Bowl, drought-plagued waterfowl populations were at unprecedented lows. Recognizing the waterfowl were dangerously near to unrecoverable populations, a small group of sportsmen organized themselves and got to work.

Over the past 75 years, the members of Ducks Unlimited have worked to conserve, restore, and manage habitats essential to the well-being of our continent's waterfowl populations. Through public-private partnerships and the hard work of Ducks Unlimited volunteers throughout the country, more than 12 million acres across North America have been preserved.

Madam Speaker, it never ceases to amaze me how the citizenry, bound together by common dedication, determination, and focus, and not by government fiat, can change the world. Ducks Unlimited has spent the last 75 years improving water quality, mitigating the effects of floods, safeguarding and expanding recreational opportunities. They are to be commended for their 75 years.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 31, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 31, 2012 at 10 a.m.:

That the Senate passed S. 1236.

That the Senate agreed to S. Con. Res. 34.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

APPOINTMENT OF CONFEREES ON H.R. 658, FAA REAUTHORIZATION AND REFORM ACT OF 2011

Mr. CRAVAACK. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota? The Chair hears none and, without objection, appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. Mica, Petri, Duncan of Tennessee, Graves of Missouri, Shuster, Mrs. Schmidt, Messrs. Cravaack, Rahall, DeFazio, Costello, Boswell, and Carnahan.

From the Committee on Science, Space, and Technology, for consideration of secs. 102, 105, 201, 202, 204, 208, 209, 212, 220, 321, 324, 326, 812, title X and title XIII of the House bill and secs. 102, 103, 106, 216, 301, 302, 309, 320, 327, title VI, and sec. 732 of the Senate amendment, and modifications committed to conference:

Messrs. Hall, Palazzo, and Ms. Eddie Bernice Johnson of Texas.

From the Committee on Ways and Means, for consideration of title XI of the House bill and titles VII and XI of the Senate amendment, and modifications committed to conference:

Messrs. Camp, Tiberi and Levin.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1715

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 5:15 p.m.

PROVIDING FOR CONSIDERATION OF H.R. 1173, FISCAL RESPONSIBILITY AND RETIREMENT ACT OF 2011

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 522 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 522

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1173) to repeal the CLASS program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated January 31, 2012, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. House Resolution 522 provides a modified open rule for consideration of H.R. 1173. This rule allows for any amendment prefiled in the CONGRESSIONAL RECORD which complies with the rules of the House to be made in order. That's pretty simple.

Mr. Speaker, I rise today in support of this rule and the underlying bill, H.R. 1173, the Fiscal Responsibility and Retirement Security Act of 2011, which was introduced on March 17, 2011, by the gentleman, my dear friend from Louisiana, Congressman CHARLES BOUSTANY, and was reported by the Committee on Energy and Commerce by a vote of 33–17 on November 29, 2011.

□ 1720

Additionally, the bill was reported by the Committee on Ways and Means on January 18, 2012, by a vote of 23–13.

This legislation has been through regular order. Members from both sides of the aisle on several committees have had opportunities to submit perfecting ideas, and those amendments have been considered. With the modified open process brought forward by the Rules Committee, every preprinted amendment will be given full and fair consideration by this body.

Mr. Speaker, the Community Living Assistance Services and Supports Act, also known as the CLASS Act, was a budgetary gimmick introduced by congressional Democrats in the ObamaCare bill to fit a 10-year budget score, not to provide reliable insurance coverage. This is why we are here today. Built on an unstable foundation, this long-term health insurance system was broken from its inception, and yet was used to sell ObamaCare to those who did not fully comprehend its future implications.

Let's review the facts of this case. The CLASS Act establishes a long-term health coverage program that would be operated by the Federal Government. The program is a guaranteed issue, meaning no one can be turned away. The program provides subsidized premiums to those under the age of 22 and to those below the poverty line. Finally, it can use no government funding. If that isn't a recipe for failure, I'm not sure how else you would design the program. Giving reduced premiums to some and mandatory coverage to all necessarily drives up the monthly premium. The Department of Health and Human Services indicated that the plans, as designed, would cost $235 and $391 a month and could rise to as much as $3,000 a month for those in the program. Anyone who is healthy and above the poverty line would most certainly turn to the private sector, leaving the program woefully underfunded. These are the facts. The program is not viable and is not sustainable.

In reference to the program, the Secretary of Health and Human Services, Secretary Sebelius, finally agreed on October 14, saying, ''I do not see a viable path forward at this time.'' It makes you wonder what other sections of ObamaCare might not be fiscally sound, given a closer review as well. Oh, by the way, this Republican Congress is doing that right now, in committee, under regular order. Apparently, however, we had to pass the bill to find out about the CLASS Act and what was in it and how it might work.

Mr. Speaker, we are not solving the problem by creating programs that are unsustainable. We continue to double down, taxing Medicare and Medicaid relentlessly to where they cannot pay for themselves. President Obama and congressional Democrats actually cut $500 billion in Medicare in order to fund the CLASS Act and flawed programs like it in the ObamaCare package. The majority of Republicans in this House are committed to protecting Medicare, Medicaid, and Social Security for future generations, not passing empty promises—those that cannot sustain themselves and those that would be headed for failure from their inceptions. I believe we are abandoning the core mission of entitlement programs, which was meant to bring necessary coverage to those who cannot provide for themselves.

Mr. Speaker, I, like many Americans, can speak on a personal basis about what a disappointment this is, not just the ObamaCare bill, but the provisions laid out in it. You see, I'm not unlike many Americans. I have a disabled son at home. I have an 18-year-old Down syndrome young man. I, and Alex, perhaps at some point, will count on the government's being able to uphold its real responsibility. I believe government should have a mission statement, and that government should have a role in the lives of Americans, but it should be one which is very narrow and well understood.

I understand and believe that we should have a government that does help people who need help, and that we do have a government that can give assistance. However, I believe that able-bodied people should not be included in these programs. I believe that the people who should be a part of this government assistance should be those who have an intellectual or physical disability, those who are seniors—our parents. Because of their ages and their service to this great country, they have earned this and should be given that help. Lastly, those who are poor—those, in other words, who are at or below the poverty line—should be a part of this as well.

I believe that what this bill has done—and the philosophy of the Democratic Party, including that of this President—will diminish the real role that government should be playing, because, in fact, it has gone so far out of its intended purpose, or of its ability to sustain what it should be doing, that it will be a sham system and unable to help those it should have been intended to help in the first place. I have seen this many times. I have seen it in professional sports where, as an analogy, people will buy a season ticket and get a parking pass with it. There are sometimes 10,000 or 15,000 people who buy season tickets for 4,000 parking places. In other words, there may be 10,000 people who have the right to come to those parking places, but there is only room for a few.

Mr. Speaker, I believe our government and the leaders of this government, including Secretary Sebelius, recognize the limitations and the failures of this piece of legislation. This one piece alone is what we, as Republicans today, are trying to highlight, and Dr. BOUSTANY is right in bringing it to us.

We should not be creating a system that would be outside the scope of what the government should actually be doing, which is to help those who cannot help themselves or who deserve that opportunity to have help. In other words, by creating a larger-than-life scenario which cannot be sustained, they've, in fact, put the underpinnings of something that could be good at risk—selling too many parking places for the ones that need to exist. The parking places that need to exist need to be on a one-on-one basis now for the people who need them the most. That is what the government should be doing and doing well, not going outside of its mandate and not promising something that is unsustainable and that they cannot deliver on.

Mr. Speaker, I would submit and suggest that some Democrats will rise today to defend this bill, the CLASS Act, but the facts of the case are now known and well understood so that even the President and his administration are walking away from this part of the bill. The program is fatally flawed, and a full repeal is the only realistic way we should approach this.

Now is the time to be serious with the American people. Now is the time when we need to say that this should not have been a part of what this health care bill is about. It will surely not deliver on what was sold or do what it was intended to do; and before we engage in that, we ought to be realistic and honest about what this is doing.

Now is the time to be serious with the American people about expectations from the Federal Government as related to this program. House Republicans are committed to providing affordable, patient-driven solutions to the problems facing our health care system; and we recognize, in going through the bill, that this stands out as a prime example of what is broken about the legislation that is law today.

So we are here forthrightly, through regular order, to talk in a polite and sensible way about how we should handle what we now know and what we should have known then but failed to do. Not reading the bill is just another example of the flawed process that we were going through.

I urge all of my colleagues to vote for this modified open rule, which allows for the consideration of all preprinted amendments that comply with the rules of the House, and to vote for the underlying bill.

I reserve the balance of my time.

□ 1730

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

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. I want to thank the gentleman from Texas (Mr. SESSIONS) for yielding me the customary 30 minutes.

First of all, Mr. Speaker, I would urge my colleagues to vote ''no'' on this rule. One is, as was pointed out, this is not truly an open rule—there is a preprinting requirement. But there is also a cap, a time limit of 3 hours on the total debate for this bill. So if Members have an idea about an amendment they want to offer and it bumps up against the 3-hour time limit, they're out of luck.

I would remind my colleagues that this is an important issue. This is about long-term care, health care, mostly for our senior citizens. This is an important subject. We should be talking about this. We should be deliberating on this, and it deserves the necessary time to do this issue justice.

I guess I shouldn't be surprised, because we can't get this leadership to bring up not only legitimate health care bills to help improve the quality of health care for our citizens, but we can't get them to bring up jobs bills. We can't seem to get this leadership to bring up anything of any consequence or any significance to the American people or anything that will improve the quality of life for the citizens of this country.

Mr. Speaker, my friends on the other side of the aisle want to portray this as a very simple debate. They want everyone to think that this is a bill that just ends, as they put it, a problematic or a failed program, a bill that says we're going to run our government more effectively and more efficiently, a bill that says that we're going to get health care right for the American people.

But, Mr. Speaker, nothing, absolutely nothing, could be further from the truth. And let me be clear: This bill is just one more example of how the Republican majority in this House stands with Big Insurance instead of the American people. It's another example of how Republicans want to rig the health care system so insurance companies can continue to discriminate based on preexisting conditions and can continue to reap big profits at the expense of our families.

Democrats stand for improving access to the best health care system in the world. We want Americans to be able to take care of themselves and to plan for long-term care should they need it.

The debate in the Rules Committee last week was a telling example of how my friends on the other side of the aisle view this critical health care issue. During that debate, one of our colleagues, Republican colleagues on our Rules Committee, compared long-term care planning to owning a swimming pool, a luxury, saying that since the government shouldn't build a swimming pool for everyone in the country, that we shouldn't be providing long-term care advice or help

with long-term care planning for the American people.

Mr. Speaker, this is where the discourse on health care has landed. We talk about how to lower costs and to increase access to health care, and my Republican friends talk about swimming pools. They are in over their heads, which is why their poll numbers are sinking to the bottom. This bill may appear to be fairly simple, but it will have a devastating impact on Americans as they plan for the future.

H.R. 1173, the so-called Fiscal Responsibility and Retirement Security Act, would repeal the CLASS Act and defund the National Clearinghouse for Long-Term Care Information. The CLASS Act is a national voluntary insurance program for purchasing long-term or disabled care for things like nursing home fees. Let me repeat that: It's a voluntary program. There's no mandate, no requirement, no obligation for anyone to participate.

This bill also converts mandatory funding for the National Clearinghouse for Long-Term Care Information into discretionary funding. While they say that this saves $9 million, the truth is Americans will lose access to critical information that can help them decide what kind of long-term care coverage they may or may not want, they may or may not need, as they grow older.

We need to figure out how to best address the cost and availability of long-term care in the United States, and the reality is that voting for this bill is the same as putting your fingers in your ears or covering your eyes. Surely you may not want to be able to hear or see what is bothering you, but it doesn't mean that these problems go away.

So why are we doing this today? Why are we repealing this without any replacement, without any thought given to how we might help the American people?

Well, if you listen to the Republican rhetoric, you'd think that some unnamed and unseen person is going to send you off to a dark room in an isolated nursing home, and you have no choice where to spend your golden years. That is, of course, if you listen to their ridiculous rhetoric.

It's true that the Obama administration has suspended enactment of the CLASS Act. They have done so after carefully assessing how they could implement a long-term, financially stable CLASS program. Unfortunately, they did not see a way forward at this particular point, but that doesn't mean we should just give up, throw up our hands and walk away.

While the CLASS Act is a sound premise, it clearly needs more work if it's going to be a viable program. The problem with H.R. 1173 is that it repeals the CLASS Act. We need to fix the CLASS Act, not destroy it. We need to engage on how to solve this problem, not to walk away from it, not to turn it into yet another piece of campaign rhetoric.

But that's not how the Republicans operate in this House. Their goal, it appears, is to tear down the health care system and to prevent people from getting adequate health care. How else can you explain their actions to repeal the Affordable Care Act and to end Medicare?

Mr. Speaker, the Republicans began the 112th Congress with an effort to ''repeal and replace'' the Affordable Care Act. Well, the House voted to repeal the new health care law, but we still haven't seen their replacement. They voted for repeal without replacement.

I should also point out to my colleague from Texas, it wasn't brought up under regular order; the repeal was brought up under a closed rule—but that's not unique in this House either.

The Republicans in control of the House of Representatives have found the time for bills on abortion and guns, bills to defund Planned Parenthood and National Public Radio and bills reaffirming our national motto, as if our national motto needs reaffirming. But when it comes to improving the quality of health care for the American people, my friends on the other side of the aisle are strangely silent.

As we near the second anniversary of the enactment of the Affordable Care Act, it's important to look at the success of this law and explain why repeal, as they have advocated, would cause real harm to the American people. We know for a fact that the Affordable Care Act is lowering costs and expanding coverage for millions of Americans.

The truth is crystal clear: 2.5 million young adults gained health insurance, 2.5 million young Americans gained health insurance. More than 40,000 Americans with preexisting medical conditions gained affordable health care coverage. Three hundred fifty new community health centers were built, and nearly 19,000 new jobs were created last year alone. Americans are benefiting from greater protections from unreasonable private insurance premium hikes.

More than 2 million senior citizens saved more than $1.2 billion on prescription drugs in 2011. Again, let me repeat that: More than 2 million senior citizens saved more than $1.2 billion on prescription drugs in 2011.

They want to repeal the bill, the affordable health insurance bill, which closes the doughnut hole, and all of a sudden senior citizens will see a tax hike the next time they look at their prescription costs.

Seniors in Medicare Advantage plans saw their monthly premiums decrease 14 percent from 2010 to 2011. Millions of women, seniors, and people with disabilities accessed preventative services.

The Department of Health and Human Services and the Department of Justice stopped $3 billion in fraudulent claims in 2011.

We also know that the quality of care is improving because of the Affordable Care Act. I'm talking about an expanded workforce, including primary care workers, better coordinated care for Medicare patients, and improvements in preventable hospital care and readmission conditions, just to name a few. In fact, the entire debate within the health care community is changing on how we can better keep our citizens well.

Finally, we know that the health care industry is hiring more workers because of the Affordable Care Act. In fact, 514,900 new health care jobs have been created since the Affordable Care Act was enacted almost 2 years ago. Clearly, Mr. Speaker, the Affordable Care Act is working, and benefits will continue to grow as we move towards full implementation by 2016.

But by opposing the Affordable Care Act by pursuing repeal of the bill, Republicans have made it clear that they're against protections for people with preexisting conditions, that they are against expanding coverage for 2.5 million young adults who can't get health care on their own, that they are against new community health centers, that they are against the new jobs created by the Affordable Care Act.

□ 1740

And with this bill today, they are announcing that they are against planning for long-term care. This makes no sense, Mr. Speaker. Americans need to think about long-term care. They need planning options for the future.

Currently 10 million Americans need long-term care, and 5 million more will need long-term care over the next decade. Yet only 8 percent of Americans currently buy private long-term care insurance. Instead of forcing people to migrate towards Medicaid, the only other long-term care option available, we should be providing Americans with the tools they need to plan for the future. That's what the intention of the CLASS Act and the purpose of the National Clearinghouse for Long-Term Care Information is all about.

I know my friends will say: Trust us; we're going to come up with something down the road. Wouldn't it have been refreshing, in the spirit of bipartisanship, if we had come up with something before they chose to just outright repeal this provision? Maybe this would have been an opportunity for people to come together. But, no, we're told we're repealing it. You know, that fits in with our campaign rhetoric for 2012: We're going to repeal it; and the American people, just trust us. Take two tax breaks; call me in the morning. That's all you need to worry about.

The American people expect Congress to work each and every day to make this country better. Like Social Security and Medicare before it, the Affordable Care Act is an example of responsible legislating that is improving people's lives. It's not perfect. We need to build on it. We're going to need to make corrections. But there's not a piece of legislation that we have ever passed in any Congress that hasn't needed to be corrected and adjusted

and tweaked as time has gone on. But it is an important step in the right direction. And notwithstanding the rhetoric on the other side of the aisle, it has made a real difference in the lives of many millions of Americans who otherwise wouldn't have access to health care.

We must not and we will not let the Republicans drag us down with them on this issue. Vote ''no'' on this rule and ''no'' on the underlying bill.

I reserve the balance of my time.

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

I find very interesting my friend's arguments. First of all, the health care bill hasn't even kicked in, so millions of people have not gotten the advantages of this bill yet.

Mr. MCGOVERN. Would the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. If I'm not mistaken, the allowance to let families keep their kids on their health insurance until they are 26 years old has kicked in.

Mr. SESSIONS. And that was a bipartisan agreement.

Mr. MCGOVERN. No, no. Under your repeal bill, that would go away. That was part of the Affordable Care Act. That is one of the many things that has kicked in.

Mr. SESSIONS. Reclaiming my time, Mr. Speaker, at the time the bill was passed, we agreed to a number of things that we did think were good ideas. That was a good idea.

The $500 billion of cuts in Medicare that Republicans talked about, we did not set that up for this election. They did that 2 years ago. That's one of the reasons why the American people, 50-plus percent of the American people, another reason why they do not like this bill.

But to suggest that all of the advantages that are occurring as a result of this bill would be a misnomer. As a matter of fact, it's causing almost 80 percent of small business owners not to make decisions about hiring people for the future; and it's causing intense financial problems, not only upon small businesses but upon other businesses who don't hire people. It's causing a substantial problem on the amount of money that we are spending by this government right now.

Oh, by the way, that legislation also said in certain pieces of it that it's not for review by judicial or congressional oversight, that whatever these panels do is a decision that they would make. It's very restrictive. It's a government-run system, and it's causing enormous financial distress to this country.

I appreciate the gentleman trying to take all of the high attributes for it. It's a system that Republicans will vote to repeal, and we will replace that with a system that is market-based and that works.

Lastly, I will say that the gentleman talked about how cost effective it is. Insurance rates are raising 30 percent this year alone for people in the private sector, and that's nonsustainable.

Mr. Speaker, today, however, we are talking about a larger issue, and that is a piece part of that bill, the CLASS Act. I'm very pleased today to have a gentleman who is a great member of our conference, a physician by trade. It's just of enormous consequence that we have a person who understands why this piece of the bill in particular, today, must be repealed.

I'm delighted to yield 5 minutes to the gentleman from Louisiana (Mr. BOUSTANY), the original sponsor of the bill.

Mr. BOUSTANY. Mr. Speaker, I thank my friend from Texas for yielding some time to me on this important debate.

As a physician, I know firsthand about the needs out there with regard to long-term care. I've treated hundreds of patients who've needed it. This is a very important problem. It's an acute problem, and it's something that this Congress has to take seriously.

Also, I have a personal stake in this. I lost my father 3 years ago. He did not have a long-term care policy, and we had to deal with it. And we dealt with it. We were fortunate; as a family, we came together and we were able to take care of his needs. Many families can't. That's why this Congress has to get serious about dealing with this problem.

Now, our friends on the other side of the aisle had the last two Congresses to try to deal with this, and they proposed the health care bill. Yet there was no debate on any other alternatives. This was a one size fits all. This particular program wasn't even vetted in the House committees, and yet it was added into the bill as a budget gimmick. That's not serious legislation and that's not doing justice to the American people who are faced with these problems every single day.

Washington should have learned from this mistake. And there are three lessons, three basic lessons that we can learn from this CLASS program that was added into ObamaCare, this CLASS program, a failed program, an unsustainable program by the administration's own admission:

First, the first lesson, don't ignore reality. Democrat leaders ignored actuarial experts' warnings when they used the CLASS program as a budget gimmick in ObamaCare. President Obama can't create a self-funded, sustainable program that prohibits underwriting unless he intends to force healthy Americans to participate. Most enrollees will be high risk, causing premiums to skyrocket, making CLASS less appealing to healthy Americans. So the first lesson: Don't ignore reality.

The second lesson is simple: Don't break the law. The administration planned to break the law by excluding Americans made eligible by the statute. And when Congressional Research Service attorneys warned of lawsuits, I sent letters to Secretary Sebelius as the Oversight Subcommittee chairman on Ways and Means for her legal authority to make this change. Subsequently, she, and I think rightfully, suspended the program. But this does not correct bad law, a bad statute written into law. And unless we repeal CLASS, the Department of Health and Human Services will be in violation of the law when it misses an important deadline for implementation in October of 2012 and again in 2014. The administration, I think rightfully, doesn't want to break the law, but we need to go further and repeal this; otherwise, they are in violation of the law. And this is not my opinion, this is the opinion of CRS lawyers.

So the first lesson, don't ignore reality; second, don't break the law; and, third, let's not compound our Nation's long-term fiscal problems.

A prominent Democrat and former Congressional Budget Office Director, Alice Rivlin, wrote: ''Since the CLASS program is a new, unfunded entitlement, it should be repealed because it will increase the deficit over the long term.'' Pretty clear statement from a Democrat and former Congressional Budget Office Director.

The President's own deficit commission agrees with this assessment, and our grandchildren simply cannot afford a new budget-busting entitlement when we already have entitlements that we're struggling with.

We need to solve problems. We need to get our budget under control. We need to solve this problem of long-term care, and there are ways to do it. There are many ways to do it. I'm working on legislation. I've got it in draft form. I'm sharing it with fellow colleagues, Democrats and Republicans, on the House Ways and Means Committee.

I believe firmly that we have to do the right thing here, and I urge my colleagues on both sides of the aisle to support this rule. Let's repeal the CLASS program and support H.R. 1173, and this will give us the impetus to move forward on sensible legislation that will actually solve this problem and not add to the deficit.

I believe, beyond CLASS repeal, we should make it easier for disabled Americans to save for their future needs.

□ 1750

We can expand access to affordable, private, long-term care coverage; and we can better educate Americans on the need for retirement planning. There are ways to do this. There are a lot of good ideas on both sides of the aisle. I have already had conversations with Democrats on our committee. Let's solve the problem. Let's not add to the deficit. Let's not put the administration—by its own admission and by the analysis of CRS attorneys—let's not put them in a position of actually breaking the law. That's not a good example to set for the American public.

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

First of all, I just want to point out to my colleagues, in case they may have forgotten, that the CLASS Act was actually debated in the Energy and Commerce Committee. And do you want to know what the vote was? It passed by voice vote. There were a lot of other provisions in this health care bill that did not pass by voice vote where my Republican friends insisted on an up-or-down vote; but on this one, it passed by a voice vote. I want to point that out just so there's no misunderstanding.

The other thing I also think is important so there's no misunderstanding is that somehow nothing in the Affordable Care Act has kicked in. A lot has kicked in already. Blood pressure screenings for adults aged 18 and older, every 2 years for those with normal readings and annually for those with elevated results; cervical cancer screenings; child services, including screenings for autism; cholesterol screenings; colorectal cancer screenings; diabetes screenings; diet counseling; evaluation for depression; immunizations; mammograms, all aimed at encouraging people to get preventative care so that they can avoid some of the debilitating results from not being checked. Those are all being covered under the Affordable Care Act.

My colleagues, over a year ago—over a year ago—it's now January 31—well over a year ago, you brought up on this floor under a closed rule a bill to repeal the Affordable Care Act. And you said, oh, we've got some ideas on how to fix the health care challenges in this country. It's been a year. Nothing. What have we been doing here? Well, we had a very rigorous debate on National Public Radio, something I'm sure everybody is concerned about all across this country.

We had a bill brought to the floor on reaffirming the national motto of this country, ''In God We Trust.'' There it is, ''In God We Trust,'' in gold letters right above where the Speaker sits. It's on the dollar bill. I didn't know it needed reaffirming, but we had to come to the floor and have this debate and vote on reaffirming our national motto.

We had votes on every hot-button issue that you can imagine; but when it comes to things like health care, improving the quality of life for people, we can't find the time. My friends say they have all these great ideas. It's been over a year since you voted to repeal the Affordable Care Act. Do you want to repeal all these new services that are covered, all these tests to help people stay well, and in staying well, controlling health care costs?

My grandmother used to say an ounce of prevention keeps the doctor away. She was right. There's wisdom in encouraging people to seek out preventative-care services. If we can provide those services without a cost to encourage more people to take advantage of them, then more people will stay well, and we will control health care costs in this country.

We're having a discussion as a result of the Affordable Care Act about results-oriented health care, how do we keep our populations better. Not just how we could have the best doctors to do heart surgeries, brain surgeries and all these very complex surgical procedures which we want to make sure we still have the very best in the world, but maybe there are people who can avoid getting to that point.

Already, because of the passage of this bill, more and more people are taking advantage of these screenings. That's a good thing. And my colleagues, every one of them on the other side of the aisle, voted to repeal outright all these things. All these things would have gone away. Senior citizens would be paying more for prescription drugs today if their repeal bill made it through this process. So there are some good things that are happening.

I know it's tough to ever concede that this President has done anything good; but under this, the Democratic Congress, with no help from the Republicans on the other side of the aisle in this House, and the President of the United States, actually, I think, took a step in the right direction. As time goes on, more and more people are appreciating what is covered in that legislation.

So I point that out because my friends on the other side have a tendency to say ''no'' to everything. It's very easy to say ''no.'' You don't have to take responsibility for anything. You said ''no'' over a year ago when you voted to repeal the Affordable Care Act, and you've said ''yes'' to nothing since. Today, you're asking us to join you in saying ''no'' again to the issue of making sure the people have the ability to take care of their loved ones and themselves in the case where they need long-term care. You're saying, say ''no'' to that. And replace it with what? Oh, trust us, we'll get back to you. Don't worry about it. We know what we're doing here. Well, again, it's very easy to say ''no.'' It's more difficult to say ''yes,'' and you've said ''yes'' on nothing when it comes to positive improvements in our health system.

With that, Mr. Speaker, I'd like to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Let me thank the gentleman from Massachusetts, and let me thank my colleague from Texas.

This is a very important debate. It brings about a lot of emotion for two reasons for me. In that same year on our debate on Affordable Care Act, I lost my mother, and she was in need of long-term care. As I speak, there are two elderly, senior-citizen relatives who likewise are in the midst of long-term care. They are of a different era. They did not have the opportunity to plan as much because of their economics and because of their station in life for their later life. But as I've watched the intensity of the care, I realize that we cannot make health care a political football.

I remember distinctly that very emotional time in March of 2010, and my recollection serves me not one friend on the other side of the aisle, not one Republican in this House, voted to help save the lives of Americans and provide them with a safety net of health care.

My good friend from Massachusetts has already given a litany of provisions that are already saving lives, from the 26-year-old being on insurance to not being kicked out of the hospital and many others. But let us focus on long-term care, a very personal part of one's life; 21 million people in 2008 had a condition that caused them to need help with their health and personal care. Many of them may be young people who've had serious, catastrophic illnesses and/or accidents. Medicare does not cover long-term services and supports—about 70 percent of people over 65.

But the real point that I want to make is if you want to talk about money, let me tell you how many of the family caregivers or how much their kind of help is equated. Some $450 billion comes out of the family's either personal care or resources. This is not a throwaway. This is not throwing money away.

We recognize that the administration has thoughtfully said it needs to look at this long-term care in order to do it right. So I agree with the gentleman from Massachusetts that this should not be a throwaway; this should be a fix-up. One of the amendments that I had suggested was the idea of letting the Secretary come forward with best practices. For no one can intrude into the most personal time of your life when you are desperately in need, when you are catastrophically ill, or when you have aged to the point that there are people who you need to do the most personal things in life, in essence, to clean you up because of personal hygiene.

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

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

□ 1800

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

Long-term care is needed by a projected 15 million people. As I indicated, chronic conditions, trauma, or illness brings you to this, but the real idea is personal hygiene, getting dressed, using the bathroom. Do you want to put in the sunset of life or in time of great desperation the idea that no one is thinking about how we can best do long-term care? This repeal turns a light out, closes a door, abandons those family caregivers who are already giving $450 billion of their time, their heart, the devastation—Medicaid giving $101 million, but personal is $14 billion.

Mr. Speaker, let's not throw the baby out with the bath water. Let us not, if you will, pass this bill that denies that America has a heart in the most difficult times of Americans. Who would raise their hand and say, I want someone to help me in my personal hygiene, I need someone to help me get to the bathroom, or something even more? This is what we're talking about. This is not the way to do it, Mr. Speaker. I demand that we vote against the CLASS Act repeal.

Mr. Speaker, I rise in opposition to H. Res 522, ''Rule Providing Consideration on the Bill H.R. 1173, 'The Fiscal Responsibility and Retirement Security Act of 2011'.'' This bill would repeal title VIII of the Patient Protection and Affordable Care Act and Supports (CLASS) Program—a national, voluntary long-term care insurance program for purchasing community living assistance services and supports. Title VIII also authorized and appropriated funding through 2015 for the National Clearinghouse for Long-Term Care Information (clearing house). H.R. 1173 would rescind any unobligated balances appropriated to the National Clearinghouse for Long-Term Care Information.

The CLASS Act was designed to provide an affordable long-term care option for the 10 million Americans in need of long-term care now and the projected 15 million Americans that will need long-term care by 2020.

Individuals need long-term care when a chronic condition, trauma, or illness limits their ability to carry out basic self-care tasks, called activities of daily living (ADLs), (such as bathing, dressing or eating), or instrumental activities of daily living (IADLs) (such as household chores, meal preparation, or managing money).

Long-term care often involves the most intimate aspects of people's lives—what and when they eat, personal hygiene, getting dressed, using the bathroom. Other less severe long-term care needs may involve household tasks such as preparing meals or using the telephone.

Estimates suggest that in the upcoming years the number of disabled elderly who cannot perform basic activities of daily living without assistance may double today's level.

CLASS provides the aging and the disabled with a solution that is self-sustaining, at no cost to tax payers.

As the estimated 76 million baby boomers born between 1946 and 1964 become elderly, Medicare, Medicaid, and Social Security will nearly double as a share of the economy by 2035.

Baby boomers are already turning 65. As of January 1, 2011, baby boomers have begun to celebrate their 65th birthdays. From that day on 10,000 people will turn 65 every day and this will continue for the next 20 years.

It is reasonable to assume that over time the aging of baby boomers will increase the demand for long-term care.

Repealing the CLASS program does nothing to address the fact that private long-term care insurance options are limited and the costs are too high for many American families, including many in my Houston district, to afford.

In 2000, spending from public and private sources associated on long-term care amounted to an estimated $137 billion (for persons of all ages). By 2005, this number rose to $206.6 billion.

Individuals 85 years and older are one of the fastest growing segments of the population. In 2005, there are an estimated 5 million people 85+ in the United States; this figure is expected to increase to 19.4 million by 2050. This means that there could be an increase from 1.6 million to 6.2 million people age 85 or over with severe or moderate memory impairment in 2050.

An estimated 10 million Americans needed long-term care in 2000. Most but not all persons in need of long-term care are elderly. Approximately 63% are persons aged 65 and older (6.3 million); the remaining 37% are 64 years of age and younger (3.7 million).

The lifetime probability of becoming disabled in at least two activities of daily living or of being cognitively impaired is 68% for people age 65 and older.

By 2050, the number of individuals using paid long-term care services in any setting (e.g., at home, residential care such as assisted living, or skilled nursing facilities) will likely double from the 10 million using services in 2000, to 26 million people. This estimate is influenced by growth in the population of older people in need of care.

Of the older population with long-term care needs in the community, about 30% (1.5 million persons) have substantial long-term care needs—three or more activities of daily living limitations. Of these, about 25% are 85 and older and 70% report they are in fair to poor health. 40% of the older population with long-term care needs are poor or near poor (with incomes below 150% of the federal poverty level).

Between 1984 and 1994, the number of older persons receiving long-term care remained about the same at 5.5 million people, while the prevalence of long-term care use declined from 19.7% to 16.7% of the 65+ population. In comparison, 2.1%, or over 3.3 million, of the population aged 18–64 received long-term care in the community in 1994.

While there was a decline in the proportion (i.e., prevalence) of the older population receiving long-term care, the level of disability and cognitive impairment among those who received assistance with daily tasks rose sharply. The proportion receiving help with three to six ADLs increased from 35.4% to 42.9% between 1984 and 1994. The proportion of cognitive impairment among the 65+ population rose from 34% to 40%.

INFORMAL CARE GIVERS AND FAMILY

Informal Care Givers and Family are the unsung heroes for those who need longer term care. These care givers are unpaid individuals such as family members, partners, friends and neighbors who provide care. Just imagine for a moment an average family in the United States.

Imagine if the average working couple now has to balance raising children and caring for the needs of their aging parents or disabled adult relative without any additional support. Imagine how caretaking if left unaddressed will impact our workforce.

This is exactly what millions of families face every day. Over three-quarters (78%) of adults living in the community and in need of long-term care depend on family and friends (i.e., informal caregivers) as their only source of help; 14% receive a combination of informal and formal care (i.e., paid help); only 8% used formal care or paid help only.

Although estimates may vary the following numbers of family and informal care givers is still alarming and the numbers will only grow:

52 million informal and family caregivers provide care to someone aged 20+ who is ill or disabled.

44.4 million caregivers (or one out of every five households) are involved in care giving to persons aged 18 or over.

34 million caregivers provide care for someone aged 50+.

27.3 million family caregivers provide personal assistance to adults (aged 15+) with a disability or chronic illness.

5.8 to 7 million people (family, friends and neighbors) provide care to a person (65+) who needs assistance with everyday activities.

8.9 million informal caregivers provide care to someone aged 50+ with dementia.

By the year 2007, the number of care giving households in the U.S. for persons aged 50+ could reach 39 million.

Even among the most severely disabled older persons living in the community, about two-thirds rely solely on family members and other informal help, often resulting in great strain for the family caregivers.

HOME AND COMMUNITY-BASED CARE

The majority of people, almost 79%, who need long-term care, live at home or in community settings. Less than 21 percent of individuals who need this type of care live in institutions. More than 13.2 million adults (over half younger than 65) living in a community received an average of 31.4 hours of personal assistance per week in 1995. Only 16% of the total hours were paid care (about $32 billion), leaving 84% of hours to be provided (unpaid labor) by informal caregivers.

The trend towards community-based services instead of nursing home placement was formalized with the Olmstead Decision (July, 1999)—a court case in which the Supreme Court upheld the right of individuals to receive care in the community as opposed to an institution whenever possible.

Most assisted living facilities (ALFs) discharge residents whose cognitive impairments become moderate or severe or who need help with moving from a wheelchair to a bed. This limits the ability of these populations to find appropriate services outside of nursing homes or other institutions.

Older individuals living in nursing homes require and receive greater levels of care and assistance. The issue before us today, is how we intend to treat our aging and disabled at a time when they are in need of assistance that will have a direct impact on their quality of life.

Traditionally, most long-term care is provided informally by family members and friends. Some people with disabilities receive assistance at home from paid helpers, including skilled nurses and home care aides.

Nursing homes are increasingly viewed as a last resort for people who are too disabled to live in the community, due to a number of factors, cost being one.

Mr. Speaker, I believe that we must leave the framework that exists in place and work with seniors, families, industry, HHS and others to find a way to make the CLASS Act or an alternative long-term care program work.

NOVEMBER 14, 2011.

Hon. FRED UPTON,
Chairman, House Energy and Commerce Committee, House of Representatives, Washington, DC.
Hon. JOE PITTS,
Chairman, Subcommittee on Health, House Energy and Commerce Committee, House of Representatives, Washington, DC.
Hon. HENRY WAXMAN,
Ranking Member, House Energy and Commerce Committee, House of Representatives, Washington, DC.
Hon. FRANK PALLONE,
Ranking Member, Subcommittee on Health, House Energy and Commerce Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN UPTON, RANKING MEMBER WAXMAN, CHAIRMAN PITTS, AND RANKING MEMBER PALLONE: The undersigned organizations write to oppose legislation, H.R. 1173, to repeal the Community Living Assistance Services and Supports (CLASS) program and respectfully urge members to reject such legislation.

In 2008, 21 million people had a condition that caused them to need help with their health and personal care. Medicare does not cover long-term services and supports (LTSS), yet about 70 percent of people over age 65 will require some type of LTSS at some point during their lifetime. As our population ages, the need for these services will only grow. In addition, about 40 percent of the individuals who need LTSS are under age 65 and LTSS can enable individuals to work and be productive citizens.

Regardless of when individuals may need these services, there is a lack of financing options to help them plan and pay for the services they need to help them live independently in their homes and communities where they want to be. Family caregivers are on the frontlines. They provided care valued at $450 billion in 2009—more than the total spending on Medicaid that year. Private long-term care insurance helps some people pay for the cost of services, but it is not affordable for most, and some people are not even able to qualify for it. Too often, the cost of services wipes out personal and retirement savings and assets that are often already insufficient—as a result, formerly middle class individuals are forced to rely on Medicaid to pay for the costs of LTSS. There are few options for individuals to help them pay for the services they need that could help them delay or prevent their need to rely on Medicaid, the largest payer of LTSS.

That's why we support the CLASS program—to give millions of working Americans a new option to take personal responsibility and help plan and pay for these essential services. CLASS could also take some financial pressure off Medicaid at the state and federal levels—paid for by voluntary premiums, not taxpayer funds. For us, this is about the financially devastating impact that the need for LTSS has on families across this country every day and the essential, compelling and urgent need to address this issue. Every American family faces the reality that an accident or illness requiring long-term care could devastate them financially. This issue affects the constituents of every U.S. Representative. CLASS is an effort to be part of the solution. The CLASS actuarial report established that CLASS can still

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Health & Disability Advocates; Inter-National Association of Business, Industry and Rehabilitation; LeadingAge; Lutheran Services in America; Mental Health America; The National Alliance for Caregiving; National Alliance on Mental Illness (NAMI); National Association of Area Agencies on Aging (n4a); National Association of County Behavioral Health and Developmental Disability Directors (NACBHDD); National Association of the Deaf; National Association for Home Care & Hospice; National Association of Nutrition and Aging Services Programs (NANASP); National Association of Professional Geriatric Care Managers; National Association of Social Workers; National Association of State Head Injury Administrators; The National Center for Learning Disabilities.

National Committee to Preserve Social Security and Medicare; The National Consumer Voice for Quality Long-Term Care (formerly NCCNHR); National Council on Aging; National Council on Independent Living; National Disability Rights Network; National Down Syndrome Congress; National Multiple Sclerosis Society; NISH; Paralyzed Veterans of America; Physician-Parent Caregivers; SEIU; Self-Reliance, Inc.; Services and Advocacy for GLBT Elders (SAGE); United Cerebral Palsy; United Spinal Association; Volunteers of America.

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

You know, the beautiful part of this body and really the historical context of the United States Congress is that people can come down and advocate for things that they see, things that they want. We go through, have hearings, we pass bills. We're not here today to say what's good or bad or right or wrong in terms of how we help people. We're here saying the government cannot make this program work.

To make the program work means that it has to have the underpinnings of an understanding, not just how it will work and who will pay for it, but really, what are the services that are going to be provided? The gentlewoman from Texas was very genuine in talking about the needs of people. I deeply believe in those needs also. But it also goes back to, this administration is the one that is walking away from the legislation, and it does us no good to try and act like, it's okay, we'll just ignore that.

The Congressional Budget Office today released its viewpoint for the coming year, and once again this administration, President Obama, will have a $1 trillion deficit on his hands. The prior record before President Obama had been $459 billion. We are going to be a trillion dollars—again—in the hole. At some point someone needs to recognize we cannot sustain all these great and wonderful ideas because if you cannot pay for something, you have set an expectation of performance that will not ever come true. That is cruel. That is cruel, and that is exactly what this ObamaCare bill and this CLASS Act is all about. It is about substantially telling the American people that something will be there when it never will be there because it's not put together where it's sustainable. The President's own people are saying it's not sustainable. And we as Members of Congress are trying to work with the administration on how it might work, and they're saying it can't and won't.

So the reality base of this is that the Republican Party does recognize the need. I recognize the need personally. I think CHARLES BOUSTANY, Dr. BOUSTANY, who is the sponsor of the bill, recognizes a need. But the way that it is defined and was defined in the Energy and Commerce Committee was, it's a concept and an idea; let's voice vote this or agree that we'll get something back later. The bill was not voice voted. The agreement that they would come back later and look at it was.

In fact, Republicans are not guilty as charged. We are people who primarily go back home every weekend. I've never spent a weekend in Washington, D.C., in the 16 years I've been a Member of Congress. I go back out of Washington and try and go home to listen to people about the concerns that they have. It doesn't take much of a person who goes back every weekend to recognize there are great needs in this country. But to try and put together a program that cannot sustain itself, that offers a false hope and cannot be met, is cruel.

So today, Republicans, without calling anything bad, we're simply saying it cannot be sustained. It cannot be sustained by the government. The government cannot figure out a way to make it work. The managers of the business cannot figure out a way.

So, we've heard today we should hold hearings. We should. We should take up this issue. Dr. BOUSTANY talked about the need to do that, and we're going to. But the way the law looks right now, it's unsustainable, and we should tell the truth about that. And that is what Republicans are on the floor of the House doing today.

I reserve the balance of my time.

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

First of all, I think it's important to make it clear that there was a voice vote in the Energy and Commerce Committee. There were 2 days of debate on this CLASS Act, 2 days of debate. And the language in the amendment apparently was even changed before there was a voice vote. So to somehow diminish that there was some sort of a real vote or not—there was a real vote; 2 days of debate and a real vote.

Secondly, just so there's no misunderstanding, my friends keep talking about the debt and the deficit we face. First of all, as a Democrat, I want to say that I don't need a lecture from my friends on the other side of the aisle about deficits and the debt. We saw how this country went from surplus to deficit with the passage of the Bush tax cuts—mostly for the wealthy that weren't paid for. Every economist will affirm that they brought us into debt. Two, the prescription drug bill—that was much more expensive than my friends on the other side of the aisle told us it was going to be, and then they didn't pay for it on top of it. And then add to that two wars that aren't paid for. We are fighting the wars in Afghanistan and Iraq, and we didn't pay for them. We didn't look for offsets in the budget. They didn't even go to

the American people and say, we're at war, we have to have a war tax, or we have to find a way to pay for the war. No. Soldiers go fight, you know, their families suffer, and we do nothing. So you want to know why we're in debt? That's why we're in debt.

And just for the record, this CLASS Act that we're talking about is not this taxpayer-subsidized, endless government funding type of a program here. I mean, it has to be self-financed by the premiums that people pay who volunteer to get into it. It says in the law that this cannot be funded by the dollars of taxpayers. What this is is a framework, a framework to get us to focus on the issue that we need to address, which is long-term health care in this country.

Now, I'm from Massachusetts, and I may be a little sensitive on this issue because one of my heroes, the late Senator Ted Kennedy, championed this issue. He understood that there was a need out there, and he saw, as we all have seen, what families go through when loved ones can't afford or families can't afford to pay for the long-term care of loved ones. So it took us decades to get here, to get to this point where we have a framework. Yes, it is true: This is not perfect. It needs more work. But we have a framework here. And it's not a framework which calls for endless subsidies by the taxpayers. It says we've got to come up with a program that can self-sustain itself, that is financed by those who want to be enrolled in it. Why would you throw this away? Why would you throw this away?

My friend on the other side of the aisle talks about false promises. Please, give me a break. False promises? You got up over a year ago and said we're repealing this health care reform bill, the Affordable Care Act, and we're going to replace it with something. It's been over a year. Nothing, nothing, not a single thing. You know, it's not like we haven't had time to do it or to talk about these issues or debate these issues. I mean, this has become a place where trivial issues get debated passionately and important ones not at all. National Public Radio funding, we had to debate that on the floor. Reaffirming our national motto ''In God We Trust,'' we had time for that. Issues on abortion and every hot button issue you can think of, including we had a debate on making it easier for unsafe people to bring concealed weapons from State to State to State.

□ 1810

Now, I don't know about Texas or about other countries, but I've got to tell you, people talk to me about a lot of problems and about a lot of things that keep them up at night. Some of the things that you've brought to this House floor never even enter their minds, because what keeps them up at night are things like this:

What happens if I get sick, will I be able to take care of myself? What happens if my spouse gets sick, seriously ill, will I be able to care for her? Will I be able to care for him? What if it's my child? What if it's my mother, or what if it's my father? Will I be able to take care of them over a long period of time? Those are real-life issues that real people worry about each and every day.

So I would say to my friends on the other side of the aisle, first of all, vote down this rule, because I think it is insulting to bring a rule to the floor on the issue of long-term care and say we're going to cap debate at 3 hours. I think this is too important. This is more important than reaffirming our national motto, number one.

Number two, I would urge my colleagues on this side of the aisle, understand that what this represents is a framework and understand how long it has taken us to get to this point. And I've got to tell you, if we throw this framework away, I doubt very much that at any time in the near future this Congress is going to do anything meaningful on the issue of long-term health care.

So let's get serious about dealing with the real challenges that the American people are faced with. Let's not say that this is going to add to the deficit. It's not going to add to the deficit. In the law, it says it has to be self-sustaining; if not, it doesn't work. It says that we are not going to be subsidizing this program. That's what it says.

If you want to get serious about the deficit, you know what? Then make sure Warren Buffett pays the same tax rate as his secretary. If you want to get serious about the deficit, that's what you can do to help us deal with the issue of the deficit. But going after this with all these smokescreens I think is unfortunate.

So I would urge my colleagues, vote ''no'' on the rule and vote ''no'' on the underlying resolution.

I yield back the balance of my time.

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

I think what we've done today is fair and honorable. We've talked about a problem. We've talked about a potential answer. First of all, an answer is that, since we do not have a workable program without bringing it back to the Congress, we ought to work with the administration. I think we've been responsible. But we have heard feedback from the administration, in a hearing, that said, we can't make that program work; we cannot make that program work.

So I think that what we are doing today is the fiscally responsible thing, to end the program, to end a program that is not going to work and was not designed to work, and then start back over, if we choose to, and put it into a workable mode. But only to have a false hope out there of something that cannot be sustained and something that the managers of the government cannot make work is a bad idea.

We've got another trillion-dollar deficit that is facing this country, another $1 trillion. We know who that is. That's Pin the Tail on the Donkey, Mr. Speaker. They are the ones responsible. They are the ones that are happy with that, and they are the ones that try to justify that.

Today we are coming together to find the solution to a long-term care issue in this country by talking about it, doing something that cannot be sustained, and then admitting, as Mr. BOUSTANY did, that we need to do something better. And we should not throw the idea away. Today we are going to vote on something that will do no further harm.

I applaud my colleague from Louisiana, Congressman BOUSTANY, for introducing the bill. I appreciate him coming before us. I respect and appreciate my committee, the Rules Committee, and the gentleman from California (Mr. DREIER) for bringing this debate here in such an open and transparent process. I encourage a ''yes'' vote on the rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 16 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 6 o'clock and 30 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 1173, FISCAL RESPONSIBILITY AND RETIREMENT SECURITY ACT OF 2011

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on adoption of the resolution (H. Res. 522) providing for consideration of the bill (H.R. 1173) to repeal the CLASS program, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 251, nays 157, not voting 24, as follows:

[Roll No. 12]

YEAS—251

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—157

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Fudge
Gonzalez
Green, Al
Green, Gene
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—24

Bono Mack
Brown (FL)
Burton (IN)
Butterfield
Chaffetz
Cuellar
Engel
Filner
Frank (MA)
Grijalva
Gutierrez
Higgins
Hinchey
Inslee
Kaptur
Kingston
Mack
Paul
Pingree (ME)
Platts
Rush
Visclosky
Wasserman Schultz
Young (AK)

□ 1854

Messrs. RAHALL, KUCINICH, AL GREEN of Texas, and MORAN changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 12, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for a vote in the House Chamber today. Had I been present, I would have voted "nay" on rollcall vote No. 12.

NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 3630, TEMPORARY PAYROLL TAX CUT CONTINUATION ACT OF 2011

Mr. MICHAUD. Mr. Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 3630, the conference report to extend the payroll tax, unemployment insurance, and SGR payments for doctors.

The form of the motion is as follows:

Mr. Michaud moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3630 be instructed to recede from section 2123 of the House bill, relating to allowing a waiver of requirements under section 3304(a)(4) of the Internal Revenue Code of 1986, including a requirement that all money withdrawn from the unemployment fund of the State shall be used solely in the payment of unemployment compensation.

PRESIDENT'S ACTIONS THREATEN OUR NATIONAL SECURITY

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

Mr. WILSON of South Carolina. Mr. Speaker, last Thursday, the President's plans were revealed to cut almost 80,000 army troops and 20,000 marines. This action will weaken our military's ability to protect us from increasing global threats.

This decision is another prime example of how the President and his administration continue to put American families at risk. Throughout our history, we have learned the consequences of downsizing our military, leading to surprise attacks.

I look forward to working with House Armed Services Committee Chairman BUCK MCKEON to stop the execution of these drastic cuts which will decimate our military capabilities and threaten the security of America's servicemembers.

I would also like to offer my sympathy to the family of Aiken Public Safety Master Corporal Sandra Rogers, who sacrificed her life while on duty Saturday.

In conclusion, God bless our troops and we will never forget September the 11th in the global war on terrorism.

TISSUE ENGINEERING AT TEXAS CHILDREN'S HOSPITAL

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

Mr. OLSON. Mr. Speaker, over the past 50 years, engineers, scientists, and clinicians have made amazing advances in the design and implementation of artificial organs. However, despite these advances, the gap between the number of patients waiting for an organ transplant and the number of available organs is widening.

The next great medical breakthrough will come from tissue engineering where organs are grown in a laboratory, in some cases with the patient's own cells, and then implanted.

My wife, Nancy, and I recently visited Texas Children's Hospital, one of the amazing institutions in the Texas Medical Center. By bringing scientists and engineers together who are developing tissue-engineered solutions with pediatric-focused clinicians, they spur more pediatric-focused research. Nancy and I are proud of the innovative work being done at Texas Children's Hospital. We saw firsthand that Texas Children's Hospital is leading the way on the most important component of this research—pediatric tissue engineering, new organs for kids.

Leaders lead, and Texas Children's is leading the way.

□ 1900

CELEBRATING THE 100TH ANNIVERSARY OF THE GIRL SCOUTS OF THE USA

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to commend the Girl Scouts of the USA on its 52nd annual convention and its 100th anniversary. Since 1912, America's Girl Scouts have contributed significantly to the advancement of women in our society. For generations, Girl Scouts of America have actively promoted initiatives to help young women develop positive values, a sense of service, and other virtues that turn girls into productive contributors to their community, the country, and the world. Not only that, they've advanced the Nation by instilling courage, confidence, and character that young girls draw on to become leaders and make the world a better place.

Today, there are 3.2 million Girl Scouts—2.3 million girl members and 800,000 adult members working primarily as volunteers—all dedicated to inspiring generations of girls to reach for their goals and discover their full potential.

I want to commend each Girl Scout of each generation for their hard work and inspiring accomplishments, and I wish them well as the organization embarks on the next 100 years of service. Congratulations, Girl Scouts.

CELEBRATING AMERICAN HEART MONTH

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

Mr. PAULSEN. Mr. Speaker, tomorrow is February 1, and I want to recognize the month of February as being American Heart Month. Contrary to popular belief, heart disease does not discriminate by gender. It is the number one killer of both men and women and accounts for nearly one-quarter of all deaths in the United States.

Every 34 seconds—every 34 seconds—someone in America is stricken by a heart attack, and every 60 seconds, someone in this country will die as a result of heart disease.

As cochair of the Congressional Wellness Caucus, this is an issue that is near and dear to my heart—pun intended, Mr. Speaker. Living a healthy lifestyle is one of the easiest ways to reduce your risk of heart disease. It's as simple as abstaining from tobacco, maintaining your body weight, eating healthy, and exercising every day, along with regular visits to your doctor. We should all do our part to raise awareness, staying healthy and staying heart healthy.

MAKE IT IN AMERICA: MANUFACTURING MATTERS

The SPEAKER pro tempore (Mr. HARRIS). Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I want to join with my colleagues this evening to take up an extremely important subject. This is about the heart and soul and the opportunity of the middle class of America. This is about, once again, rebuilding the great American manufacturing machine. Through the last century, America came to prominence for many reasons. But one of the most important was that we knew how to make things. This was the manufacturing heart of the world.

Just 20 years ago, nearly 20 million American workers were employed in manufacturing, and that gave rise to the great middle class and the stability of this Nation, and the opportunity for an individual to get an education, go into the manufacturing sector as an engineer or as a line worker and earn enough money to buy a home, take care of their family, and pay for their education—lead and live that good middle class life.

But that was yesterday. Today, we have about 11 million people in manufacturing. We've seen the decline of manufacturing in the United States keeping pace with the decline of the middle class.

It doesn't have to be that way. Tonight, my colleagues and I are going to talk about policies that we can put in place here in Congress—policies that we must put in place—to rebuild the American manufacturing machine. Joining me is Mr. BLUMENAUER of Oregon, Ms. JAN SCHAKOWSKY from Illinois, and a couple other of my colleagues who are coming in a little later.

What this is all about is government policy. We already, on the Democratic side, have taken steps to begin the process of reversing this very awesome and dangerous trend. For example, a year ago December, we introduced and passed a piece of legislation that took away from American corporations over $12 billion of tax breaks that they received for off-shoring jobs. I know it's hard to believe, but they were actually getting a tax break for every job that they off-shored. Those days are significantly reduced. That's just but one example of what we have been working on.

I'd like now to just point out to you this logo. Those of us in the Democratic Party here in the caucus keep this on our desk, and we've got it on our coffee cups, to remind us that it is our mission in the Democratic Caucus to push for legislation to create American manufacturing jobs. And we're going to talk about some of these tonight.

Mr. BLUMENAUER from Oregon, I know that you're very interested in an important piece of this. I see you've got a bicycle on your lapel. Perhaps that has to do with transportation. And I will note that we do have a major transportation bill coming up here in the House later this week, or later, on the new transportation program for the next 6 years. I know you have some concerns about this, so please share those with us.

Mr. BLUMENAUER. Thank you. I deeply appreciate your courtesy in permitting me to speak, and I appreciate your leadership in coming to the floor this evening and focusing on the importance of our being able to make goods and services in this country, particularly manufacturing. There is an element, as you referenced, that is the quickest way to jump-start the economy, that would be the largest source of family-wage jobs and which would tie into a whole host of contractors and subcontractors of people who make equipment operations in this country.

You're right. Our Republican colleagues have offered up a proposal to reauthorize the Surface Transportation Act. I'm pleased to at least see something come to the floor, because the act expired 850 days ago.

The notion of our transportation legislation used to be an area of bipartisan cooperation. It was something that people from both sides of the aisle worked on and came together to focus on how we strengthen our communities, how we put people to work and how we improve the environment, transportation, and mobility. Sadly, one of the casualties of the hyperpartisan environment was this notion that we worked together cooperatively in the legislation. My Democratic colleagues did not see the legislation. At first, I was concerned that they weren't brought in to be a part of this process that I always enjoyed as a minority party member back in the day. But now when we see the legislation, we understand perhaps why it wasn't as open and transparent.

This is a piece of legislation that for the next 5 years is going to dramatically underinvest in infrastructure. It is claimed that it's a $260 billion piece of legislation, but the revenues that they anticipate from oil and gas drilling in the Arctic are ephemeral. CBO tells us it may be 50, so it's going to have a $50 billion to $60 billion shortfall.

□ 1910

It guts environmental protections. It removes the power of local communities to plan cooperatively on this legislation and to be able to make sure that it meets their needs.

It is appalling to me, at a time when we are looking for ways to make things in America, to strengthen the manufacturing base, to move goods and services and put people to work at family wage jobs, that we are seeing a piece of legislation come forward that represents a failure of imagination. It doesn't even comport with what bipartisan commissions from the Bush administration recommended that it be funded at. It loses a chance for us to be able to have Americans deal with the steel, Americans deal with the equipment, Americans putting these pieces together. And over the course of the evening tonight we may be able to perhaps return to this, but I think it's important to look at this failure of vision, failure of will, failure of imagination in a way that's going to dramatically undercut the proposals to make it in America and put Americans to work.

Mr. GARAMENDI. Thank you very much, Mr. BLUMENAUER, and your work on this has been noted for a long, long time. You've been a leader across this Nation on providing all types of transportation well beyond just the bicycle, which you happen to have on your lapel. But this is a very important moment.

This week, this House, in the Transportation Committee, is taking up a long-term transportation bill. You've described all the shortcomings, but I do believe there's an alternative. Now, our colleague from Pennsylvania (Mr. ALTMIRE) would like to talk about an alternative, which is basically the Democratic alternative.

And so, as we look at this transportation bill, is there some way that we can write a piece of legislation that would give us the infrastructure and the ability to move goods and services and people and, simultaneously, enhance American manufacturing?

Please share with us your thoughts.

Mr. ALTMIRE. I thank the gentleman from California for leading the hour and for yielding some time.

I come from a region of the country in western Pennsylvania—the Pittsburgh area and surrounding region—that knows a little bit about manufacturing. And just as important, we know a little bit about the policies that have led to the loss of manufacturing, not just in western Pennsylvania, but in this country; policies that have given a preferred tax treatment for companies that outsource jobs, that transfer physical assets overseas and then can claim a tax deduction for the cost of moving expenses. We understand that those policies have failed. They do not lead, certainly, to job and economic growth. It's quite the opposite. But they do not help America become more competitive in the global economy, which is what this House is debating right now.

And, yes, I do serve on the Transportation Committee, and we are talking about a long-overdue reauthorization of the transportation funding reauthorization.

We also, in western Pennsylvania, we have locks and dams. The roads and bridges that we have are in serious decay. Our waterways infrastructure, just as an example, with locks and dams averages 85 years old. Locks and dams that were built to withstand 50 years before they would need to be replaced are now rated in imminent threat of failure by the Army Corps of Engineers.

On the transportation side, we in the State of Pennsylvania have over 6,000 structurally deficient bridges. And in western Pennsylvania, my region, we have 1,000 structurally deficient bridges. Our infrastructure is literally crumbling around us, and we must do something about it. And that presents a wonderful opportunity for the Make It in America agenda, because when these roads and bridges and locks and dams are rebuilt, we want it to be American workers. And when the American taxpayer pays their tax dollars to fund infrastructure improvements, we want it to be done here in America. And we're going to talk more about that tonight.

I know the gentleman from California understands there's a bridge project, which is leading the discussion on this, across the country. I believe it's a $400 million renovation. The gentleman can correct me.

Mr. GARAMENDI. That's billion dollars, $4 billion.

Mr. ALTMIRE. A $4 billion bridge project. And the American taxpayer is funding the Chinese to give the steel to California to rebuild this bridge. And the infrastructure improvements that are being made, certainly we'll see some benefit, but those are American jobs. And American tax dollars are going overseas for something that could be done better and more cost efficiently here at home.

So I know the gentleman wants to talk about that, but I appreciate his leadership.

Mr. GARAMENDI. Well, Mr. ALTMIRE, you're raising the San Francisco Bay Bridge fiasco, which is one that gets the adrenaline flowing in California because the State of California decided they would put it out to bid. And there were two bids that came out by the same contractor. One was a bid that said the steel would be coming from China and the other was a bid that the steel would be coming from America. So that is not just the steel, but the formation of it and the structure itself.

So the Bridge Authority, in its infinite wisdom, decided to go with the 10 percent cheaper. Well, be careful if it's too good to believe. In this case what happened is the steel was manufactured in China. The bridge sections were welded together there. And it turns out that the welds were faulty; the inspections were faulty; the steel was not up to, and the overruns were well more than the 10 percent savings. Not only that, but you're employing some several thousand Chinese steelworkers. And mills in China are just revved up to get the steel going, and the mills in America shut down and American bridge and ironworkers were out of a job. We cannot let that happen anymore.

And so, as this transportation bill moves forward, one of the key elements in it—and this is being proposed, I understand, by Mr. RAHALL, and I think you want to talk about this in more detail—is that, associated with the program, not only is there more revenue and better in dealing with the issues that Mr. BLUMENAUER raised, but also a very, very important policy that the money will be spent on American-made products.

Please continue.

Mr. ALTMIRE. I thank the gentleman.

And I would just say briefly, I am an original cosponsor of that bill. I don't know that my colleagues are. I presume they're cosponsors.

But it's very simple, actually. All it says is we're going to do this infrastructure. We're going to come up with the resources in this country to rebuild America, to invest in our infrastructure. It's long overdue in this country. And it just says, if you're going to do that, you have to seek out American workers and American products to do that. You have to use manufacturing from American workers to rebuild our infrastructure. It just sounds so simple. And our colleagues listening today and others might be surprised to know that that's not already in the law, that we would have a preference in this country for American workers and American steel and American goods to perform our infrastructure improvements.

Mr. GARAMENDI. Well, that's exactly what we should do.

About 2 months ago, the gentlelady from Illinois spoke on the floor about a history lesson that I was unaware of. I'm not sure she wants to go into that today, but it dates back to the Presidency of George Washington. If she doesn't cover it, I'll remind her and we'll have her cover that piece of it. But I know she wants to jump in here. Illinois, a great manufacturing sector of America, as well as finance and commerce.

Ms. SCHAKOWSKY.

Ms. SCHAKOWSKY. Well, I thank the gentleman not only for yielding,

but for day after day, week after week coming to the floor and talking about something that resonates with every American, that in the United States of America it is time for us to bring jobs home and to have things that we make here stamped with ''Made in America.''

I also want to thank my colleague. Representative BLUMENAUER came to Chicago and convened, oh, it was maybe 100 people from all aspects of the transportation industry, contractors and actual workers, people who made the cement and people who were the engineers and would be involved in his project, Americans who are ready to work.

And, yes, at the very dawn of this country we had an industrial policy. President George Washington made sure that we thought about and created a policy for not only importing from England, who we had just split from, but actually making things. He insisted that the suit that he wore for his inauguration be made in the United States of America. And it wasn't that easy to find that suit, but he did so that he would be wearing something made in America.

Mr. GARAMENDI. If I might interrupt just a second, I'm going to complete the story you told on the floor here just by my memory. If I'm wrong, please correct me.

But he told Alexander Hamilton to develop an industrial policy for America.

Ms. SCHAKOWSKY. That's correct.

Mr. GARAMENDI. So those free traders who say get government out of the way need to go back to the very history, the very beginning of history of this where President George Washington told his Treasury Secretary to develop an industrial policy for America so that we can make it in America.

□ 1920

This is not new. We need policies that do it.

Please excuse me for interrupting.

Ms. SCHAKOWSKY. Understanding the future of this country, that if we are going to compete in a global marketplace, we cannot just be a service economy. We can't just have people working and making beds and flipping hamburgers and selling in retail stores. All these industries, all these jobs could be better jobs if they were better paid.

We need to manufacture things. We are the center of innovation. We can educate our young people to become innovators. In fact, I had a meeting this week with educators and the founder of the Austin Polytechnical Academy where they are teaching young people how to work in advanced manufacturing and the new kinds of steel mills and talking about ownership of those plants.

I wanted to say just a couple of things about what the President raised at the State of the Union address:

So we have a huge opportunity, at this moment, to bring manufacturing back. But we have to seize it. Tonight, my message to business leaders is simple: Ask yourselves what you can do to bring jobs back to your country, and your country will do everything we can to help you succeed. My message is simple. It is time to stop rewarding businesses that ship jobs overseas, and start rewarding companies that create jobs right here in America.

I have a piece of legislation called Patriot Corporations of America that would reward those patriot companies that hire 90 percent of their workers as American workers. They would get tax breaks. They would be able to jump the line for government contracts, and it would be paid for by taking away those tax cuts.

I want to return to the issue of transportation that you raised, that my colleagues Mr. ALTMIRE and Mr. BLUMENAUER were talking about. In fact, we have done something on transportation. My home State of Illinois, along with Iowa, Michigan, Missouri, California, and Washington State, received $782 million, my State did, for the purchase of 33 quick-acceleration locomotives and 120 bilevel passenger cars that will run on rail corridors in our States. Those trains will be designed to travel at more than 110 miles per hour between cities, will follow high-speed rail standards established by State-led Next Generation Equipment Committee. The committee will provide manufacturers with consistent specifications, reducing costs for manufacturers and customers. It is exactly the kind of coordinated government effort needed to address our transportation needs.

Mr. GARAMENDI. Excuse me. That is called the Patriot Act?

Ms. SCHAKOWSKY. No. This is high-speed rail, money that has gone to States.

I want to point out that we hear a lot from the Republicans about how the President hasn't created jobs, which, of course, he has—3 million new jobs, 22 consistent months of private sector jobs. But Wisconsin, I would like to point out, refused to accept the money from the Federal Government for high-speed rail, $810 million to construct a new high-speed rail line between Milwaukee and Madison. As a consequence, a company called Talgo America, which was going to actually build trains in Milwaukee—and the City of Milwaukee invested over $10 million to prepare a facility for Talgo. The company hired about 100 union workers, and 80 percent of those had been out of work for more than 2 years. That factory is going to close down this year because Governor Walker told the Federal Government that Wisconsin did not want the $110 million in Federal investment. We are hoping that that company is going to move to Illinois to build those trains where we are more than willing to move ahead.

What I am saying here is that, in a partnership between government at all levels, Federal and State, and partnerships with private industry, like a company like Talgo, we can create millions of jobs and billions of dollars in economic activity in this country. Why we would see a reluctance, as Mr. BLUMENAUER pointed out, by the Republicans to fill this gap that we have between our need for infrastructure development and the millions of people who want to work, to make our country so much better and stronger and safer so we don't have the bridges collapsing—Mr. ALTMIRE mentioned the thousands of bridges in his State that are not safe. We have thousands of them in Illinois as well. We can do this. We can do this together. Why the reluctance to partner, I can't understand. We can make it in America and America can make it in the world, continuing as a world leader.

I thank you.

Mr. GARAMENDI. Well, don't leave us, because we are going to go around on this subject again.

Mr. BLUMENAUER, you were kind of anxious to jump in with some ideas.

Mr. BLUMENAUER. I really appreciate what my colleagues have focused on.

Mr. ALTMIRE referenced the infrastructure deficit in this country. The American Society of Civil Engineers does a 5-year assessment. The latest assessment gave American infrastructure grades of C, C minus, D, with a total unmet need over the next 5 years of $2.2 trillion just to bring it up to standard.

They have done another interesting study talking about the cost of not dealing with the improvements. Hundreds of billions of dollars of cost are going to be visited upon the American public because we don't bring our water infrastructure up to standard.

I see from my friend from western Pennsylvania that we leak from our underwater pipes in this country 6 billion gallons a day, enough to fill 9,000 olympic-sized swimming pools that would stretch from the Capitol, where we are standing, to my friend's district in western Pennsylvania. We can do better.

The notion of talking about the consequences of not investing in American companies—I appreciate both of you talking about that bridge segment. The $400 million that was invested for an inferior product was money that didn't deal with our manufacturing infrastructure here. It meant not only we were giving money to our competitors, but there were thousands of American workers who didn't have the work and the suppliers and subcontractors that would have been part of the manufacturing chain.

In my district, we are constructing the first American-built streetcar in 58 years. These streetcars are going to be running in Portland, Oregon, in their streetcar system. It is going to be in Tucson, with our dear friend Gabby Giffords in the system she fought for, and in Washington, DC. It is not just that these streetcars are manufactured in Portland, Oregon, but there are dozens of subcontractors' manufacturing operations throughout the Midwest that get components to build as part of this.

It is part of the virtuous cycle where, when we focus, when we invest in making it in America, we are rebuilding and renewing our communities, meeting vast unmet needs that will not just revitalize the economy but make our communities safer and healthier. Remember, each billion dollars that is invested in infrastructure creates 30,000 jobs in America.

We can make it in America. We should start with rebuilding and renewing America.

Mr. GARAMENDI. And the transportation system goes with it.

Mr. BLUMENAUER, you are rightfully talking about the glories of Portland, Oregon; however, I want to bring to your attention that streetcars are now being manufactured in Sacramento, California, near my district. I will not let you get away with boosterism without mentioning my own State and what is happening there.

□ 1930

Now, the reason that both of these plants are operating goes back to a very important action that the Democrats took here in January of 2009. Shortly after President Obama came into office, the American Recovery Act was voted on. I wasn't here at the time, but my colleagues on the Democratic side did. You voted for the American Recovery Act; and in the American Recovery Act, there was a provision for streetcars and rail systems, locomotives, that they be manufactured in America.

The direct result of that—not speaking of Oregon, because I don't know—but in California the direct result of that is that one of the largest manufacturing companies in the world, Siemans, came to Sacramento, built a factory to manufacture streetcars, and now they're producing eight locomotives for Amtrak as a direct result of a specific provision built into the American Recovery Act, the stimulus bill, that said you get the money but you've got to spend it in America on American-made products. That's what we need to do.

Joining me now, I see my colleague in part of the East-West program here, my colleague from New York (Mr. TONKO). Welcome.

Mr. TONKO. Thank you, Representative GARAMENDI. Thank you for bringing us together for a very thoughtful hour of discussion about the need to invest in America's infrastructure.

What I like about the comments made here are that we have the tools within our grasp to make a difference, to invest in the infrastructure, whether it's safety on the highways, whether it's dealing with environmental soundness as an outcome, by promoting public transportation, or by enhancing energy efficiency at our water treatment facilities, which is something I worked on when I was president and CEO in NYSERDA, New York State Energy Research and Development Authority.

But prime in the focus of this investment in infrastructure is an outcome that speaks to the reigniting of the American Dream. We have work to do.

This dream should not be beyond the grasp of Americans, certainly not beyond the grasp of America's middle class. The underpinnings of the support for reigniting the American Dream, embrace small business, which is the pulse of American enterprise that speaks to the moms-and-pops that raised a family based on a business that they developed, and they can feed this plan to rebuild America's infrastructure.

It's also driven by the dynamic of entrepreneurs, the doers, the believers, the dreamers. Those pioneers that made things happen in this country are out there ready to respond to a present-day, modern-day, cutting-edge retrofit of infrastructure in this country.

It speaks to empowering the middle class.

Those three legs of the stool are what reigniting the American Dream is all about. We have work to do. Unfortunately, it's not being done in this Chamber. We need a progressive agenda, embraced aggressively, to bring about an outcome that grows jobs driven by reigniting the American Dream.

I represent a district in the upstate reaches of New York that was impacted in 1987 by the collapse of the interstate highway bridge, brought down by the flood waters of April of '87, equal to the flow of Niagara Falls. We lost, I believe, 10 lives in that incident. We saw what economic crippling occurred in that given region. You could not transport your products, the area lost volumes of visitors, and there was an economic consequence to that failed infrastructure caused by Mother Nature. There are samplings of that around this Nation.

That incident and the data that are assembled based on similar experiences should motivate us, inspire us to invest in our infrastructure. Water, an essential for industry, for residents, water efficiency, energy efficiency as you're dealing with water treatment facilities, can be upgraded in a way that addresses the bigger picture of energy policy inextricably linked to the economic comeback, linked to the grasping of the American Dream.

When you look at a number of our communication and energy retrofits that are required to provide for energy self-sufficiency for enabling cottage industries to be developed in remote places, if you broadband out to those areas, great things can happen.

So, Representative GARAMENDI, my statement is let's reignite the American Dream. We have work to do; and we can do it through small business, entrepreneurs, and a thriving middle class. The thriving middle class is the pulse of the Nation. If the middle class is doing well, America does well.

Any democracy around the world is most effective, most strong if it has a thriving middle class. Let's go forward with the agenda. It's possible. We have the intellect. Let's embrace America's intellect as the intellectual capacity, and let's get it done.

Mr. GARAMENDI. You've used some very, very challenging words for us, reigniting the American Dream.

We have an opportunity. It's this week. This House is going to take up in the Transportation Committee an extraordinarily important bill that speaks to the transportation infrastructure. The way that bill is currently structured, A, it's underfunded—it can only add to the deficit or not fulfill its mission and its purpose—and, B, has nowhere in it requirements that will cause jobs to be in America.

For example, here's what we presently do. We presently use our tax dollars. We send them overseas to buy buses and rail cars and ferry boats and the like. When this bill leaves that committee, and certainly if it were to leave this floor, it must have a make-it-in-America provision so that our tax dollars are spent on American-made equipment, buses, trains, steel, bridges, whatever. Why in the world we would export our money and our jobs is beyond my understanding.

But the bill as presently composed has no make-it-in-America provisions. It can be done. Those ideas have been presented.

I'm going to take just one more second and put up one more of my favorite charts, which happens to be my legislation, H.R. 613. It simply says: ''If you're going to use American taxpayer money to do a high-speed rail or build a bridge or a bus, then it's going to be made in America.''

Mr. ALTMIRE, you were talking about this earlier. Let's reignite the American Dream and build the middle class by making things in America.

Mr. ALTIMRE. I thank the gentleman.

The gentleman leads me directly into what I was going to talk about. I wanted to make a couple of points.

One is we talked about the transportation bill, which we're going to be debating in the Transportation Committee, later on the floor of this House, maybe as soon as next week. Funding is a key issue. We've all referenced funding—where is the money going to come from—and that's a discussion that we're going to have as a country. Justifiably, we've had hours, days, months of discussion and intense debate in this Chamber and in both sides of this Capitol and around the country about spending, about what are our national priorities. Have we been spending money inefficiently? Are there things that we can redirect spending towards or away from, whatever the case may be?

But with regard to infrastructure, when I'm back home and I talk about spending, I talk about setting priorities, and I use the example that any family in America is going to understand, any business in America: if you have a leak in the roof that you discover, that leak is not going to fix itself.

Mr. GARAMENDI. How did you know my problem?

Mr. ALTMIRE. Right. You have to find a way to pay for it because it's only going to get worse if you ignore the problem.

Now, you might say as a family, you know what, we can't take the kids out for that steak dinner. We can't go out to see the movies this month like we were talking about. But we have to find a way to fix this leak because it's only going to get more expensive, it's only going to get worse, and it's only going to create more damage if we ignore that problem.

I talked earlier about the state of our roads and bridges, the state of our locks and dams; and the gentleman's chart shows the first word on that chart is ''airports.'' Our aviation infrastructure in this country is as out of date as any other developed nation on the planet.

□ 1940

Our air traffic control system literally operates with 1950s technology.

One of the debates that we are having with infrastructure and aviation is this NextGen system, which is where we would utilize what has become commonplace everywhere else in the country: the system of satellites and GPS. It just makes common sense. The reason we have such bottlenecks at the major hub airports in the country, which affect everybody in this country, is that even if you don't live in that city, you're affected by it because that plane is going to be coming to your city; and if it's delayed, it affects you. We have those delays worse than anywhere else on the planet because of the state of our infrastructure with aviation and with airports.

It touches every type of transportation infrastructure you can think of—waterways, rail, roads, bridges. It is critically important.

This is a tremendous opportunity for America. In using American workers, in using American resources, we're all going to win from this; and that's why I support the gentleman's plan.

Mr. GARAMENDI. I thank the gentleman from Pennsylvania very much.

It's about jobs, isn't it?

Mr. ALTMIRE. Yes.

Mr. GARAMENDI. At the end of the day, it's about jobs.

Those jobs, if they're in the manufacturing sector, will be middle-American jobs, and it will reignite the American Dream. Men and women can see the opportunity. They can see the opportunity to buy a house, to educate their kids, to take care of their families, to put food on the table. That's the American Dream, and we intend to reignite it.

Ms. SCHAKOWSKY, if you would carry on here, you have more things, and I know you were talking earlier about some of them. So, please.

Ms. SCHAKOWSKY. I wanted to go back to this theme of a robust middle class. It's really in the manufacturing sector. It's really making it in America that built the middle class in our country. Yet there are people—and you hear it all the time—who say, you know what, these jobs are never going to come back. Just forget about it. We're not going to do this kind of manufacturing in America anymore.

Why would that be?

That is a myth that we have to bust. Of course, we can make it in America. We're not going to necessarily see factories where people are doing those kinds of repetitive jobs, and we don't want to see those dirty smokestacks come back. It's the vast manufacturing, the manufacturing for the 21st century and beyond, of clean jobs and of creating energy-storing batteries that we need and that we can export all around the world—the wind turbines that need to be built all over the world. Those innovators are here. Instead of turning it over to some other country—to China or some other country—to then make the stuff or create the supply chain, we should make it right here. With transportation costs going up as they have been, it's actually becoming economically advantageous to make it in America. That's why manufacturers are actually coming back, and we want to encourage that at every step.

So the idea that somehow making it in America—factory work—is passé is absolutely wrong. That's what the Democrats have been saying, and that's what our Make It in America agenda is all about, that we are going to be the creators, the thinkers, the engineers, the factory owners.

And do you know what? We actually have a succession problem in the factories that we have right now. Instead of thinking, in order to make it, you have to go into the financial sector, where absolutely nothing is made, we have to encourage our young people: go into business, the business of making things. Start figuring out how you can be a leader in a manufacturing plant, in the manufacturing process, which is going to lead this country in the 21st century.

It is all there, waiting for us, if government will be a partner, not just creating the jobs but partnering with the private sector to make it all happen.

Mr. GARAMENDI. That history of partnership goes back to the very first President of this Nation. George Washington set up an industrial policy: Mr. Hamilton, Go out and develop an industrial policy because we're going to make things in America.

So at the very earliest day of this Nation, government and the private sector became partners to make things in America and to make a great manufacturing sector.

Ms. SCHAKOWSKY. President George Washington knew if we didn't do that, that we would not see the United States of America becoming a world leader or even putting its own people to work and being able to grow.

Mr. GARAMENDI. Mr. TONKO, a few moments ago, you talked about reigniting the American Dream. So how are you going to do that?

Mr. TONKO. I think there are a great number of things that we need to invest in in order to make it happen; but let me preface that response with a description, if you will, of the 21st Congressional District.

As I stated earlier, we are a chain of mill towns given birth to by the Erie Canal. The waterways of the 21st Congressional District can easily be defined as the ink that wrote the history of the Industrial Revolution. They were the gateway to the Westward Movement. What you had there were ideas from people working in factories, oftentimes the immigrant patterns entering this Nation, the very first stages of immigrants. So that American Dream was ignited there in a scenario that was very much deemed rags to riches. People came here with nothing but an idea and the hope to build for their families. They provided the fuel that created the Industrial Revolution, and so America became this promised land.

Our best days lie ahead of us. We, as a sophisticated society, based on our humble roots, developed some of the primary products that are now manufactured in other nations; but we need, as a sophisticated society, to step up to the plate and do those product deliveries now that are not yet on the radar screen. We have it within our intellect to be able to do that; but when it comes to the infrastructure, we need capital; we need physical infrastructure; and we need human infrastructure. That's what we're looking to do with our Make It in America agenda, produced by the Democratic Caucus in this House, and we need action on these legislative items in order to make things happen.

Let me just close with this statement for now.

My district was ravaged by storms this past August. In late August, we were hit with Irene and Lee, and the infrastructure was devastated. People lost homes, homes that were entirely swept into the waters. People are still repairing homes that we hope will be recoverable. The infrastructure needs of taking a navigation channel like the Erie Canal and retrofitting it for flood design purposes so that it can be there as flood control infrastructure is an enormous mission. It's not just the engineers and the teams of construction workers who will put this together. You will need hydrogeologists to determine what the best patterns are. If we're going to simply build bridges at the same height and at the same span as currently exists when all the forecasts are that you're going to have greater amounts of water flowing, based on historic data now that are available, then that is foolish government. We need smart government. People want thoughtful government.

There is a way to embrace a recovery for these flood-torn areas and to rebuild their infrastructure by reaching

to all elements of manufacturing and intellect that can build an agenda, that builds this Nation—and that is going back to our pioneer roots, to a rags-to-riches scenario that is driven by the initial American Dream. We need to reignite that American Dream. We need to do it with innovation, education, higher education, and research, research into how best to do things so that we are ahead of the curve, not constantly reacting to issues with a Band-Aid approach.

Mr. GARAMENDI. We have work to do.

Mr. TONKO. We have work to do.

Mr. GARAMENDI. We need to put these things in place.

Let's see, we've had the Northeast, New York. We've had the Midwest. We've had western Pennsylvania. How about Texas? Let's go to Texas.

SHEILA JACKSON LEE, thank you for joining us tonight.

Ms. JACKSON LEE of Texas. It's a pleasure to join the gentleman from California and my colleagues from the great State of Oregon, the great State of Illinois, and the great State of New York. I heard earlier this evening that it's okay to say happy new year up until the end of January, which happens to be today; and I certainly wanted to start the year off right by joining you again and really pleading with our colleagues.

I just want to briefly talk about what my good friend from New York mentioned with regard to reigniting the American Dream, which I am zealously advocating, really, across my State and across the Nation; and I am adding to that: building ladders and removing obstacles.

I also see the work of the gentleman from California as really focusing in on an age-old problem. I want to call up a dear friend who is the former chairman of the Transportation Committee, Chairman Oberstar.

□ 1950

Just a few years ago he watched his own community have a horrific incident that many of us in America continue to be shocked at, the collapsing of a bridge, the literal collapsing of a bridge and, of course, there was loss of life, devastation and fear, and an economic loss for people who could not be connected. That's not the America we know and love.

So why this is so important—and let me just suggest that there are so many variables—there are thousands of soldiers coming home from Iraq who are willing to sacrifice their lives for us, and those who have come back are now seeking opportunity. That's another component of individuals who want to work, although this administration, this Congress has been excellent in veterans preferences and seeking to employ them.

Every one of them will say they don't want a handout. They have been able to do massive work overseas that gives them the skills so they could be engaged in the reconstruction, the infrastructure work of airports, highways, high-speed rail, trains and transit, and we can give them the opportunity of reigniting the American Dream.

We know that what we must do is build on the working class and middle class. We must build on opportunities for young people who may choose a 4-year college, but as the President said last Tuesday, may choose a community college that gets them into job skills. So most economists will say that this is not a time to be, in essence, Scrooge.

When times are hard, you invest in human capital. And as someone who represents one of the largest airports in the country, George Bush Intercontinental Airport, and is also in a community that has Ellington Airfield and Hobby Airport, it is truly key to be able to work on the infrastructure. As someone who comes from the coastal areas—and I want to present to the gentleman my legislation that talks about deficit reduction and restoration of coastal areas using the energy industry—but looking at it from a positive sense, all dealing with manufacturing, because manufacturing does matter.

Let me just say this in conclusion: Our friends or those who want to speak negatively are absolutely wrong that we don't have the genius of manufacturing. In fact, I can document that factories are coming back to America, that the high cost of labor for our friend and sometimes challenging ally, China, is going up, that the cost of having factories there is difficult, and there are obstacles such that now our American companies who are even thinking of going are looking at the agility of the skills of American workers.

You cannot underestimate the genius of American workers, the enthusiasm of American workers, the willingness to go into factories, the ability to build them, and I take on anyone who has suggested that our logistical or supply chain does not work. Frankly, let some of our military personnel who are now coming back, who are going into civilian life, let them show you how to do a logistical supply chain.

So I believe that manufacturing is here to stay. Just a news clip today talked about an individual who, with tears in his eyes, was talking about bringing back manufacturing of furniture in the Carolinas. I think in this instance it was North Carolina. He was excited. He was emotional about the fact that his father had left him this legacy. He was bringing it back.

Despite some of our friends who are talking about they can't make certain iPhones here in the United States, I frankly believe that our technology sector is alive and well, and that we're going to be building more, and certainly the infrastructure begs out, in tribute to our dear friend, Chairman Oberstar, and many others who have talked for years, as I joined him, and as I join my colleagues, to say that I believe we live in the greatest country in the world. I believe that there is nothing better than reigniting that American Dream, and I believe that once we move the obstacles and build the ladders, we'll be building airports. We'll be talking about high-speed rail.

Thank you to this administration for not abandoning it. We'll be doing the trains, we'll be doing the infrastructure, and we'll be putting people back to work. I can't imagine a better way to start off the new year.

I must leave this in tribute to a pastor's words I heard on Sunday: 2012 will be the year of uncommon favor. That's because we are not going to give up on the American worker and this great Nation.

I thank the gentleman for coming to the floor and allowing me to share with him.

Mr. GARAMENDI. Ms. SHEILA JACKSON LEE, thank you very much for once again joining us in these dialogues and how America can make it. Certainly if we make it in America, we'll be well on our way. Manufacturing does matter.

Just this last weekend I was in one of the small communities of California, the town of Colusa, very small, 6,000 people. There was a General Motors-Chevy-GMC truck dealer that came up to me—it was a crab feed—and we were chatting, and he came up and he said, I just want you to know that I'm still in business.

I thought about that, well, that's a strange way to start a conversation. I'm still in business. And I said, it was President Obama that made a very courageous decision to bail out General Motors, and in doing so, not only does General Motors survive, but maybe tens of thousands of the supply chain manufacturers survived. And way off in California, a little town, up in the Sacramento Valley, an auto dealer said, I'm still in business.

He would have been gone, along with tens of thousands of other manufacturers and hundreds of thousands of jobs, if President Obama, together with this House, with the American Recovery Act providing the money, President Obama had not stood forward and said, I will not allow General Motors and Chrysler to die, not on my watch. Those two companies are now in business and profitable.

There is a partnership that needs to exist through time, beginning with George Washington and carried through, as you described the Erie Canal which was, what, 30 years after that, a partnership of business and private sector working together to create opportunity, to create the American Dream. Our task is to reunite it.

Mr. TONKO, why don't you pick it up.

Mr. TONKO. Representative GARAMENDI, thank you again for bringing us together.

But when you speak to the history of the Erie Canal, it was devised because of economic tough times. This Nation was struggling at the moment, and we responded by building. We didn't walk away and cut our way through; we

built our way to opportunity and prosperity.

And so as we look at the present moment, reigniting the American Dream begins with those underpinnings of support, investing in capital infrastructure so that there are the dollars available for research and retrofitting America's business community, its manufacturing base, which was for far too long ignored. It also requires the investment in human infrastructure. It is totally unacceptable to develop jobs in our Nation that will grow as we develop automation with advanced manufacturing, to not invest in the nurturing of skill sets within the American worker, totally unacceptable to not do that.

So I tell people now, as we tour with our roundtables on manufacturing, that there are thousands of jobs across this country waiting to be filled because there is an automated process that has been engaged in for manufacturing. And I have, at my community college base, training that is done for automated manufacturing.

I have within my technical 4-year college base and grad school base in the region—RPI and Hudson Valley Community College come to mind. But they allow, through incubator programs, to develop automated response to a particular manufacturer that we visited, Kintz Plastics. And Win Kintz reminded us that he has now been able to compete internationally by not necessarily doing it cheaper but smarter, and that's what the tools we require here are all about.

It's putting the capital, human, physical infrastructure demands into working order so that we're realistic about providing hope to America's working families, all by reigniting the American Dream. And yes, Representative GARAMENDI, we have work to do. Let's do it in this Chamber.

Mr. GARAMENDI. Mr. TONKO, thank you very much for your leadership and your steadfastness on this issue of rebuilding the American middle class. The President spoke here less than 2 weeks ago on the issue of manufacturing, on the issue of jobs and making it in America. We need to follow up with that.

We have an opportunity this week, and I would ask my Republican colleagues to pay attention to what we're saying here, in the transportation bill that should be marked up, put together in the Transportation Committee, there is an enormous opportunity to put in place policies that allow the American manufacturing sector to thrive as we spend our tax money on infrastructure issues, on buses, on trains, highways, and bridges. All of those essential transportation needs we ought to couple that with the notion that that money must be spent on American-made equipment.

□ 2000

It's a simple concept, but it is so powerful and it will create jobs, and that is our task, to reignite the American Dream, to put in place all of the ladders so that the middle class can once again succeed, eliminate the barriers that exist and get on with building America. Make it in America so that America can make it.

With that, Mr. Speaker, I believe my hour is nearly up. I thank my colleagues for joining us, and I turn this over to our Republican colleagues and hope that they will be responsive to our plea that we use the transportation bill to make it in America.

I yield back the balance of my time.

REGULATIONS STIFLING AMERICAN ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, that was an interesting conversation we just heard. I was very impressed by that. And I agree, we need to expand infrastructure. Everything that was said there is important.

You know, I've been talking on the floor of the House about regulations recently; and as I listened to my Democratic colleagues talk about infrastructure, I was reminded that we have a bunch of new regulations on cement that are going to drive our cement industry out of the country. It's going to be a little tough to build bridges without cement. We have moratoriums on oil and gas. Asphalt is made with oil, so we need to think out these projects as we go forward.

Today I'm going to talk about some regulations, and I'm very grateful to be joined by numerous of my colleagues; and we are going to be talking about some new regulations that are going to attempt to be imposed upon an industry that is struggling and will, quite honestly, be a setback, in my opinion.

I'm going to start off by recognizing Mr. GUINTA and letting him tell us his comments on the subject of the new 54-mile-per-gallon rules that are being proposed for our automobiles.

Mr. GUINTA. I thank the gentleman from Texas, and I thank you for your hard work in trying to protect small job creators, not just in your State but all across the country, in your proposal and amendments and legislation to try to address what I think is an unjust, overregulated approach to negatively affecting not just the auto industry but also the consumer.

Earlier last year, the EPA and California regulators, of course under the guidance and direction of President Obama and his White House, proposed the most expansive regulations ever on the auto industry. Estimates suggest that the cost will be $157 billion. This is at a time, I remind you, when we have a debt and deficit of about $16 trillion and $1.3 trillion to $1.5 trillion, respectively. This is not a time when this administration should impose greater oversight, greater regulatory challenges to job creators in America.

I want to remind those who are listening, as I take a look at an article written in The Wall Street Journal back in September of last year, September 14, it talks specifically about this piece of legislation and how new cars and light trucks would have to increase their fuel economy to 54.5 miles a gallon. And the White House officials actually commented in that article. They commented that the proposed fuel efficiency target could raise average vehicle prices by about $3,000. This administration acknowledges that their overregulation will increase the cost of an average vehicle by $3,000.

Now, if you think about that, when an individual goes to purchase or lease a vehicle, they sometimes use a 3-year window, maybe a few more months, 39 months, and I find it interesting that we are about to extend the payroll tax for the balance of the year, which would give the average American $1,000 back in their pocket. And the Obama administration would like to take that $1,000 from the consumer pocket and put it back into the coffers of the Treasury.

I find that bad public policy, to say the least, not in the direction of trying to reduce our debt and deficit and have a pro-growth economy, and I think it stifles the auto industry. And most importantly, it stifles small business owners across the country.

I just want to share with you, briefly, statistical information about this industry in my State of New Hampshire. We have about 800 different businesses within this industry; 25,000 employees in New Hampshire, alone, that would be affected by this regulation.

I'm concerned about the job loss around the country. I'm concerned about small business owners having access to capital, being able to continue to survive through this down economy. And I'm concerned about those employees who work for those job creators, our friends and our neighbors. They're not Democrats or Republicans or Independents. They're Americans, and they're demanding that this Congress stop the regulatory oversight from President Obama and his administration and the EPA. We are trying to do that on behalf of the American public. I think it is a smart way for us to give back to not just the consumer but the job creators who we so desperately rely on for a pro-growth economy.

The final point that I would like to make is that, in addition to the $3,200 estimated increase in the cost of the vehicle acknowledged by the President and his White House, this regulation would also essentially take the $15,000 vehicle out of existence. We would not be able to, as consumers, access an affordable vehicle for ourselves or for anybody who's purchasing a vehicle, for that matter. The very middle class that our friends on the other side of

the aisle talk about preserving and protecting are being targeted by this regulation.

It's time that the country hears more about how this administration chooses to take money from one entity and give it to another. They're taking money from hardworking Americans and putting it in the coffers of the Treasury so they can expand the size and scope of government.

The people of New Hampshire have had enough. They've sent me here to fight for those middle class families, those hardworking job creators who in New Hampshire provide 25,000 jobs in this industry. And I will continue to work with you and anybody else in this body who shares the opinion of enough with regulation. Let the free market work. Let the consumer win for a change.

I thank you for yielding to me and, again, I look forward to working with you on future legislation that you seek to address on the floor of this House.

Mr. CARTER. I thank you, and I agree with absolutely everything you've said. I think it's a real eye-opener to realize that we sit here and we have a State of the Union address where the middle class was referenced, I don't know, a dozen times probably, how it is all about the middle class and how we are going to do things for the middle class. I guess we can start off by saying that the first thing we are going to do is raise the price of a car for you by $3,200, not because we have to, not because it fits our plan of coming up with fuel standards, which we had in place before the EPA in California interfered, no. We're going to do it now even though it was supposed to be 3 years from now that we start looking at these standards, and we're going to take $3,200 out of your pocket when you buy that first car. That doesn't seem to be looking out for the middle class.

I think this House ought to be looking out for the middle class. I think they ought to be looking out for the buyer. I think we ought to realize that in a time when we have an industry which we had to pour literally billions and billions and billions of dollars in to save—and we've done it. We've got it, at least we hope, back on its feet—and then all of a sudden we impose standards upon that industry which, quite honestly, will probably harm them, you raise the price of your product $3,200 that you weren't expecting to raise, you're not ready for that kind of problem.

□ 2010

Finally, and most importantly for Texans, the pickup truck capital of the world, I'm told this will eliminate SUVs and pickup trucks. And them's fightin' words where we come from. So that's the other thing that we ought to be concerned about. The lifestyle of Americans is going to be changed by requiring standards that some certain vehicles, quite honestly the engineers tell us, just can't get there. We're not thinking these things out. We're too busy. There's too many people around this town that are too busy trying to get the government in control of your entire life that they're not thinking out what they're doing. Thank you for your comments.

My co-partner of sorts from Ohio (Mr. AUSTRIA) is here. He and I have been in this battle a good while, and we have done some stuff on the Appropriations Committee to raise this issue. We've got folks who came here ahead of you, but we're kind of co-chairing this thing, so you can make an opening if you would like, STEVE.

Mr. AUSTRIA. I thank the gentleman from Texas for yielding, and I thank Congressman CARTER for his hard work and commitment with this very important issue, in addressing this very important issue that directly impacts hardworking Americans. Judge CARTER and I have worked on an amendment together in committee to try to stop these duplicate government tasks that are going on right now. And I think you've done a good job in articulating the importance of having that amendment.

I can tell you, Judge, I fly home every weekend to Ohio, back to my district, number one, to be home with my family, but also to be out in the district and get what I call my reality check, to talk to the hardworking Ohioans, the small businessowners and farmers. And like many other Members of Congress, I do town halls, and I attend different events and meetings.

What I do hear from those hardworking families and those small businesses is that, number one, we have got to stop this out-of-control spending. And part of that includes wasting hard-earned taxpayers' dollars because of duplicate services that are going on with different agencies in the government; and, number two, we've got to get government out of the way. We've got to stop these unnecessary, burdensome regulations that are hurting small businesses and that are killing jobs.

Back in 1975, Congress, this body, tasked NHTSA, the National Highway Transit Service Authority, under the Department of Transportation, that agency, with the task of setting those standards. And those standards were called the Corporate Average Fuel Economy standards, or the CAFE standards. And they were enacted, again, in 1975 with accountability and transparency with Congress to gradually and responsibly increase the fuel economy in America. And they've been reinforced and raised by Congress repeatedly, as recently as 2007.

And what we saw shortly after this administration came in was that EPA expanded its authority to start setting its own standards. And then they expanded it even further allowing California to create its own State standards. And what's happened here is we've created duplicate services, wasting taxpayers' hard-earned dollars creating the most expensive regulations ever. You get three different agencies sometimes setting different standards, creating uncertainty in the auto industry, and raising the cost of vehicles for hardworking families to pay for this, hurting our small businesses and killing jobs.

Last year, we saw the EPA, again without authorization from Congress, propose rules to regulate the fuel economy of cars and light trucks for model years 2017 to 2025. This is last year, in 2011 they're doing this. They increased the required average fuel economy over 54 miles per gallon. Because the EPA is not accountable to Congress for this, because they don't have any substantive guidance on how to create these regulations and they don't have to follow the same rules that were put in place, they're not required to take into account factors like job losses. We're going through one of the most difficult economies we've seen in decades. Unemployment is at one of the highest levels it's been, and they don't have to include job losses or consumer demand or safety. It became very apparent to myself and many of our colleagues that these regulations are out of touch with the American people. They're out of line with Main Street, USA, with small businesses that are the backbone of this economy. And in some cases, they're irresponsible.

I was proud to join you last July in offering an amendment during our full committee consideration of the Interior, Environment and Related Agencies bill that simply just put a 1-year time-out on the EPA's rulemaking process so that Congress and our constituents could have time to determine what's the most responsible path here to move forward. And the amendment also prevented the EPA from granting permission to California to create their own regulations, State regulations, that would lead to an impossible patchwork of State laws. So what this could lead to is, think about this, if you have an activist State, they could actually hijack Federal policy with regulations they're putting in place.

Our amendment was included in the Interior appropriations bill. It was reported out of committee. I joined you again in October, Judge CARTER, in sending a letter to the committee, along with 64 of our colleagues, bipartisan support on this, encouraging that this amendment be included as part of the final appropriations package that passed last year.

Unfortunately, this administration and their allies in the Senate, the Democrat majority, blocked this commonsense amendment, leaving the EPA with the authority to go out and continue to move forward with this harmful and ill-conceived rule.

I think the facts are, and you pointed this out, number one, it's the most expensive regulation ever on the auto industry, $210 billion in new regulations. It's going to raise the average cost of a

vehicle for a hardworking family by roughly $3,200. It's going to regulate cheaper vehicles that are under $15,000 pretty much out of existence. And the EPA has already wasted over $24 million creating these duplicate regulations.

This is out of control what's happening right now. It's a waste of the taxpayers' dollars. And we have to, at some point, understand what's happening here. We're accountable for the taxpayers' dollars. We have to ensure that the way things are being done are being done properly. The EPA, again, has already spent 24 million, as I mentioned, on these duplicate services with the largest budget deficit in history. Congress and the administration should focus on eliminating the duplicate government programs and protecting the taxpayers' dollars. The redundant regulations of the fuel economy by the EPA is simply just a magnitude of the government waste that we're seeing today.

With that, Judge CARTER, I appreciate, again, your leadership on this very important issue. I know we have a lot of Members here to speak on this.

Mr. CARTER. I would now like to have you hear from my colleague from Virginia, SCOTT RIGELL, who has been waiting to talk. I learned in a conversation before we started here tonight he's been in the car, the automobile business, and so he brings a good perspective to this conversation.

Mr. RIGELL. I thank the gentleman for yielding and bringing this to our attention. It's a critical matter facing our country. It has a direct impact on job creation, and I regret the way it's headed. That impact is adverse. And so we rise tonight, I believe all of us do, in defense of the folks who would be most directly impacted by it, the folks who are producing our cars, the folks who are selling and servicing our cars and the related industries.

I come to this body, and I know we all do, regardless of political affiliation, with the idea that we are first Americans. And I always try to find where do we agree. I start out tonight thinking we surely agree that it's a good idea for fuel economy standards and performance to increase over time. We share that with our colleagues on the other side. Yet that is also regrettably the point of demarcation because there is a sharp contrast, I believe, between where the administration is headed with this.

This is yet a third level of regulation on an industry that is already highly regulated. The Department of Transportation, the State of California itself, and now, and I believe unwisely so, the administration is allowing, in fact, encouraging the EPA to inject itself into this. There are multiple flaws in this path that I believe the administration is on through the EPA.

□ 2020

I just want to touch on one, Judge. Because as you noted, I've had the privilege of being in this great industry for a long time. Since I was about the age of 23, I've had the privilege of being a retail automobile dealer for about 21 of those years, and through our organizations had the great pleasure of retailing over 100,000 automobiles in our market and have spent a tremendous amount of time on the sales floor.

You know, we know this instinctively, that as the price increases, demand will drop. Now, this may be, I think, some noteworthy news to some who are in the regulatory business here, but an additional $30 a month, I've seen it oftentimes, it becomes the stopping point for families, and rightfully so. As they try to live within a budget, $30 a month—$1 dollar a day you could say—that is in and of itself enough for a family to make a different purchasing decision. The math is pretty easy. With over a $3,000 increase in a vehicle over 60 months—I think my math is pretty good here—it would be at least $50, not to include interest, on a monthly basis. So on the margin we would see in dealerships across this country decisions to not buy cars. The higher the price, the fewer the buyers.

Now, that which seems so obvious to us—let me read from the regulation itself here. The administration's proposed regulation states: ''Since the impact of this proposal on sales is unknown and sales have the largest potential effect on employment''—here's the point of note—''the impact of this proposal on employment is also unknown.'' Judge, I'd submit to you tonight, well, the EPA and the Obama administration may not understand the impact of these regulations on employment, but I do. I think the American people do. Sales go down, employment follows. The only thing that increases is the pain, real pain and suffering, of American families on the margin. Some employers have to tighten up, some manufacturers have to tighten up because of the decreased demand.

So Judge, I stand with you tonight. I applaud your leadership in this matter. And I hope that the EPA will reconsider—in fact, come to a full stop and allow the CAFE standards that have been in place since 2007 to guide us going forward. They're doing a good job. Manufacturers are improving in their fuel economy standards. It's a wise course of action to stay where we are. And I thank you again for your leadership.

Mr. CARTER. Reclaiming my time, and thanking my colleague for his comments—you know, we're talking this whole year of how we're going to get this economy back on its feet, how we're going to put people back to work, how we're going to make our decisions make sense to put people to work and make our economy grow. And I'm concerned, where we already have the NHTSA—or whatever it's called—setting these standards, we had CAFE standards established—gosh, that's 8 years ago—with a plan to study on down the road, looking at the economic consequences and the job consequences, as well as the environmental consequences. And the EPA chose to make a decision based solely on their global warming view of the world and not take into effect the job—in fact, they say in their statement, we don't even know what the job consequences are going to be, and we don't know what the economic consequences are going to be. And we don't know if you can sell a car, $3,200, but we're passing this regulation anyway. That's not the kind of decisions we ought to be making around this place. So I really thank you for raising those economic points, Scott. It helps a lot.

The next person I believe was here, ALAN NUNNELEE was the next one. I yield to my good friend from Mississippi.

Mr. NUNNELEE. Thank you, Mr. CARTER, for yielding.

Mr. Speaker, I have to confess, when Judge CARTER started talking about Texans loving their pickup trucks and the EPA coming to take our pickup trucks away, that got my attention. Because the judge would know that while Texans love their pickup trucks, the only reason that you love them more is because there's more Texans than there are Mississippians. I love my truck as well, and I don't want anybody to come get it.

The EPA, California regulators, and the Obama White House have combined forces to show how far the left will go. They'll use any means at their disposal to ram through its liberal agenda. I'm convinced that this administration is driven by a radical environmental agenda, and that this environmental agenda will use the threat of allowing California to impose its own set of regulations as a way to strong-arm auto manufacturers into going along with the new and unnecessary fuel economy standards. As has already been described here tonight, Mr. Speaker, this action would drive up the cost of a vehicle by an average of $3,200.

Now, my concern is that young family in Mississippi that's trying to make it on their own, that needs to go out and purchase a new vehicle. For that young family, $3,200 is a lot of money. My concern is the senior citizen that needs to go out and purchase a new vehicle, and they're trying to make ends meet on a limited income. For that senior citizen, $3,200 is a lot of money.

Also, my concern is for those manufacturing workers in Mississippi that are making vehicles tonight. And when the cost of those vehicles goes up by $3,200, common sense says there's going to be less demand. And we've got automobile manufacturers and their suppliers that are a vital part of Mississippi's economy.

Now, Congress has granted sole authority to regulate fuel economy to the Department of Transportation. And all this proposal is is a backdoor attempt to implement cap-and-trade. But there's even a larger issue here. The

larger issue is about a President and the ideology he represents being obsessed with expanding Washington's control over every facet of our life. They've dictated what kind of light bulbs we use. Now they're trying to say what kind of vehicles we drive, what kind of health insurance we purchase, whether you can be forced to provide medical services that even violate your religious beliefs. Their attitude is that regulators know more about what families need than individuals.

Mr. Speaker, it's time to stand up. It's time to say no more. When they're coming for my pickup truck, the answer is ''no.''

Mr. CARTER. I would now like to recognize my good friend, STEVE PEARCE from New Mexico, Texas' good neighbor to the west.

Mr. PEARCE. I thank the gentleman for yielding, and thanks for his leadership on this work.

To adequately assess exactly what the effects are going to be of increasing the CAFE standards from 35 to 54 miles per gallon requires that we take a look at the increase that we had just in 2007, the increase that moved us to 35 miles per gallon. We had testimony that declared that at least one auto manufacturer would go out of business, would file bankruptcy if that law was actually implemented. That was because we do not have the technical capability to enforce and to build the vehicles that would take us to 35 miles per gallon. In order to reach that objective then, the auto manufacturers were going to have to arbitrarily price their lower mileage vehicles—they raise the price on them to drive demand down. That is, they'd sell fewer. It's not that we're actually increasing the mileage; it's that we're selling fewer of the larger vehicles, vehicles like pickup trucks that are used in the oil field, on ranching operations. So we wanted to depress down the demand for them while simultaneously adding stimulus to the lower cost vehicles. Now, the problem with that for a business is that the profits are made from those vehicles that are like pickup trucks and the SUVs.

So this government was in the process of mandating that the manufacturers would build fewer of the high-profit vehicles and more of the low-profit vehicles. That's the only way they could comply with the government standards. And it was therefore going to decrease profits enough to put at least one of the manufacturers into bankruptcy. As it turned out, two of the three manufacturers in America filed for bankruptcy, two of the three.

□ 2030

The taxpayers went in and had to bail them out.

When the President in his State of the Union last week talked about not bailing out companies, he spoke out of the other side of his mouth later in the speech by saying that the company we bailed out in General Motors was such a great success. It is not a great success when taxpayers have to subsidize the processes declared by the U.S. Government. If that is what happened when we moved the mileage from 20 to 35 miles per gallon, imagine the distress in the auto industry when we move it to 54.

The Prius does not even qualify. It does not reach 54 miles per gallon. The Toyota Yaris only gets 38 miles per gallon. The technology does not exist. The same geniuses in the White House that brought us Cash for Clunkers, are now going to bring us 54-mile-per-gallon requirements for fuel standards.

The reason that the United States economy is faltering and suffering is because of what is happening by government agencies. The unfairness for the lower-class people in this country is ghastly.

The President stood on this floor last week and talked about fairness to everyone, economic fairness. Let the President hear his own words. He made fun of one of his agencies that declared milk to be a hazardous substance. He made fun of the regulation which got so much attention that it was rolled back. Let the President make fun of this regulation, because it is going to kill the car manufacturers. They cannot make cars that go 54 miles to the gallon.

For those who say just make the rule, and they will develop it, I simply say let's pay our EPA workers, all of those involved in this process, let's simply start paying them with General Motors' stock. Let them find out in their own lives exactly what the value of their opinions and their designs are.

The final problem with the implementation of this rule is the constitutionality. Our Founding Fathers set up a system of checks and balances. The President would sign legislation. The Senate and the House would pass the legislation, but they had to pass exactly the same bill. No one House, no one branch could dominate the others. What the President is doing is taking his beliefs, his agendas outside that set up by the Founding Fathers that would guarantee voters would have input. He is moving it into extraterritorial agencies that have no controls by the taxpayers and no controls by the voters.

The President should be ashamed of what he is suggesting. The President is causing our Constitution to be set on a shelf. The Constitution is here not for the rich; the Constitution is here for the poor. The Constitution is that which gives the poor standing in this country. The rich can always have their way; the powerful can always get their way; but the Constitution defends and protects the poor. When the President crassly sets aside the Constitution, he is working against the fairness economically and the fairness constitutionally of this Nation towards 99 percent of its inhabitants.

I think that it is time for this Congress and this House to stand up and tell the President no more, you will bypass the Constitution no more. We need to mean business, and we need to back our words up with actions.

I thank my friend from Texas.

Mr. CARTER. I thank my friend from New Mexico for a very strong statement.

I want to recognize Mr. ROSCOE BARTLETT, my friend from Maryland. He wants to get up here with some of his own charts, and I'm going to step aside and let him do it.

Mr. BARTLETT. Thank you very much for yielding.

I sat and listened to this discussion, and I am reminded of how futile efforts are to try to get something done by doing it wrong two different ways.

The President believes that we need higher CAFE standards, and he is going to impose those through regulations from the EPA. He is also assuming that the American people don't have the sense to understand that they need to have higher CAFE standards, so he is going to force them on them. Without trying to educate the American people, he is just going to tell them you need to trust me, you need higher CAFE standards, and this is what it is going to be. What the President is doing is illegal and ill-logical, and I don't think that the American people are going to stand for it.

I just have a couple of charts here that put in context why we need to look at CAFE standards. If the President would use this approach, the American people would do the right thing relative to the kind of car they buy when they understand the environment that the United States and the world is in.

Here I have two charts and they are from the IEA, the International Energy Association. This is a creature of the OECD. It is perhaps, maybe along with our Energy Information Administration, a part of our Department of Energy, the best followers and prognosticators of energy in the world. This is their world-energy outlook.

This one is in 2008. I just want to point to a couple of things here. First of all, the oil that we are now pumping—and you could go back here 150 years with this blue thing here. It started back at zero, and it pumped more and more and more and more. Here we are today pumping this much oil. These are the conventional oil fields that we are pumping oil from now. We are also getting some natural gas liquids, and you see that curve is growing and growing. This is not gas in your gas tank. This is propane and butane and gases like that.

The green here is nonconventional oil. We are having a lot of discussion of nonconventional oil now about the Keystone pipeline and bringing the oil from the tar sands of Alberta, Canada. We are going to build a pipeline. It is either going to be in this country, or it is going to be across Canada through the Rocky Mountains. If the environmentalists are worried about environmental impact, they ought to be thinking about what is going to happen to

the environment when they put a pipeline through the Rocky Mountains.

Either we're going to get that cheap oil, or the Chinese are going to get that cheap oil. They're going to have a pipeline. We're not going to avoid a pipeline. There's going to be a pipeline.

I just think that commonsense comes down on the side of, gee, I would like that oil, I would like the jobs that go with getting that oil. And I am concerned about the environment, but there is going to be a pipeline. That is a given. It is either going to be here, or it is going to be in Canada. I think it is going to be more of an environmental insult going through the Rocky Mountains than down through the Mississippi Valley with that pipeline.

That green area is nonconventional oil, and that is increasing. It will increase. You see it is not a big fraction of what we get. Notice that we have been stagnated here for 5 years now at 84 million barrels. We call it oil, but it is more than oil because it is natural gas liquids too. The world has not been able to produce any more oil than 84 million barrels a day, which is why oil is about $100 a barrel and we are in a recession, and it is still stuck at about $100 a barrel.

They prognosticate that the production from current fields is going to go down fairly dramatically. You see it dropping off there. Not to worry, because we are going to get a lot of oil from the fields that we discovered, the light blue here that are too tough to develop. Then we are going to get a fair amount of oil from fields we have yet to discover, the bright red there. This is kind of a nice dream, isn't it? By the way, the dark red here is enhanced oil recovery. It really ought to be a part of this. That is putting CO_2 down there or live steam or something down there to get a little bit more oil out.

Note that by 2030 they are prognosticating that we are going to be up at 106 million barrels of oil a day. This chart has disappeared. If you go on the Internet and try to find that chart, it is not there. It was there. That's where we got it. They're a little embarrassed by its presence because just 2 years later in 2010, they made this prognostication, the same people. By 2035, 5 years later, instead of having 106 million barrels a day, they are up to only 96 million barrels of oil a day.

□ 2040

Notice they've now incorporated the enhanced oil recovery here with conventional oil and notice a fairly precipitous drop-off. Now they're telling you that the production of oil is not going to decrease because we're going to get huge amounts of oil from the fields that we have now discovered that are too tough to develop like under 7,000 feet of water and 30,000 feet of rock in the Gulf of Mexico. A lot of discoveries like that, and fields yet to be discovered.

I think there is little probability that these two wedges are going to occur. I think what's going to happen is that this curve is going to tip over and start down. Let me tell you why I think that's true.

Because the United States reached its plateau, which is called ''peak oil,'' in 1970, and that was predicted in 1956 in what I think was the most important speech in the last century, given by M. King Hubbert in 1956. He says, 14 years from now, in 1970, the United States will reach its maximum oil production. After that, it will drop off. It did.

Now, he didn't predict the discovery of any oil in the Gulf of Mexico and in Alaska, and here we see there was a little blip in the slide down with the huge amounts of oil we found in Alaska. Remember the fabled discoveries of oil in the Gulf of Mexico, the yellow there. That's all it did.

We now produce half the oil that we did in 1970. I do not think the world is any more resourceful or creative than the United States. If we could not reverse this downtrend in our country, I do not think that the world will be able to reverse it worldwide, which is why I say that the world is going to follow the United States. By the way, this was predicted by M. King Hubbert. He said that the world would be peaking about now.

Your government has paid for four studies that said this is going to happen. I quote here from one of those studies. This was the first big study. This was the SAIC report called the Hirsch report.

World oil peaking is going to happen, they said. Peaking is when you reach this plateau, and after that, it falls off. They said the peaking of oil is going to happen. Oil peaking presents a unique challenge. The world has never faced a problem like this.

I just have one more chart here, and these are some quotes from what I think is the most insightful speech of the last century. The most important one I think was given by M. King Hubbert on March 6, 1956. This speech was given just a bit later, the 15th day of May in 1957, a speech given by Hyman Rickover, the creator of our nuclear submarines:

''There is nothing man can do to rebuild exhausted fossil fuel reserves. They were created by solar energy 500 million years ago and took eons to grow to their present volume. In the face of the basic fact that fossil fuel reserves are finite, the exact length of time these reserves will last is important in only one respect: The longer they last, the more time do we have to invent ways of living off of renewable or substitute energy sources''—we've been trying to do that, haven't we?—''and to adjust our economy to the vast changes which we can expect from such a shift.''

By the way, this talk was given to a group of physicians in St. Paul, Minnesota. If you simply Google for ''Rickover energy speech,'' his speech will come up. They lost it for several years. It's now back on the Internet.

In another place in this speech he said, in the 8,000-year recorded history of man, the age of oil would be but a blip. And, wow, what a ride it's been. The quality of life that we have as a result of using these fossil fuels has just been incredible.

Just one last quote from what I think was the most insightful speech of the last century. I love this quote:

> Fossil fuels resemble capital in the bank. A prudent and responsible parent will use this capital sparingly in order to pass on to his children as much as possible of his inheritance. A selfish and irresponsible parent will squander it in riotous living and care not one wit how his offspring will fare.

I think what our President needs to do is educate the American people to the situation we're in. If these charts truly represent that situation, the American people will voluntarily say, Mr. President, we need to respond to that in a responsible way. The President doesn't need to assume that you're ignorant and can't understand or assume that he has to tell us what we ought to do.

Mr. CARTER. I would now like to recognize Mr. MANZULLO from Illinois, who is a champion of starting up the manufacturing again in this country. He understands the economy and how it works.

Mr. MANZULLO. I thank the gentleman from Texas for yielding.

Mr. Speaker, we have something very interesting going on in this administration, and it's called ''Who's in Charge?'' At one time, we believed that the National Highway Transportation Safety Agency, NHTSA, as part of DOT was in charge of regulating the corporate average fuel economy standards. In fact, it's always been that way. Well, then, all of a sudden the EPA gets involved, gets its nose under the tent and decides that, well, because there are emissions that they're going to get involved in it. Then along comes the California Air Resources Board and says, No. If you live in California, these are the standards.

So we have the automobile manufacturers taking a look at which agency is in control, if any, and what they have to follow, although they have been forced to follow the standard that's been set down by the EPA to have this amazing 54.5 miles per gallon fuel economy for model years beginning in 2017.

In the district that I'm proud to represent, Chrysler has a plant in Belvedere that's going to house the body shop for the new Dodge Dart. I saw that automobile at the auto show here in Washington this past week, and it's a beauty. It's beautiful. It represents more than a $600 million investment in the community and workforce in northern Illinois, and Chrysler had more than 1,600 production workers at the same assembly plant started in July when they had the third shifts. This is another signal of the increase in automobile sales that we're seeing in this country from the zenith of 17 million that were sold years ago to where we are now.

But this car starts at $16,000, and with the average price of a vehicle to increase by $3,200 and the source of that is the government itself, I just don't know what these people are thinking. In fact, if you take a look at the EPA rule, that says the estimate is that the mandate will cost $157 billion, which always means the number is vastly greater. That's a lot of money. That's a huge amount of money. I mean, this is classic Obama EPA.

But you ask yourself, What is the $157 billion for? The great scientists, mathematicians, and bureaucrats over at EPA said, well, this is the cost that it's going to take in investing in new technology. I hear those words, ''investing in new technology,'' as if people that don't even know the sweet smell of machine oil who sit in offices in Washington, D.C., can sit there with their calculators and their green clerks hats and come to an estimate of what it's going to cost to increase the technology to come up to that 54.5-mile-per-gallon standard.

We all know government figures are wrong. I mean, $157 billion, that's a huge amount of money. I think the total amount of the bailout, if anybody was interested in that, was around $15 billion. Now, this is 10 times the amount.

You ask yourselves, where is this money coming from? Obviously, if manufacturers have to gear up for this major expense, they're not going to wait until 2017. They're going to start doing it now. And so the increase in prices of automobiles will be directly related to this new mandate from the EPA.

So to the gentleman from Texas, I want to thank you for having the courage of speaking out here, and I thank you for the opportunity to help explain to the American people of the folly of this latest EPA action.

Mr. CARTER. I thank my friend for his great comments. One of the things I like to say about Washington is to show us the common sense, and, Mr. MANZULLO, I think you made a good, commonsense argument that we can understand.

I'd now like to introduce my friend, Mr. KELLY from Pennsylvania, and hear what he has to say on this interesting new challenge the Obama administration has given us.

□ 2050

Mr. KELLY. I thank the gentleman from Texas.

I come from a family that in 1953 started in the automobile business. My father came from being a parts picker in a warehouse for General Motors, surviving World War II and then coming back home and starting his own dealership in 1953. So, not only can I talk the talk, but I've actually walked the walk.

When we sit back and when we see what this administration is doing, while they say on one side they're very concerned with jobs and that they're very concerned with the recovery of the automobile industry, they propose legislation that will take 7 million buyers out of the market. That is a staggering number of cars that we will not be able to build. If we can't build them, we don't need folks there in the factories. We don't want to mess with the fragile recovery that the automobile industry has right now. Again, as I said, in having walked that walk and in understanding the cost of these vehicles as they go up, it is a terrible thing that this administration is considering. It does not surprise me because we are talking about people who have never in their lives actually had their own skin in the game. So, when they talk about these measures that they're taking, when they talk about all these well-intentioned ideas, they forget that the ultimate sacrifice made is by the buyers, by the American consumer. We are going to raise the average cost of these vehicles by $3,200. As I said earlier, 7 million prospective buyers will not be in the market. We have jumped the standards that we had by 3 years.

I was there in the early seventies when the CAFE standards came into existence. The corporate average fuel economy had nothing to do with green energy; it had nothing to do with a carbon footprint. What it had to do with was our reliance on foreign oil. We are making great strides to that effect. Now, I do know that my friends in the automobile manufacturing business have agreed to these new standards. I also know that there are so many resets in this new standard that they opted to go along with this administration's directions and that they bought into this idea knowing that each electric car that they build, which is subsidized by $7,500 in taxpayer funds—hardworking American families who have paid their taxes will not have the same benefit that people buying these electric cars—the metrics on that is $175,000. That is their average income.

Now, who are we appealing to?

We give the industry a double count on those. That's how they get to the 54.5 miles per gallon, and they understand with the resets that it's much easier to go along with this administration than to try to fight them up front. I will tell you, of my friends in the automobile dealer business, who are the folks who go to work every day, who have to put bread on the table, in my dealership there are 110 folks who come in there every day to solve the transportation needs of the people in our community.

The other side of this is safety. When my wife and my four children get in their cars—and keep in mind there are five grandchildren involved now—we're going to start asking those folks to start driving lighter cars, cars that will not be as safe as the cars we have on the road right now. And why? Because we are catering to an administration that puts its agenda ahead of the American public's safety.

So I appreciate what the gentleman from Texas is doing. I understand the unintended consequences of this, so it's time for us to blow the whistle on an administration that refuses to acquiesce to what the public needs and continues to drive its own agenda. I appreciate what you've done.

Mr. CARTER. In reclaiming my time, I'd like to ask the gentleman a question because it just dawned on me the economics that you're describing here.

What they're doing now is not saying, Okay, we're going to make a Chevrolet pickup or a Ford pickup that gets 54.5 miles per gallon. What they're saying is, Yeah, we've still got a Ford pickup or a Chevrolet pickup or a Chrysler pickup that gets 18 to 20 miles a gallon. But, hey, look at all these electric cars that don't use any gasoline, so we get an offset for those.

You also said the market for these is the rich people, that 1 percent that everybody is complaining about. No one is going to be able to afford to buy these electric cars. They're the market, and yet that's how they get this number down, but it's not real—it's imaginary.

Mr. KELLY. Yes, absolutely. We talked about that.

The loopholes in this program are not for the hardworking American families that go to work every day to support their kids and their families and their well-being. The folks really don't buy these cars to drive; they buy them because they can. We are giving people $7,500 in Federal loopholes. Then in my State of Pennsylvania, it throws another $3,500 towards the purchase of an electric car. Those cars, by the way, are 200,000 cars per manufacturer. It's not 200,000 cars in total, but 200,000 cars per manufacturer. The cost of this and as you see the trajectory of this expense, it goes off the charts. The answer is it is not going to improve fuel economy. What really drives fuel economy is the number of miles you drive each year and the cost of gasoline. Yet they start to talk about, No, no. We've got to tell people that they can only drive a car that gets 54.5 miles per gallon.

You know, sir, as well as I do, that that is not the case. We've been gamed again. I think there should be an outrage over this with the American people now. This is a regulation that does nothing but push an agenda and does not push the well-being of the American citizen.

Mr. CARTER. That is a real eye-opener, and I thank you for explaining that. I didn't really get that concept.

So, in addition to playing games with numbers, the Federal Government is subsidizing the playing games with numbers, and then your State also subsidizes it. I hope Texas doesn't—but heck, who knows.

Mr. KELLY. Again, I appreciate the gentleman for bringing this topic up. We have to understand that, if we are really going to get this economy back on track, it is the people who make

things—and we talk about making it in America. If we're really trying to support the domestic automakers, then you don't raise the price of the car by $3,200. With each price increase, we eliminate somebody who would have bought a new car. As we eliminate the purchase of new cars, we also affect the long-range market for used cars. A new car eventually becomes a used car.

We are eliminating personal transportation in this country by upping the bar in a systematic way, and people aren't noticing it. There should be an outrage among the hardworking American families of whom sometimes Dad works two jobs and Mom works a job—all to put food on the table, to educate their children, and to somehow get them from where they live to where they need to be, whether it be for their jobs or for education or for after-school activities. We are eliminating private transportation in this country by upping the price and by making it impossible for the average American to own his own car.

Mr. CARTER. That's shocking.

I do remember that the car that my wife and I are driving right now cost more than our first three-bedroom, two-bath house that we purchased when our first two children were born. That's kind of shocking as to how all that gamesmanship can drive that price up.

I did have a person in the transportation business who was telling me—and I'm not going to disclose who it was—they do studies on selling tickets for the planes. It was the air industry. The ticket price is the price at which they know people will fly. They have done studies to determine, if they were to add $10, in some instances, to that price of the ticket that people will fly, you'd lose like 18 percent. Add $50, and you could lose half of your flying public. That's how much the margin is, and you have the same kind of deal in the automobile industry.

Mr. KELLY. It's all price point and it's all affordability, and it comes down to: How much per month does it cost for the average, hardworking American family to keep private transportation?

We are raising the price by $3,200 per car. We are eliminating 7 million people from having the opportunity to own their own cars, their own transportation, which has been the hallmark of this country and which has driven this economy for many, many years. It has allowed the people to move out of the cities and into the suburbs because they had a way to get to work, and they didn't have to rely on public transportation.

In this country, what is very unique is that you can get up in the morning, and you can drive to wherever it is you want to go, and you can get there by yourself or with your friends; but that's the uniqueness and that's the greatness of America, and it has always been. It is the one thing that the rest of the world looks at. Private transportation is absolutely critical, and we are going to eliminate the ability for 7 million Americans to have that opportunity.

Mr. CARTER. In reclaiming my time, there is an agenda that is being sold here.

In testimony we had before the Appropriations Subcommittee on Transportation, which I happen to serve on, we talked to our former colleague about this administration's vision of the world it wants us to live in. It wants us all to live in high-rise apartments and to take public transportation. They will tell you straight out that's the future of America—concentrate. There have been at least some in the administration who have said the days of the two-story home in the suburbs are over.

I don't know if America knows that. This is a perfect example of part of the plan to drive us out of the suburbs and into concentrated populations where the only solution is public transportation. Quite honestly, where I live, that's not going to be very popular.

Mr. KELLY. I agree with the gentleman, and I will tell you that I join in your fight. This is not only a fight that we must fight; this is a battle we must win.

□ 2100

I will fight with you every step of the way. We cannot continue to take a free and self-governing people and tell them not only what foods they can eat, what houses they can live in, what light bulb they can use, or what car and truck they can drive.

So I thank you for being a champion of the American people and the hardworking Americans that pay for every single thing that this government does.

Mr. CARTER. I thank you, Representative KELLY. I will be glad to have you in the fight. You are a man I stand back-to-back with.

Mr. Speaker, we have been here talking about something that many of us realize is a shocking change of our world. It seems a small thing, but 54.5 miles per gallon, everyone will tell you the kinds of cars we drive in Texas, which is pickup trucks, they can never get there. They can't gear and torque to get to that number, 54.5. Therefore, unless you pull a scam that was being talked about, every electric car offsets the pickup trucks, we're in trouble.

Mr. Speaker, I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. STUTZMAN). Members are reminded to refrain from engaging in personalities toward the President.

KEYSTONE XL PIPELINE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 30 minutes.

Mr. WOODALL. Mr. Speaker, I have got energy on my mind tonight too. It's a wonder, or I should say it's not a wonder, that everybody who comes to the floor of the House has this common theme, Mr. Speaker, that we have an economy that's in trouble, we have a regulatory network that is going out of control. And we have energy needs in this country that feed, that feed the economic heart of this country, and we're struggling to find that food.

Mr. Speaker, I have here, you can't see it, but it's an editorial from The Washington Post. It's January 19 of this year. Now, you know, Mr. Speaker, and as folks do who have a chance to read The Washington Post, it is one of the most liberal newspapers in this entire Nation. Now there are a few, San Francisco Chronicle or others, that might able to compete, but one of the most liberal newspapers in this country.

And they put an editorial in their newspaper speaking on behalf of the newspaper editorial board on January 19, the day after President Obama announced his decision to block the Keystone pipeline, and this is what it said. It's entitled, ''A Kink in the Pipeline,'' and the headline reads—you won't be able to see this on the screen, Mr. Speaker—but it says, Approving the Keystone XL project should have been an easy call for the administration. Approving the Keystone XL project should have been an easy call for the administration.

This is from one of the most liberal newspapers in the country, Mr. Speaker, saying why, Mr. President, why did you choose to stand in the way, and they've got some ideas. The Washington Post has some ideas about that. The editorial begins like this: On Tuesday, President Obama's jobs council reminded the Nation that it is hooked on fossil fuels and will be for a long time. The council said this—it's going to require the United States to optimize all of its natural resources and for states to construct pathways, pipelines, transmission, and distribution to deliver electricity and fuel.

But that's what it's going to take, Mr. Speaker, to get the economy back on track. It's going to require that the United States optimize all of its natural resources.

It added that the regulatory and permitting obstacles that threaten the development of some energy projects negatively impact jobs and weaken our energy infrastructure. Mr. Speaker, you wonder why it is that I have to read this. You would say, ROB, that's common sense. Don't folks know that in the great State of Georgia?

I would tell you, Mr. Speaker, they do know that in the great State of Georgia. Where they don't know it is here in Washington, D.C., in this regulatory environment where if folks see a problem, they throw more rulemaking at it. The President's jobs council sees a problem. It's a problem—there's not enough energy infrastructure. Is the United States not maximizing its energy production?

Here's what the jobs council says, Mr. Speaker. It added, the regulatory permitting obstacles that could threaten the development of some energy projects, negatively impact jobs, and weaken our energy infrastructure need to be addressed immediately. And this is what The Washington Post says. Mr. Obama's jobs council could have started out by calling, well, the Obama administration to help in this effort.

On Wednesday the State Department announced that it had recommended rejecting the application of the TransCanada Corporation to build the pipeline, rejecting it. The President's jobs council, Mr. Speaker, says we need to maximize every energy opportunity that we have. If we are to see our economy succeed, we must access every bit of energy that we can domestically. We must find transportation mechanisms for it, pipelines, transmission facilities. And the White House says no, no.

The editorial goes on. Environmentalists have fought the Keystone pipeline furiously, and in November, the State Department tried to put off the politically dangerous issue until after next year's election.

Mr. Speaker, you came here for the same reason that I came here, and that is to take on the politically dangerous issues. We didn't run for Congress so that we could dodge the tough questions. We came to Congress so we could speak out on the tough questions. We came to Congress because we represent folks back home who view these issues with the common sense that America always does.

If you have an energy crisis, what do you need? You need more energy. Do you need energy efficiency? Of course. Do you need energy conservation? Of course.

But we have resources, Mr. Speaker, in this country. We have been so blessed. God has blessed this Nation with energy resources, and we have to harvest them.

The State Department wants to put the decision off because it's politically dangerous. When do they want to put it off to, Mr. Speaker? Until after the next election. So it's unconscionable. The Washington Post makes that point and goes on.

Listen to the cynicism that's here, Mr. Speaker. This is what it's come to in Washington, D.C. The Washington Post says this: We almost hope this was a political call because on the substance there should be no question. The Washington Post says, we hope it was the President just playing politics, Mr. Speaker. We hope it was the President just playing to the radical, leftist wing of its party. We hope that it was because if he's looking at the substance, if he's looking at the same facts that we are, it should have been no question, an easy call.

Hear this, Mr. Speaker. Without the pipeline, Canada will still export its oil. And with the long-term transglobal market, it's far too valuable to keep in the ground. But it would go to China, Mr. Speaker.

You're from a part of the world like I am, Mr. Speaker, where we care about the environment. We're hunters, we're fishermen, we're farmers. No one plays outside more than you and I do, Mr. Speaker. No one works outside more than you and I do.

We care about our communities, and you tell me which community is going to treat the world's environment the best, Mr. Speaker. Is it going to be your community back home? Is it going to be my community back home? Or is it going to be the industrial machine that is mainland China? Mr. Speaker, we can either bring this oil from Canada to America and use it responsibly, or we can ship that oil from Canada to China, where it would surely go, so says the Washington Post.

We go on: Environmentalists and Nebraska politicians say the route the TransCanada pipeline proposed might threaten the State's ecologically sensitive areas. And in consultation with Nebraskan officials, they decide to proceed, even though the government announces last year, concluded that the original path would have had limited adverse environmental impact. Hear that. Here it is, a private pipeline going to go through America, Mr. Speaker, going to try to feed America's energy needs so we don't have to import oil from folks who hate us overseas. Folks said we have some concerns about the original pipeline path. The Federal Government does a study, they say we don't see any problem. We see very limited environmental impact, but if it's a concern to you, we'll move it. Willing to move it.

Environmentalists go on to argue that some of the fuel in U.S. refineries that produce China's bitumin might be exported elsewhere.

□ 2110

Don't bring the oil to America, Mr. Speaker. Why? Because it might get refined in American refineries by American companies, using American workers, and we might sell that to another nation at a profit. For whom? For Americans.

Don't do it. Don't do it, Mr. Speaker. In this tough economy, don't you bring those products back to America. Don't you bring them to American factories. Don't you put American workers back to work. Why? Because we might export it to a foreign land to make a profit.

Mr. Speaker, that's what we need to be doing, and The Washington Post knows it to be true.

Here's how The Washington Post concludes, Mr. Speaker: There are far fairer, far more rational ways to discourage oil use in America, the first of which is establishing higher gasoline taxes. Environmentalists should fight for policies that might actually do substantial good instead of tilting against Keystone XL, and President Obama should have the courage to say so.

Those are not my words, Mr. Speaker. That comes from The Washington Post editorial board. President Obama should have the courage to say so. He should have the courage to stand up to the radical left. He should have the courage to stand up for American job creators. He should have the courage to stand up for American, North American, energy independence.

The headline, Washington Post, Mr. Speaker: Approving the Keystone XL project should have been an easy call for the administration. The Washington Post, Mr. Speaker. We hope it was a political call because on the substance, there should have been no question. And if you believe it happened for environmental reasons, Mr. Speaker, instead of political reasons, there are far fairer, far more rational ways to discourage oil use. President Obama should have had the courage to say so.

We're not done with this issue in the House, Mr. Speaker. You know, we're going to continue to bring this issue back because we know where the American people stand on it. They stand for energy independence. They stand for American jobs. They stand for American manufacturing, and we can achieve those goals with that all-of-the-above energy policy that harnesses all of the God-given bounty that America has and puts it to work for the American worker.

Mr. Speaker, let me go on to the President's State of the Union address. He rejected the Keystone pipeline a week before the State of the Union. Here's what he said in the State of the Union: It's time to double down on a clean energy industry that never has been more promising.

Mr. Speaker, we have an opportunity to do something today about rising energy costs. We have an opportunity to do something today with the Keystone pipeline. We can put 20,000 workers to work today. We can bring $70 million worth of oil into this country a day. We can do that with Keystone pipeline. The President says no, I'm canceling Keystone pipeline. I'm going to double down on clean energy because it's never been more promising.

Mr. Speaker, I believe in clean energy. I believe in clean energy. What I believe in even more, though, is energy independence, and we can't get to energy independence with the clean energy resources that we have today. We have to use the resources that we have here in this country. And once we achieve energy independence, Mr. Speaker, the entire conversation in America will change. The entire conversation will change from how much to from where, and we can do the doubling down on green energy. But the President wants to double down on green energy today. Why? Because it's been his calculation in his 3 years in office, Mr. Speaker, that the environment has never been more promising.

Let's see.

The President's promising environment, Mr. Speaker: Solyndra, bankrupt. Loans guaranteed by the taxpayer, $535 million; a half-billion dollars, Mr. Speaker, sent out the door

through crony capitalism and this administration. Down the drain, Solyndra, bankrupt.

What about Ener1? Guaranteed loans by the taxpayer, $118 million. How'd that project work out? Bankrupt. That's okay, Mr. Speaker. Maybe there are some successes.

What about Beacon Power? No, $43 million from taxpayers, Mr. Speaker. How'd that project work out? Bankrupt.

President Obama says the environment has never been more promising. If he's looking at the same financials you and I are looking at, Mr. Speaker, he sees bankrupt project after bankrupt project after bankrupt project. And we're doing this why? We're sending out government dollars, why? These taxpayer dollars, why, Mr. Speaker? A half-billion to Solyndra; $100 million to Ener1; $43 million to Beacon Power. We're sending those out why? Because we have energy needs in this country that cannot be satisfied because the President has stopped the Keystone XL pipeline, which was going to be built with what? Half a billion dollars in government loans? No, with private sector initiatives, private sector initiatives, to bring fuel that we know that we can use today to refineries where we know we can process it, whether we use it here or whether we export it abroad.

The President thinks there has never been a better time than now, Mr. Speaker, to double down on the green energy projects funded by the taxpayer.

We see here, Mr. Speaker, those have all been busts. And it's not that we can't do green energy, Mr. Speaker, it's that we have to let the marketplace choose those things. Crony capitalism doesn't work. Government picking winners and losers doesn't work. You know who picks winners and losers? The American consumer. You know who picks winners and losers well? The American marketplace, not the American government. We've got to take that power out of Washington, D.C., and return it to industry, and we will succeed.

The President knows this in his heart. Listen to what he says, Mr. Speaker: ''We have a supply of natural gas that can last America nearly 100 years, and my administration will take every possible action to safely develop this energy. Experts believe this will support more than 600,000 jobs by the end of the decade.''

Do you know when he said that, Mr. Speaker? That was in his State of the Union speech. That was right here. Right here from where we are tonight, Mr. Speaker. He spoke these words just a week ago. He knows we have a supply of natural gas that can fuel this country for 100 years, that will support 600,000 new American jobs.

Well, golly, I bet we're going to go right after that today. We're going to start right now. Why, Mr. Speaker, because it's 84 trillion cubic feet of undiscovered natural gas. Who has that? Is it Saudi Arabia? No, it's America. Is it Iran or Iraq? No, it's America. Is it Venezuela and Hugo Chavez? No, it's America. We have 84 trillion cubic feet of undiscovered natural gas, 3.4 billion barrels of undiscovered natural gas liquids. These are the fuels, Mr. Speaker, that will fuel the American economy for the next decade.

The President knows it. The President says we can fuel 100 years of America; 600,000 jobs in America. We know where it is. Let's talk about how we're going to get it, Mr. Speaker.

The good news about America, and I say this, Mr. Speaker, as I know you say to all of your constituents who are struggling: The good news about America is there is nothing wrong with America that we didn't do to ourselves. There's nothing. There is no worker who produces more than the American worker. There is no system of government that's more responsive to the people than ours. There is no engine of economic growth more powerful than the American entrepreneurial system. The President, though, knows that we have these resources. The question is, is he going to let Americans get them?

Here's where they are, off the coast: The Outer Continental Shelf: 2.28 trillion cubic feet in Washington and Oregon; 3.5 trillion cubic feet in northern California; 2.49 in central California; 7.76 in southern California.

It continues here along the east coast. In my home State of Georgia, Mr. Speaker, 2.4 trillion off the coast. Here in the Mid-Atlantic, right off the coast of Washington, D.C., 19.36 trillion cubic feet.

In the Gulf of Mexico, 16 trillion cubic feet.

We know, Mr. Speaker, this is the assessment of undiscovered but technically recoverable oil and gas resources on the Nation's Outer Continental Shelf. This comes from the Bureau of Ocean Energy Management. We know where these resources are.

And they're not just there, Mr. Speaker. They are where Americans often turn for energy resources, in Alaska. In Alaska, 76 trillion cubic feet. Over in the Beaufort Sea, 27 trillion cubic feet. All around the coast of Alaska, Mr. Speaker, you see opportunity after opportunity after opportunity. Again, not to send money to folks who hate us, not to send American dollars to overseas enemies because of the hook that they have in us because of our oil needs.

□ 2120

Mr. Speaker, we have the ability to meet these needs with American production harvested by whom? American workers. Done through what? American companies. Whose dollars go where? To the American way of life. We can do those things. It's a national security issue, and it's an economic issue. The question is, Why aren't we, Mr. Speaker? And that is a political issue. You saw it in The Washington Post. The Washington Post said we hope the decision to cancel the Keystone XL pipeline was just a political issue because of the facts, there's no reason not to move forward. It must just be a political issue. Well, we saw that the President, in the State of the Union speech, said, I want to go after it all. I know that we've got 100 years of energy in natural gas. We can fuel 600,000 American jobs.

Well, what do the politicians say? Let's look just here in Alaska. LISA MURKOWSKI said, Americans can benefit from the tremendous resources in Alaska's Outer Continental Shelf. She votes ''yes.'' Congressman DON YOUNG here in the House said that the OCS would provide 1.2 million new jobs. Why are we continuing to send our hard-earned money overseas? DON YOUNG votes ''yes.'' The other Senator from Alaska says, My message to the President is that as America's energy storehouse, our State of Alaska can and should responsibly supply a significant portion of our country's energy needs. That's three for three, Mr. Speaker. Every Federal elected official from the State of Alaska says we've got energy here, and we want to harvest energy here to help fuel America, to help fuel America. We're in. We're in.

Mr. Speaker, do you know who's not in? President Barack Obama. He said all the right things in the State of the Union speech, Mr. Speaker. As the words were coming out of his mouth, I thought, I'm with you, I'm with you, time after time thinking that's the right thing to do. Now, sadly, I thought the same thing a year ago when so many of those same things were said. I said, I'm with you, it's the right thing to do.

We talked about abolishing corporate tax rates in this country so that we'll be able to bring more American companies here so we can create more jobs. I said, I'm with you. I voted for a budget here in the House last year that would do just that. I introduced a bill here in the House, a Fair Tax, that would do just that; and I got no support at all, Mr. Speaker, from the White House—not on our budget, not on the Fair Tax, not on any corporate tax reform bill whatsoever.

We had that Joint Select Committee at the end of the year, Mr. Speaker. They could have done anything—anything—to reform our economy, to get our fiscal house in order and to put American job creation back on track. They could have done anything. It was guaranteed to come to the floor of the House for a vote, and they produced nothing at all. And the President supported that effort not at all.

Here we are on the Outer Continental Shelf, 1.76 billion acres, Mr. Speaker, 1.76 billion acres—38 million open for exploration, 97 percent off limits. Do I need to go back, Mr. Speaker, to what the President said? We have a supply of natural gas that can last America nearly 100 years. My administration will take every possible action to safely develop this energy. Experts believe,

he says, this will support more than 600,000 American jobs by the end of the decade—97 percent off limits.

Now, good news, Mr. Speaker. The Department of the Interior controls so many of these resources. They put out a 5-year plan. They talk about when it is we're going to be able to open up these areas. I'll just take you back to Alaska, Mr. Speaker, Alaska where so much of America's energy production comes from. Right here in the Beaufort Sea, 27.64 trillion cubic feet of natural gas. The Department of the Interior under the Obama administration, Mr. Speaker, said we're going to let you start leasing up there in 2015—2015.

I looked at my watch before I came down here, Mr. Speaker. It's 2012 and just barely into that—2012. You heard in the State of the Union speech: we have a supply of natural gas that can last America 100 years, and my administration will take every possible action to safely develop this energy because it can provide 600,000 American jobs. We know where the energy is, Mr. Speaker. The President's agency in charge says, just wait another 3 years, we'll let you in. Right here in this Chamber, Mr. Speaker, the President said he would do everything—everything—in his power. I'm asking you, Mr. Speaker, has he done anything? Has he done anything?

There is nothing wrong with America that we didn't do to ourselves. God blessed us with these resources. It's man's law that won't let us get them out of the ground. Our friends in Canada, Mr. Speaker, want to open up a pipeline to bring hundreds of thousands of gallons of oil into America every day, the market price of which is $70 million a day. Mr. Speaker, we're using the oil anyway in our cars, our factories, plastics—all of our products. We're already using the oil. The question is where do we get it? And today we send that same $70 million to Iraq, to Venezuela, and to Oman.

Mr. Speaker, we could have energy independence in this Nation if we applied ourselves to it, and it would change our foreign policy forever. If not in this Nation, Mr. Speaker, we could have energy independence on this continent. Our friends in Mexico, our friends in Canada, and we could collectively have energy independence. Why don't we? Why don't we, Mr. Speaker? And the answer is, as The Washington Post said, because in terms of leadership in this Nation, we lack the courage.

I just want to make that clear, Mr. Speaker. Let's go back to an issue that's going to come up over and over and over again until the President gets it right. It's the Keystone pipeline. When I say we lack the courage, Mr. Speaker, you and I both voted to move this Keystone project along. The AFL–CIO has endorsed moving this project along. It's not a Republican-Democratic issue, Mr. Speaker. It is an American jobs versus radical leftist agenda issue. The Washington Post, the most liberal newspaper in the area, one of the most liberal in the country, Mr. Speaker, said on its face there is no question that approving the Keystone XL project should have been an easy call for the administration. The courage that we're asking for from the President, Mr. Speaker, is to stand up to the most radical, most leftist, and most anti-jobs segment of his party. That's the ask.

When The Washington Post here says President Obama should have had the courage to say so, they weren't saying, shake up the apple cart, Mr. Speaker. They weren't saying, take some dangerous untrodden path through the woods. They were saying, approve the project that on its face there could be no question about. Approve the project that our friends in Canada have already endorsed; approve the project that brings North American oil to America instead of shipping it to China; approve the project that saves $70 million a day keeping it in North America instead of shipping it to the Middle East; approve the project that will improve 20,000 jobs today and more going forward; approve the project, as the President said, through our natural gas resources and through our oil resources that could support 600,000 new jobs by the end of the decade.

Who is the beneficiary, Mr. Speaker? You have the same town hall meetings I do. Who is the beneficiary of lower fuel prices?

□ 2130

Is it ExxonMobil? No. Is it the big plastics plant? Well, I'm sure they'll do better, but that's not who it is. The big beneficiary, Mr. Speaker, of lower oil prices are American families. The big beneficiary, when American energy prices drop, are American workers. The big beneficiary, when we make these easy decisions to look to America's energy resources first, the beneficiary is the American economy. Should have been an easy call, Mr. Speaker. Should have been an easy call. I know you believe that. I believe that. The Washington Post believes that.

Mr. Speaker, I don't know how we'll find that true voice in the President's State of the Union speech. You know, there's so much double-speak in this town. It's sometimes tough to know what folks are actually saying. Rather than guess at what folks are actually saying, I blew it up in big words and put it right here because I wanted to be able to see it; I wanted to be able to remember it. Here's what the President says: ''We have a supply of natural gas that can last America nearly 100 years. And my administration will take every possible action to safely develop this energy because experts believe this will support more than 600,000 jobs by the end of the decade.''

Mr. Speaker, it's up to you and me. We have to hold the President accountable for these words. You cannot say these words when you're speaking to the American people in the State of the Union. You cannot say these words when you speak to the House and Senate here in joint session in the State of the Union. You cannot say these words while canceling the largest opportunity we have for energy independence in this country. You cannot say these words when you're actually focusing your energy, your efforts, taxpayer money on these projects that we've proven time and time again don't work. You cannot say these words, Mr. Speaker, when you know we have 1.76 billion acres that we could explore, but only 38 million are open for exploration, meaning 97 percent are off limits.

Mr. Speaker, this debate does not end tonight. This debate begins tonight. You, me, and the American people, we can make a difference; and we owe it to the American people to do that.

Mr. Speaker, I thank you for the time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for February 1 and 2 on account of a death in the family.

SENATE BILL REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 34. Concurrent resolution expressing the sense of Congress in honor of the life and legacy of Václav Havel; to the Committee on Foreign Affairs.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reports that on January 26, 2012 she presented to the President of the United States, for his approval, the following bill.

H.R. 3237. To amend the SOAR Act by clarifying the scope of coverage of the Act.

Karen L. Haas, Clerk of the House, reports that on January 30, 2012 she presented to the President of the United States, for his approval, the following bills.

H.R. 3800. To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 3801. To amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 32 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 1, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4732. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Southeastern States; Suspension of Marketing Order Provisions [Doc. No.: AMS-FV-11-0027; FV11-953-1 FR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4733. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate [Doc. No.: AMS-FV-11-0077; FV-983-2 IR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4734. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — United States Standards for Grades of Frozen Okra [Document Number: AMS-FV-07-0100, FV-11-327] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4735. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2011-2012 Marketing Year [Doc. No.: AMS-FV-10-0094; FV11-985-1A IR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4736. A letter from the Assistant Secretary of the Navy, Manpower and Reserve Affairs, Department of Defense, transmitting the Navy Fisher House annual report for Fiscal Year 2011; to the Committee on Armed Services.

4737. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Carroll F. Pollett, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4738. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Disclosure Requirements for Depository Institutions Lacking Federal Deposit Insurance (Regulation I) [Docket No.: CFPB-2011-0024] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4739. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Real Estate Settlement Procedures Act (Regulation X) [Docket No.: CFPB-2011-0030] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4740. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Consumer Leasing (Regulation M) [Docket No.: CFPB-2011-0026] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4741. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Mortgage Acts and Practices — Advertising (Regulation N); Mortgage Assistance Relief Services (Regulation O) [Docket No.: CFPB-2011-0027] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4742. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — S.A.F.E. Mortgage Licensing Act (Regulations G & H) [Docket No.: CFPB-2011-0023] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4743. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Fair Debt Collection Practices Act (Regulation F) [Docket No.: CFPB-2011-0022] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4744. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Electronic Fund Transfers (Regulation E) [Docket No.: CFPB-2011-0021] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4745. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Equal Credit Opportunity (Regulation B) [Docket No.: CFPB-2011-0019] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4746. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Truth in Savings (Regulation DD) [Docket No.: CFPB-2011-0032] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4747. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Truth in Lending (Regulation Z) [Docket No.: CFPB-2011-0031] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4748. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the state of New York since September 24, 2011, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

4749. A letter from the Secretary, Department of Health and Human Services, transmitting an interim report entitled ''The Children's Health Insurance Program: An Evaluation (1997 — 2010)''; to the Committee on Energy and Commerce.

4750. A letter from the Secretary, Department of Health and Human Services, transmitting a letter with a report entitled ''Essential Health Benefits Bulletin''; to the Committee on Energy and Commerce.

4751. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4752. A letter from the Secretary, Department of Commerce, transmitting the annual report for FY 2011 of the Department's Bureau of Industry and Security (BIS); to the Committee on Foreign Affairs.

4753. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category VI (RIN: 1400-AC99) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4754. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. munitions List Category XX (RIN: 1400-AD01) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4755. A letter from the President, African Development Foundation, transmitting a letter fulfilling the annual requirements contained in the Inspector General Act of 1978, as amended, covering the period October 1, 2010 to September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4756. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's Performance and Accountability Report for fiscal year 2011; to the Committee on Oversight and Government Reform.

4757. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period April 1, 2011 through September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4758. A letter from the Assistant Attorney General, Department of Justice, transmitting the ''21st Century Department of Justice Appropriations Authorization Act'', related to certain settlements and injunctive relief for the third quarter of 2011, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

4759. A letter from the President, American Academy of Arts and Letters, transmitting the annual report of the activities of the American Academy of Arts and Letters during the year ending December 31, 2010, pursuant to section 4 of its charter 36 U.S.C. 4204; to the Committee on the Judiciary.

4760. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

4761. A letter from the Assistant Attorney General, Department of Justice, transmitting a letter concerning grants made during FY 2011 under Section 2806(b) of the Paul Coverdell National Forensic Science Improvement Act of 2000 (Pub. L. 106-561) to improve forensic science services; to the Committee on the Judiciary.

4762. A letter from the President, National Safety Council, transmitting the Council's Annual Financial and Audit Report for Fiscal Year 2011, pursuant to 36 U.S.C. 1101(36) and 1103; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on January 25, 2012, the following reports were filed on January 30, 2012]

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3582. A bill to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; with an amendment (Rept. 112–377 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3578. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; with an amendment (Rept. 112–378). Referred to the Committee of the Whole House on the state of the Union.

[Submitted January 31, 2012]

Mr. DREIER: Committee on Rules. H.R. 3575. A bill to amend the Congressional Budget Act of 1974 to establish joint resolutions on the budget, and for other purposes; with amendments (Rept. 112–379 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3581. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes; with an amendment (Rept. 112–380 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

[The following action occurred on January 30, 2012]

Pursuant to clause 2 of rule XIII the Committee on Rules discharged from further consideration. H.R. 3582 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

[The following actions occurred on January 31, 2012]

Pursuant to clause 2 of rule XIII the Committee on the Budget discharged from further consideration. H.R. 3575 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Pursuant to clause 2 of rule XIII the Committees on Oversight and Government Reform and Ways and Means discharged from further consideration. H.R. 3581 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself and Mr. DUNCAN of Tennessee):

H.R. 7. A bill to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARNEY (for himself and Mr. BUCSHON):

H.R. 3839. A bill to address critical drug shortages; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. RANGEL, and Mr. CROWLEY):

H.R. 3840. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide for employment tax treatment of professional service businesses; to the Committee on Ways and Means.

By Ms. WATERS (for herself, Mr. GUTIERREZ, Mr. CONYERS, Mr. BERMAN, Mr. FILNER, Ms. SCHAKOWSKY, Mr. CLARKE of Michigan, Mr. BLUMENAUER, and Mr. GRIJALVA):

H.R. 3841. A bill to prevent foreclosure of, and provide for the reduction of principal on, mortgages held by Fannie Mae and Freddie Mac; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. BACHUS, Mrs. BLACKBURN, Mr. BROOKS, Mr. CARTER, Mr. DUNCAN of Tennessee, Mrs. ELLMERS, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. GRAVES of Georgia, Mr. HALL, Mr. HERGER, Mr. HUELSKAMP, Ms. JENKINS, Mr. JONES, Mr. KINZINGER of Illinois, Mr. LANDRY, Mr. LANKFORD, Mr. LONG, Mr. MANZULLO, Mr. MARCHANT, Mr. POMPEO, Mr. QUAYLE, Mr. ROSS of Florida, Mr. SCOTT of South Carolina, Mr. WESTMORELAND, and Mr. WILSON of South Carolina):

H.R. 3842. A bill to prohibit Federal funding for lawsuits seeking to invalidate specified State laws that support the enforcement of Federal immigration laws; to the Committee on the Judiciary.

By Mr. BERMAN:

H.R. 3843. A bill to amend the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 to provide for the imposition of sanctions with respect to the National Iranian Oil Company and the National Iranian Tanker Company; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ROBY (for herself, Mr. HUIZENGA of Michigan, Mr. SOUTHERLAND, Mr. KINZINGER of Illinois, Mrs. ADAMS, Mr. HUELSKAMP, Mr. DUNCAN of South Carolina, Mr. WEST, Mr. GIBBS, Mrs. ELLMERS, Mr. CRAVAACK, Mr. JOHNSON of Ohio, Mr. GRIFFIN of Arkansas, Mr. REED, Mr. FITZPATRICK, Ms. HAYWORTH, Mr. GARDNER, Mr. BERG, Mr. BROOKS, Mr. DUFFY, Mr. CANSECO, Mrs. BLACK, Mr. ROSS of Florida, Mr. DOLD, Mr. AUSTIN SCOTT of Georgia, Mr. FLORES, Mr. HULTGREN, Mr. CRAWFORD, and Mr. BACHUS):

H.R. 3844. A bill to provide for greater transparency and honesty in the Federal budget process; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS:

H.R. 3845. A bill to establish an alternative accountability model; to the Committee on Education and the Workforce.

By Mr. BLUMENAUER:

H.R. 3846. A bill to establish a National Commission for Independent Redistricting to prepare Congressional redistricting plans for all States and to require Congressional redistricting in a State to be conducted in accordance with the Commission plan for the State; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. WAXMAN, Ms. SCHAKOWSKY, and Ms. DELAURO):

H.R. 3847. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that a medical device is not marketed based on a determination that the device is substantially equivalent to a predicate device that has been recalled, corrected, or removed from the market because of an intrinsic flaw in technology or design that adversely affects safety, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DESJARLAIS:

H.R. 3848. A bill to prohibit the use of Federal money for print, radio, television or any other media advertisement, campaign, or form of publicity against the use of a food or beverage that is lawfully marketed under the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

By Mr. FINCHER (for himself, Mr. DONNELLY of Indiana, and Mr. GARY G. MILLER of California):

H.R. 3849. A bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide an exception from the definition of loan originator for certain loans made with respect to manufactured homes, to amend the Truth in Lending Act to modify the definition of a high-cost mortgage, and for other purposes; to the Committee on Financial Services.

By Mr. GRAVES of Missouri (for himself, Mr. OWENS, and Mr. SCHILLING):

H.R. 3850. A bill to amend the Small Business Act with respect to goals for procurement contracts awarded to small business concerns, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri:

H.R. 3851. A bill to amend the Small Business Act with respect to Offices of Small and Disadvantaged Business Utilization, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H.R. 3852. A bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil; to the Committee on Ways and Means.

By Mr. LYNCH:

H.R. 3853. A bill to provide for semiannual actuarial studies of the FHA mortgage insurance program of the Secretary of Housing and Urban Development during periods that the Mutual Mortgage Insurance Fund does not meet minimum capital ratio requirements; to the Committee on Financial Services.

By Mr. PETERS:

H.R. 3854. A bill to amend title 23, United States Code, to help leverage private investment for transit oriented development near transit stations; to the Committee on Transportation and Infrastructure.

By Mr. QUIGLEY (for himself, Mr. BURTON of Indiana, Mr. CHABOT, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, Mr. DOLD, Mr. GRIMM, Mr. KINZINGER of

Illinois, Mr. RIVERA, Mr. SHIMKUS, Mr. HIGGINS, Ms. KAPTUR, Mr. LIPINSKI, Mr. MURPHY of Connecticut, Ms. SCHAKOWSKY, and Mr. MEEKS):

H.R. 3855. A bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes; to the Committee on the Judiciary.

By Mr. SOUTHERLAND (for himself, Mr. ROSS of Florida, Mr. RIVERA, Mr. WEST, Mrs. ADAMS, Mr. MILLER of Florida, Mr. ROONEY, Mr. BUCHANAN, and Mr. WEBSTER):

H.R. 3856. A bill to limit the authority of the Administrator of the Environmental Protection Agency with respect to certain numeric nutrient criteria, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TURNER of New York (for himself, Mr. KING of New York, Mr. ROGERS of Alabama, and Mr. GRIMM):

H.R. 3857. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes; to the Committee on Homeland Security.

By Mr. VAN HOLLEN (for himself, Mr. CUMMINGS, Ms. NORTON, Ms. EDWARDS, Mr. MCGOVERN, Mr. REYES, and Mr. LUJÁN):

H.R. 3858. A bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during 2013; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS (for herself, Mr. PAUL, Mrs. BLACK, Mrs. HARTZLER, Mr. YODER, Mr. HULTGREN, Mr. AKIN, Mr. SCHILLING, Mr. JONES, Mr. HERGER, and Mr. GOSAR):

H. Con. Res. 98. Concurrent resolution to express the sense of the Congress that any Executive order that infringes on the powers and duties of the Congress under article I, section 8 of the Constitution, or that would require the expenditure of Federal funds not specifically appropriated for the purpose of the Executive order, is advisory only and has no force or effect unless enacted as law; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself, Mr. NEAL, Mr. HIGGINS, Mr. CARNAHAN, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. ENGEL, Mrs. MALONEY, Mr. KING of New York, Ms. CLARKE of New York, Mr. REED, Mr. RANGEL, Mr. SABLAN, Mr. BACA, Ms. DELAURO, Mr. CAPUANO, Mr. BURTON of Indiana, Ms. RICHARDSON, Ms. SPEIER, Mr. CONYERS, Mr. LEVIN, Mr. GRIJALVA, Mr. PIERLUISI, Mrs. CHRISTENSEN, Mrs. MCCARTHY of New York, Mr. HINCHEY, Mr. TURNER of New York, Mr. ACKERMAN, Ms. MCCOLLUM, Mrs. LOWEY, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. PRICE of North Carolina, Mrs. DAVIS of California, Ms. LORETTA SANCHEZ of California, Mr. HASTINGS of Florida, Mr. NADLER, Mr. COHEN, Mr. COOPER, and Mr. FRANK of Massachusetts):

H. Res. 531. A resolution recognizing the 40th anniversary of the National Cancer Act of 1971 and the more than 12,000,000 survivors of cancer alive today because of the commitment of the United States to cancer research and advances in cancer prevention, detection, diagnosis, and treatment; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MICA:

H.R. 7.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, Clause 7, and Clause 18.

By Mr. CARNEY:

H.R. 3839.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. STARK:

H.R. 3840.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Ms. WATERS:

H.R. 3841.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mrs. BLACK:

H.R. 3842.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7.

By Mr. BERMAN:

H.R. 3843.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the authority delineated in Article I section 1, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mrs. ROBY:

H.R. 3844.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress in regards to appropriations, as enumerated in Article I, Section 7, Clause 1, Article I, Section 8, Clause I, and Article 1, Section 9 of the United States Constitution.

Article I, Section 7, Clause 1 (Bills of Revenue):

''All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.''

Article I, Section 8 (Enumerated Powers of Congress):

''The Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 9 (Limits on Congress):

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. POLIS:

H.R. 3845.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BLUMENAUER:

H.R. 3846.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the Constitution of the United States.

By Mr. MARKEY:

H.R. 3847.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 or article I of the Constitution

By Mr. DESJARLAIS:

H.R. 3848.

Congress has the power to enact this legislation pursuant to the following:

clause 7 of section 9 of Article I and clause 18 of section 8 of Article I of the Constitution

By Mr. FINCHER:

H.R. 3849.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. GRAVES of Missouri:

H.R. 3850.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. GRAVES of Missouri:

H.R. 3851.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. HASTINGS of Florida:

H.R. 3852.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the Constitution of the United States, including but not limited to Amendment XVI, Clause 1 of Section 8 of Article I, and Clause 3 of Section 8 of Article 1.

By Mr. LYNCH:

H.R. 3853.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—the Commerce Clause—and Article I, Section 8, Clause 18—the Necessary and Proper Clause—of the United States Constitution.

By Mr. PETERS:

H.R. 3854.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. QUIGLEY:

H.R. 3855.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8

By Mr. SOUTHERLAND:

H.R. 3856.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, relating to the power to regulate interstate commerce.

By Mr. TURNER of New York:

H.R. 3857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 8, Clause 1 of the Constitution of the United States: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Article I, Section 8, Clause 18 of the Constitution of the United States: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Office thereof.

By Mr. VAN HOLLEN:

H.R. 3858.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

[The following action occurred on January 30, 2012]

H.R. 3582: Mr. MACK, Mr. GARDNER, Mr. SULLIVAN, Ms. HAYWORTH, and Mr. BILIRAKIS.

[The following actions occurred on January 31, 2012]

H.R. 23: Mr. LANGEVIN and Mr. BUTTERFIELD.

H.R. 32: Mr. HASTINGS of Florida, Mrs. MCCARTHY of New York, and Mr. GEORGE MILLER of California.

H.R. 58: Mr. STIVERS and Mr. MURPHY of Pennsylvania.

H.R. 104: Mr. HASTINGS of Florida, Ms. LINDA T. SÁNCHEZ of California, and Mr. NEAL.

H.R. 152: Mr. GOSAR.

H.R. 196: Mr. FARR, Mr. KEATING, Ms. JACKSON LEE of Texas, Mr. OLVER, and Mr. CARSON of Indiana.

H.R. 237: Mr. COURTNEY.

H.R. 300: Ms. MCCOLLUM, Ms. MOORE, and Mr. RANGEL.

H.R. 329: Mr. GENE GREEN of Texas, Mr. MCDERMOTT, Mr. CRITZ, and Mr. REYES.

H.R. 361: Mr. CRAVAACK, Mr. KINGSTON, and Mr. RIGELL.

H.R. 365: Mr. POE of Texas and Mr. CARSON of Indiana.

H.R. 399: Mr. CLAY.

H.R. 431: Mrs. BLACK.

H.R. 452: Mr. DUNCAN of South Carolina.

H.R. 458: Mr. TOWNS and Ms. LEE of California.

H.R. 466: Mrs. DAVIS of California, and Mrs. MALONEY.

H.R. 488: Mr. AKIN.

H.R. 529: Mr. VAN HOLLEN.

H.R. 575: Mr. JONES and Mr. WESTMORELAND.

H.R. 645: Mr. STIVERS.

H.R. 677: Mr. FILNER, Mr. PETERS, Ms. SCHAKOWSKY, and Ms. MOORE.

H.R. 718: Mr. GRIFFIN of Arkansas.

H.R. 719: Mr. RIBBLE, Mr. HUIZENGA of Michigan, Mr. COHEN, Mr. DUFFY, Ms. BALDWIN, Mr. MCCOTTER, Ms. DELAURO, and Mr. JONES.

H.R. 721: Ms. BUERKLE and Mr. HASTINGS of Florida.

H.R. 733: Mr. POE of Texas.

H.R. 735: Mr. HASTINGS of Washington.

H.R. 812: Mr. HIMES, Mr. SCOTT of Virginia, Ms. BROWN of Florida, and Ms. MOORE.

H.R. 816: Mr. POE of Texas.

H.R. 835: Mr. CRAWFORD.

H.R. 870: Mr. CUMMINGS.

H.R. 890: Mr. OLVER, Mr. WALBERG, Mr. YOUNG of Alaska, Mr. HONDA, and Mr. LARSEN of Washington.

H.R. 965: Mr. LANGEVIN.

H.R. 973: Mr. CRAVAACK.

H.R. 1048: Mr. DEUTCH and Mr. CLAY.

H.R. 1063: Mr. GARDNER.

H.R. 1148: Ms. LORETTA SANCHEZ of California, Mr. MCCAUL, Mr. TURNER of New York, Mr. MARCHANT, Mr. KEATING, Mr. SERRANO, Mr. HOYER, and Mr. PALLONE.

H.R. 1179: Mr. BERG, Mr. GUTHRIE, Mr. BONNER, Mr. RIBBLE, Mr. CRENSHAW, and Mrs. ADAMS.

H.R. 1206: Mr. GOWDY, Mr. KINGSTON, Mr. GALLEGLY, Mr. FINCHER, Mr. LANCE, and Mr. LATOURETTE.

H.R. 1219: Ms. BERKLEY.

H.R. 1236: Mr. CARNEY and Mr. HURT.

H.R. 1269: Mr. COHEN and Mr. DOGGETT.

H.R. 1321: Mr. DUNCAN of South Carolina.

H.R. 1340: Mrs. NOEM.

H.R. 1385: Mr. RENACCI.

H.R. 1397: Mr. CLARKE of Michigan.

H.R. 1417: Mr. CARNAHAN, Mr. RANGEL, and Mr. OLVER.

H.R. 1449: Ms. LEE of California and Mr. KISSELL.

H.R. 1464: Ms. CHU.

H.R. 1523: Mr. WEST.

H.R. 1543: Ms. MATSUI.

H.R. 1576: Mrs. MCMORRIS RODGERS.

H.R. 1587: Mr. HONDA.

H.R. 1621: Mr. DESJARLAIS and Mr. COLE.

H.R. 1639: Mr. DUNCAN of South Carolina.

H.R. 1648: Mr. GONZALEZ.

H.R. 1676: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1687: Mr. KING of Iowa.

H.R. 1711: Ms. MOORE.

H.R. 1715: Mr. WESTMORELAND.

H.R. 1722: Ms. ZOE LOFGREN of California.

H.R. 1744: Mrs. SCHMIDT, Mr. DENT, and Mrs. EMERSON.

H.R. 1755: Mrs. ELLMERS.

H.R. 1756: Mr. KEATING.

H.R. 1803: Mr. GRIJALVA.

H.R. 1826: Mr. DEUTCH.

H.R. 1831: Mr. CLARKE of Michigan.

H.R. 1856: Mr. BACHUS.

H.R. 1865: Mr. CRAVAACK, Mr. PALAZZO, and Mr. COLE.

H.R. 1876: Mr. DOYLE and Ms. HAHN.

H.R. 1897: Mr. TIBERI, Mr. RANGEL, Mr. WILSON of South Carolina, and Mr. BERMAN.

H.R. 1903: Ms. NORTON, Ms. HAHN, and Mrs. CHRISTENSEN.

H.R. 1960: Mr. STIVERS.

H.R. 1971: Mr. CRITZ.

H.R. 1997: Mr. PALAZZO.

H.R. 2014: Mr. PETERS.

H.R. 2016: Mr. DOGGETT and Mr. HEINRICH.

H.R. 2028: Ms. PINGREE of Maine and Mr. MCGOVERN.

H.R. 2082: Mr. CLAY.

H.R. 2139: Mr. LATHAM, Mr. LATTA, Mr. BOREN, and Mr. MCINTYRE.

H.R. 2179: Mr. TURNER of Ohio, Mr. LOBIONDO, Mr. RYAN of Ohio, and Mr. JONES.

H.R. 2210: Mr. STARK.

H.R. 2256: Mr. SCHIFF, Mr. BUCHANAN, Mr. JACKSON of Illinois, Ms. RICHARDSON, Mr. BISHOP of New York, Mr. LANGEVIN, Mr. KILDEE, Mr. SIRES, Mrs. MCCARTHY of New York, and Mrs. NAPOLITANO.

H.R. 2288: Ms. SCHAKOWSKY and Mr. MORAN.

H.R. 2304: Mr. CRAVAACK.

H.R. 2376: Mr. DEUTCH.

H.R. 2412: Mr. NEAL, Mr. SHERMAN, and Mr. MARKEY.

H.R. 2429: Mr. PAUL.

H.R. 2487: Mr. OLVER, Mr. COHEN, and Mr. HONDA.

H.R. 2499: Ms. MCCOLLUM and Mr. HEINRICH.

H.R. 2501: Ms. TSONGAS.

H.R. 2569: Mr. FRANKS of Arizona and Mr. BASS of New Hampshire.

H.R. 2580: Mr. FLEISCHMANN.

H.R. 2604: Mr. HINCHEY.

H.R. 2679: Mr. BLUMENAUER.

H.R. 2682: Mr. KINGSTON.

H.R. 2697: Mr. POLIS, Mr. MEEKS, and Mr. LARSEN of Washington.

H.R. 2706: Mr. PALAZZO.

H.R. 2716: Mr. CLAY.

H.R. 2729: Mr. BOSWELL, Mr. PETERS, and Mr. FALEOMAVAEGA.

H.R. 2834: Mr. CRAVAACK, Mr. PALAZZO, Mr. DUNCAN of South Carolina, Mr. STIVERS, and Mr. CALVERT.

H.R. 2902: Mr. KUCINICH, Ms. NORTON, Mr. LEWIS of Georgia, and Ms. PINGREE of Maine.

H.R. 2913: Mr. FITZPATRICK.

H.R. 2955: Ms. KAPTUR.

H.R. 2962: Mr. BOUSTANY, Mr. THOMPSON of California, and Mr. DAVIS of Kentucky.

H.R. 2969: Mr. RAHALL.

H.R. 2970: Mrs. MALONEY.

H.R. 2977: Mr. JONES.

H.R. 2978: Mr. POE of Texas, Mrs. LUMMIS, and Mr. WALBERG.

H.R. 2982: Ms. MOORE.

H.R. 3001: Mr. MEEHAN, Mr. STEARNS, Mr. GALLEGLY, and Mr. MCGOVERN.

H.R. 3030: Mr. GRIJALVA.

H.R. 3059: Mr. SMITH of Texas, Mr. ROSS of Florida, Ms. SEWELL, and Mr. WOMACK.

H.R. 3102: Mr. TOWNS and Mr. BERMAN.

H.R. 3145: Mr. BLUMENAUER.

H.R. 3151: Mr. ELLISON.

H.R. 3159: Mr. FRANKS of Arizona.

H.R. 3178: Mr. CLAY.

H.R. 3200: Mr. ROTHMAN of New Jersey, Ms. SPEIER, Mr. VAN HOLLEN, and Mrs. MALONEY.

H.R. 3206: Mr. MATHESON and Mr. BARROW.

H.R. 3209: Mr. MATHESON.

H.R. 3221: Ms. LEE of California.

H.R. 3243: Mr. AUSTIN SCOTT of Georgia.

H.R. 3266: Mrs. CAPPS.

H.R. 3269: Mr. THOMPSON of California, Mr. HOLDEN, Mr. KLINE, Mr. AUSTIN SCOTT of Georgia, and Mr. CROWLEY.

H.R. 3286: Mr. FARR.

H.R. 3298: Mrs. BIGGERT.

H.R. 3300: Mr. DOGGETT.

H.R. 3315: Mr. BENISHEK.

H.R. 3352: Mr. COSTA.

H.R. 3364: Mr. MARINO.

H.R. 3368: Ms. MCCOLLUM, Mr. PAUL, and Mr. STARK.

H.R. 3400: Mr. MCCOTTER and Mr. SCOTT of South Carolina.

H.R. 3407: Mr. DUNCAN of South Carolina.

H.R. 3418: Ms. NORTON and Mr. MCDERMOTT.

H.R. 3458: Mr. BOSWELL.

H.R. 3496: Mr. GRIJALVA.

H.R. 3510: Mr. BERMAN, Ms. LORETTA SANCHEZ of California, and Mr. THOMPSON of Pennsylvania.

H.R. 3521: Ms. JENKINS, Mr. UPTON, Mr. LOEBSACK, and Mr. POLIS.
H.R. 3523: Mr. GARY G. MILLER of California, Mr. STEARNS, and Mr. ISSA.
H.R. 3533: Mr. PETERS and Ms. BALDWIN.
H.R. 3541: Mr. JORDAN, Mr. SAM JOHNSON of Texas, Mr. CARTER, Mr. MARCHANT, and Mr. CONAWAY.
H.R. 3545: Mr. MCKEON and Mr. SCHRADER.
H.R. 3548: Mr. PETRI, Mr. WESTMORELAND, and Mr. KING of New York.
H.R. 3567: Mr. SCALISE.
H.R. 3568: Mr. COLE.
H.R. 3569: Ms. BASS of California.
H.R. 3575: Ms. HAYWORTH.
H.R. 3581: Mrs. BLACK.
H.R. 3596: Mr. FILNER, Ms. VELÁZQUEZ, Mr. DINGELL, Ms. PINGREE of Maine, Mr. BACA, Mr. KISSELL, and Mr. ROTHMAN of New Jersey.
H.R. 3606: Mr. SESSIONS and Mr. KING of New York.
H.R. 3608: Mr. CANSECO.
H.R. 3609: Mr. WESTMORELAND.
H.R. 3612: Mr. RUSH, Mr. RIBBLE, Mrs. DAVIS of California, and Mr. LATTA.
H.R. 3625: Mr. RANGEL and Ms. NORTON.
H.R. 3627: Mrs. DAVIS of California, Mrs. MCMORRIS RODGERS, Mr. ACKERMAN, Ms. SCHAKOWSKY, Mr. TOWNS, Ms. MOORE, and Mrs. CAPPS.
H.R. 3643: Mr. KISSELL.
H.R. 3652: Mr. WALBERG, Mr. ROKITA, and Mr. SAM JOHNSON of Texas.
H.R. 3658: Mrs. EMERSON and Mr. JONES.
H.R. 3666: Mr. KINZINGER of Illinois.
H.R. 3667: Mr. MCDERMOTT and Mr. TIBERI.
H.R. 3676: Mr. VAN HOLLEN and Mr. BURGESS.
H.R. 3698: Mr. LATTA.
H.R. 3702: Mr. LUJÁN, Mr. COHEN, Mr. GRIJALVA, and Mr. HINCHEY.
H.R. 3704: Mr. GRIJALVA, Mr. SERRANO, Ms. LEE of California, and Mr. HONDA.
H.R. 3714: Ms. HIRONO.
H.R. 3764: Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. MCGOVERN.
H.R. 3767: Mr. LANCE, Mr. MEEHAN, Mr. RIVERA, and Mr. ROONEY.
H.R. 3770: Mr. AMODEI.
H.R. 3771: Mr. RUSH and Mr. STARK.
H.R. 3778: Mr. RIBBLE, Mr. BENISHEK, and Mr. AKIN.
H.R. 3798: Ms. PINGREE of Maine.
H.R. 3803: Mr. GUTHRIE, Mr. LONG, Mr. MILLER of Florida, Mrs. BLACK, Mr. BONNER, Mrs. BLACKBURN, Mr. GRAVES of Missouri, Mr. SAM JOHNSON of Texas, Mr. BARLETTA, Mr. GRIFFIN of Arkansas, Mr. KING of New York, Mr. CARTER, Mr. BISHOP of Utah, Mr. CONAWAY, and Mrs. ADAMS.
H.R. 3811: Mr. WESTMORELAND, Mr. GRIFFIN of Arkansas, Mr. ROKITA, Mr. REHBERG, and Mr. YODER.
H.R. 3814: Mr. HUIZENGA of Michigan and Mr. JONES.
H.R. 3820: Ms. SLAUGHTER, Mr. ENGEL, Mrs. MALONEY, Mr. NADLER, and Mr. KING of New York.
H.R. 3821: Mr. CONYERS and Ms. MOORE.
H.R. 3826: Mr. NADLER, Mr. BERMAN, Mr. RANGEL, Mrs. CAPPS, Mr. PALLONE, Mr. WELCH, Ms. ESHOO, Mr. CARSON of Indiana, Mr. MCDERMOTT, Mr. SARBANES, Ms. LEE of California, Mr. ELLISON, Mr. SHERMAN, Ms. HIRONO, Mr. ACKERMAN, Ms. SPEIER, Mr. LEWIS of Georgia, Ms. EDWARDS, Mr. CAPUANO, Mr. THOMPSON of Mississippi, Mr. DINGELL, Ms. MCCOLLUM, Mr. JOHNSON of Georgia, Ms. MOORE, Mr. SABLAN, Mr. PRICE of North Carolina, Ms. RICHARDSON, Ms. HAHN, Mr. MORAN, Mrs. MALONEY, Mr. FILNER, and Mr. COHEN.
H.R. 3828: Mr. HUIZENGA of Michigan, Mr. PITTS, Mr. MARCHANT, Mr. BURTON of Indiana, and Mr. LANKFORD.
H.R. 3833: Mr. NEUGEBAUER.
H.R. 3835: Mr. ROSS of Florida, Mr. OLSON, Mr. FITZPATRICK, and Mr. AMASH.
H.J. Res. 90: Mr. BLUMENAUER, Mr. GENE GREEN of Texas, and Mr. HONDA.
H.J. Res. 93: Mr. BROOKS.
H. Con. Res. 63: Ms. NORTON.
H. Res. 25: Ms. LORETTA SANCHEZ of California.
H. Res. 67: Mr. POSEY.
H. Res. 111: Ms. EDWARDS, Mr. GARRETT, Mr. FLEISCHMANN, Mr. AUSTRIA, Mr. RUSH, Ms. KAPTUR, Mr. MEEKS, Mr. HANNA, and Mr. CHABOT.
H. Res. 130: Mr. SMITH of Washington.
H. Res. 180: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 456: Ms. BROWN of Florida.
H. Res. 484: Mr. JOHNSON of Georgia and Mr. SHERMAN.
H. Res. 509: Mr. KINGSTON, Mr. AMODEI, and Mr. POE of Texas.
H. Res. 521: Mr. FILNER.
H. Res. 523: Mr. DOYLE and Mr. KING of New York.
H. Res. 525: Ms. NORTON, Mr. LOEBSACK, Mr. HOLT, Mr. REYES, and Ms. MCCOLLUM.
H. Res. 526: Mr. TURNER of Ohio.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 3567, the Welfare Integrity Now for Children and Families Act of 2011, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1173

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 1: At the end of the bill, add the following:

SEC. 3. ENSURING MARKET PENETRATION FOR PRIVATE LONG-TERM CARE INSURANCE.

(a) IN GENERAL.—Section 2 shall not take effect until such date as the Secretary of Health and Human Services certifies to the Congress that at least 60 percent of individuals in the United States who are 25 years of age or older have private long-term care insurance.

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

H.R. 1173

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 2: Page 5, after line 19, add the following:

SEC. 3. STUDY ON THE IMPACT OF NOT HAVING LONG-TERM CARE INSURANCE ON THE FEDERAL, STATE, AND LOCAL GOVERNMENTS.

(a) STUDIES.—Section 2 shall not take effect until—

(1) the Director of the Congressional Budget Office completes a macroeconomic study and submits a report to the Congress on the impact on the Federal, State, and local governments of not having long-term care insurance; and

(2) the Secretary of Health and Human Services completes a study and submits a report to the Congress on the best practices necessary to have a viable, financially secure, and solvent long-term care insurance program.

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

H.R. 1173

OFFERED BY: MRS. CHRISTENSEN

AMENDMENT NO. 3: At the end of the bill, add the following:

SEC. 3. ENSURING AVAILABILITY OF AN AFFORDABLE NATIONAL LONG-TERM CARE PROGRAM IN PLACE OF CLASS PROGRAM.

(a) IN GENERAL.—Section 2 shall not take effect until such date as the Secretary of Health and Human Services certifies that an affordable national long-term care program for community living assistance services and supports (other than the CLASS Program under title XXXII of the Public Health Service Act (42 U.S.C. 300ll et seq.)) is in effect.

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

H.R. 1173

OFFERED BY: MR. DEUTCH

AMENDMENT NO. 4: At the end of the bill, add the following new section:

SEC. 3. PREVENTING AN INCREASE IN MEDICAID SPENDING.

Section 2 (other than subsection (b)(3)(B) of such section) shall not take effect until 90 days after the date on which the Comptroller General of the United States certifies to Congress that failure to implement the CLASS program established under title XXXII of the Public Health Service Act will not increase State and Federal spending for long-term care under the Medicaid program under title XIX of the Social Security Act.

H.R. 1173

OFFERED BY: MR. DEUTCH

AMENDMENT NO. 5: At the end of the bill, add the following new section:

SEC. 3. CLASS PROGRAM FLEXIBILITY.

(a) IN GENERAL.—Subject to subsection (b), section 2 (other than subsection (b)(3)(B) of such section) shall not take effect until such date on which each of the following has been satisfied:

(1) The Secretary of Health and Human Services submits to Congress a report including a determination made by the Secretary on whether or not the Secretary has the authority to implement the CLASS program under title XXXII of the Public Health Service Act and develop and implement the benefit plans described in subsection (c).

(2) In the case the Secretary determines the Secretary does not have the authority described in paragraph (1), the Secretary includes in the report described in such paragraph recommendations for statutory changes needed, and a recommended list of statutory provisions that would need to be waived, to provide the Secretary with such authority.

(3) In the case the Secretary determines the Secretary does not have the authority described in paragraph (1), not later than 90 days after the submission of such report and recommendations, Congress has considered and rejected such recommendations.

(b) EXCEPTIONS.—

(1) Section 2 (other than subsection (b)(3)(B) of such section) shall not take effect if the Secretary of Health and Human Services determines under subsection (a)(1) that the Secretary has the authority described in such subsection and the Secretary develops the 3 benefit plans described in subsection (c).

(2) In the case the Secretary determines under subsection (a)(1) that the Secretary

does not have the authority described in such subsection and Congress has not considered and rejected the recommendations described in subsection (a)(2) by the deadline described in subsection (a)(3), section 2 (other than subsection (b)(3)(B) of such section) shall not take effect and the Secretary shall have the authority to waive the provisions recommended by the Secretary to be waived under the report described in subsection (a)(2).

(c) ACTUARIALLY SOUND BENEFIT PLANS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall develop 3 actuarially sound benefit plans as alternatives for consideration for designation as the CLASS Independence Benefit Plan described in section 3203 of the Public Health Service Act that address adverse selection and have market appeal, regardless of whether such plans satisfy the requirements described in subsection (a)(1) of such section.

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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

Eternal spirit, You are our only safe haven. Give our Senators this day the courage and strength of spirit to continue to serve You and country. Reinforce within them the belief that with Your help, they can make a substantive difference in their Nation and world. May they refuse to cower in adversity, to compromise bedrock principles, or to turn their backs on those who need them most. Restore in them an equanimity of temperament that can dispel their doubts and fears.

Lord, today we thank You for the nearly four decades of faithful service by Alan Frumin, our Parliamentarian, as he prepares to retire.

We pray this prayer in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 31, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 11:30 a.m. The majority will control the first half and the Republicans will control the final half. Following morning business, the Senate will begin consideration of the STOCK Act. Senators will be notified when votes are scheduled.

MEASURE PLACED ON THE CALENDAR—S. 2041

Mr. REID. Mr. President, I am told that S. 2041 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2041) to approve the Keystone XL pipeline project and provide for environmental protection and government oversight.

Mr. REID. Mr. President, I would object to further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar under rule XIV.

RETIREMENT OF ALAN FRUMIN

Mr. REID. Mr. President, for a few weeks in March 2010, Alan Frumin was one of the most talked about men in the entire city of Washington. The Senate was poised to send a historic health care reform bill to President Obama's desk for him to sign, but the usual procedural hurdles stood in the way.

Health care policy staffers were camped out in Alan Frumin's office studying Senate procedure and precedent. But despite the pressure, despite the national spotlight, Mr. Frumin remained calm and professional through what must have been one of the most intense moments of his career. For a very few weeks, every Capitol Hill reporter knew his name for sure. His respectable face was on every political news blog. Every political science professor talked about him. Even a few folks outside the beltway learned what on Earth was a Senate Parliamentarian. What do they do? He was briefly a Washington celebrity. But for those of us who work in the Senate, Alan Frumin has always been a star, even when very few of us knew who he was or what job he did. But it did not take us long after coming to the Senate to learn that quickly.

Alan has served in the Office of the Secretary of the Senate since 1977. In his 18 years as chief Parliamentarian, he has made countless difficult decisions with composure. He has a knowledge of complex rules that certainly would be deemed to be extraordinary. These are rules that are convoluted, and procedures are somewhat unique. But he understands every one of them.

He is, above all, impartial to a fault. I have been upset at Alan a few times when I wished he were not so impartial, but he has always been impartial. That is why he is the only Parliamentarian ever to be hired by both Democratic and Republican leaders to serve in this crucial role. In fact, he was retained in his position despite a change

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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of Senate control four times by five different majority leaders.

One cannot be an effective Parliamentarian without being fairminded and judicious, but Alan Frumin also brings to the job a willingness to hear both sides of an argument and consider every side of the issue. He has patience. I have never heard him raise his voice. I never saw him to be agitated. He is always calm and cool. What a wonderful example he is for all of us.

The truth is, Senate Parliamentarians aren't simply appointed, they grow into the job. So I am pleased that the talented Elizabeth MacDonough, who has worked for Alan for a decade, will succeed him. Elizabeth will be the sixth person to hold the job of Parliamentarian since it was created in 1935, and the first woman. She steps into very large shoes.

I will miss Alan's experience and guidance greatly, but I wish him all of the best in his retirement. But he is really not going to retire; he is going to continue to edit Riddick's Senate Procedure, the official book of Senate procedure, and no one is more qualified than Alan to do this.

Congratulations, Alan. Thank you very much for your service.

RECOGNITION OF THE REPUBLICAN LEADER

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

Mr. MCCONNELL. Mr. President, let me also add some words about Alan Frumin. For those who are not aware of what the Parliamentarian does around here, he is sort of like an umpire in a ball game calling balls and strikes. It should not surprise anyone to hear that we have not always agreed on those calls. But it is not an easy job to be an umpire for 100 Senators. It is not easy to keep up with 200 years of precedents. And to Alan's credit, he never hesitates to admit when he thought he got something wrong.

Alan has a deep love for the Senate and the people who make it work. From the elevator operators and the cooks to the most senior Senators, he keeps up relationships with all of them. He cares a lot about this institution, and he has the service to show for it.

As the majority leader indicated, Alan has been here since 1974—longer than all but just a handful of us. So he has really seen it all. We will miss his devotion and his intellect. We are glad he has been able to spend more time with his wife Jill and his daughter Allie. I know they love to travel. Hopefully they will be able to do more of that.

Thank you, Alan, for four decades of service to this institution we all love and admire, and good luck in everything that lies ahead.

STOCK ACT

Mr. MCCONNELL. Mr. President, last night the Senate voted to proceed to the STOCK Act—a bill, incidentally, that was coauthored by two Republicans. I am glad the majority leader is going to allow amendments for a change. Up until a few years ago, the Senate has been known as a forum for open-ended debate. The minority party may not have always gotten its way, but at least it knew it would always be heard. It is something we have not done nearly enough of in these past few years. I hope it does not prove to be a false promise. I expect Senators on both sides of the aisle will have a number of amendments to this legislation.

But one thing that stands out is the fact that the President is calling on Congress to live up to a standard he is not requiring of his own employees. So I think we can expect at least one amendment that calls on executive branch employees to live up to the same standards they would set for others. If the goal is for everyone to play by the same rules, that should not mean just some of us, and it certainly should not leave out those in the executive branch who, after all, have access to the most privileged information of all.

So the goal in the course of this floor debate will be to make sure the executive branch—those most likely to take advantage of insider information—is fully and adequately covered by this regulation.

But let's be clear. President Obama is not interested in this bill because it would address the Nation's most pressing challenges. Of course it will not. He is interested in it because it allows him to change the subject. The more folks are talking about Congress, the less they are talking about the President's own dismal economic record. Frankly, for a President who has presided over a 43-percent increase in the national debt in just 3 years and the stain of the first ever downgrade of America's credit rating, I can certainly understand why he would want to change the subject. I can see why he would rather be talking about Congress or the Super Bowl or the weather or anything other than his own failed economic policies. But the problems we face are too grave and too urgent, and every day the President spends time trying to change the topic instead of changing the direction of the economy is another day he is failing the American people who elected him.

Now, the President can pretend he just showed up. He can try to convince people, as he tried to do this weekend, that the economy is moving in the right direction, but he is not fooling anybody. Americans know we are living in an economy that has been weighted down and held back by legislation he passed with the help of a big Democratic majority in each House of Congress. Americans know we are living in the Obama economy now—we are living in the Obama economy right now—and they are tired of a President who spends his time blaming others for an economy he put in place. They want the President to lead.

I have yet to see a survey in the past year that shows Americans agreeing with the President on the direction of the country or the economy. The ones I have seen all say the opposite. Wide bipartisan majorities believe the country is on the wrong track.

For small business owners, the people we are counting on to create jobs in this country, the numbers are even starker. According to a recent survey conducted by the U.S. Chamber of Commerce, 85 percent—85 percent—of small business owners say the economy is on the wrong track. Eighty-four percent of them say the size of the national debt makes them unsure about the future of their businesses. Eighty-six percent worry that regulations, restrictions, and taxes will hurt their ability to do business. Just about three-quarters of them say the President's health care bill will make it harder for them to hire. In other words, it is a huge drag on job creation.

If I were the President, I would probably rather be talking about Congress too. I understand why he would rather be talking about what Congress may or may not do rather than what he has already done. He would rather be talking about what Congress may or may not do rather than what he has already done. But he has a job to do. He was elected to do something about the problems we face, not blame others for our problems. He was elected to take responsibility for his own actions, not pretend they somehow never happened.

Today the Congressional Budget Office will release an annual report on the Nation's finances. We do not know all the particulars, but I can tell you this: It will not paint a very rosy picture. Our fiscal problems are serious, and every day that the President refuses to address them, they become harder to solve.

So my message to the White House this morning is simple: It is time to lead.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

RETIREMENT OF ALAN FRUMIN

Mr. DURBIN. Mr. President, many years ago when I graduated from

Georgetown Law School, I was offered a job by the Lieutenant Governor of Illinois, Paul Simon. He asked if I would join his staff in Springfield, IL, in the State capital and if I would serve as his senate parliamentarian. I jumped at the chance. I was in desperate need of a job with a wife, a baby, and another one on the way.

Deep in debt, I skipped my commencement exercise to get out and on the payroll in Springfield of the Illinois State Senate. The first day I walked in on the job at the Lieutenant Governor's office they handed me the senate rule book. It was the first time I had ever seen it. They parked me in a chair next to the presiding officer of the Illinois Senate, the Lieutenant Governor, and said: Now you are here to give advice.

I spent every waking moment reading that rule book and trying to understand what it meant. There wasn't a course like that in law school or anything that gave me guidance as to what I was to do. I made a lot of stupid mistakes, and I learned along the way what it meant to be a senate parliamentarian.

It was a humbling experience, in many respects, to learn this new body of law, how it applied to the everyday business of the Illinois State Senate. It was equally humbling to be in a position where your voice was never heard but your rulings were repeated by so many.

I recall that many years later—14 years later—I was elected to the U.S. House of Representatives. After serving 12 of those 14 years in the office of the Illinois State Senate Parliamentarian, I cannot describe to you the heady feeling I had when I went on the floor of the U.S. House of Representatives, they handed me the gavel, and I actually presided over the U.S. House. After 14 years of silence as the Illinois State Senate Parliamentarian, I was speaking before one of the greatest legislative bodies in the world. So I have some appreciation for the role of a parliamentarian, and particularly for the contribution of people such as Alan Frumin. In some respects, it is a thankless job, because you are bound to make some people upset. As the majority leader mentioned, we respect Alan's impartiality as Parliamentarian, but many times we go back to our office and are critical of it at the same time. We hope he will rule in our favor instead of the other way.

Alan has been faithful to precedent, to the rules of the Senate, and that is all we can ask of a person who serves in his position. He has to tolerate the titanic egos that occupy this Chamber. I used to say that the majority leader is the captain of a small boat full of titanic egos. That is the nature of this institution. Alan has been called on more often than most to deal with the peculiarities of even my colleagues and myself.

I wish him the best after more than 35 years of service to the Congress, both in the House and the Senate. I am glad he is going to continue at least on the research side to establish a body precedent that will guide the Senate and the Congress in the years to come.

Alan, thank you so much for all the service you have given to the Senate, to the Congress, and to the United States.

To Elizabeth MacDonough, congratulations. It is great you will be coming into this new role. It is precedent-setting in and of itself that you will be the first woman to serve as the U.S. Senate Parliamentarian. We all respect very much your professionalism and look forward to working with you—even when you give us disappointing rulings.

THE ECONOMY

Mr. DURBIN. Mr. President, I listened to the comments made by the Republican leader about how he believed President Obama is trying to change the topic and not talk about the economy and, rather, talk about ethical standards in the U.S. Congress. I have to say this is an issue that resonates with me personally because, as I mentioned earlier, I have been honored to have been brought up in public service by two outstanding individuals, former U.S. Senators Paul Simon and, before him, Paul Douglas. Both of these men had integrity as a hallmark. Even as people in Illinois disagreed from time to time with their positions on issues, they never questioned their honesty. That is my background, my training, and I have tried to continue in that tradition.

I accepted the standard, which was first initiated by Senator Paul Douglas and carried on by Senator Paul Simon, of making a complete income and asset disclosure every single year. I think if I look back now, I can trace it back to my earliest campaign, certainly back to my time in the office of the Lieutenant Governor. Almost every year I made that disclosure. There was some embarrassment in the early years, because my wife and I were broke and we showed a negative net worth because of student loans. We suffered some chiding and embarrassment over that. Over the years, even my wife got to where she didn't pay much attention on April 15 when I released all this information.

What we are considering on the floor is a tough issue. It is this: When you earn something as a Congressman or Senator, what should you do to take care that you don't capitalize on that, that you don't turn that into part of a personal decision that might enrich you? It is a legitimate issue, and I support the legislation that is on the floor, though I think it will be challenging to implement.

We should never capitalize on insider information, private information given to us in our public capacity, to enrich ourselves, period, no questions asked. What we have before us now is an opportunity to call for more timely disclosure of those transactions that Members of Congress—in this case Senators—engage in that might or could have some relationship to information they learned in their official capacity.

I quickly add that this is a challenge because, honestly, in our work in the Senate we are exposed to a spectrum of information on virtually every topic. People sit and talk to us, those in an official capacity and also unofficially, about the future of the European Community, what will happen there, and if the European economy goes down or up, what impact will it have on the United States. We learn these things in meetings; we think about them as we vote on measures on the floor. Obviously, they are being discussed widely in the public realm as well. So drawing those lines in a careful, responsible way is going to be a challenge for us.

But disclosure is still the best antidote to the misuse of this public information. I don't think it is wrong for the President to challenge us or for the Republican leader to challenge the executive branch at the same level. That is fair. You know I am friendly to the President. I am a member of his party and was a personal friend to him before he was elected, and I still am today. He should accept the challenge from the Senator from Kentucky to look at the standards within the executive branch to see if they meet at least the minimum standards set by this legislation. We should look at it, as well, in terms of our responsibilities as Senators.

I take exception to the comments made by the Republican leader when it comes to the state of the economy and the role of the executive. The Senator from Kentucky said there has been change in the national debt, since the President was elected, by an increase of 4 percent. I am sure that is close to true if not true in detail. But look at the circumstances. When President Clinton left office and turned the keys over to President George W. Bush, the national debt was $5 trillion, and the next year's budget would have been the third in a row in surplus by $120 billion—not a bad welcome gift from the outgoing President, William Jefferson Clinton.

Now fast forward 8 years as President Bush left office and handed the keys to President Obama—quite a different world. Instead of a national debt of $5 trillion, 8 years later, it was $11 trillion, more than double under President George W. Bush, a fiscal conservative by his own self-description. Look at what he left for President Obama in his first budget, in the first year: a $1.2 trillion deficit. Not a surplus, but a deficit 10 times as large as the surplus left by President Clinton. That is what President Obama inherited.

He said in the State of the Union Address that we had lost 3 million jobs in the 6 months preceding his being sworn in and another 3 million before his stimulus bill was passed and implemented. Six million jobs were gone;

750,000 people lost their jobs the month President Obama was sworn into office.

Now Senator MCCONNELL comes to the floor and says that is President Obama's fault. I don't think that is a fair characterization. I think the President would accept responsibility not only for his time in office but for the decisions he has made. But to saddle him with the legacy of the previous President and his economic policies is fundamentally unfair.

The Senator from Kentucky says, don't forget, it was on President Obama's watch that a rating agency downgraded the credit rating of the United States. True. If you read the downgrade, it is not about the state of the economy, it was about the state of politics in Washington. We were downgraded by Standard & Poor's because they believed that we were incapable, as a divided government, to make important decisions for this Nation.

How did they reach that conclusion? Perhaps it was because of this divided government, with the tea party dominance in the House of Representatives, that led us into a position in 2011 where we faced two government shutdowns and one shutdown of the economy in the same year. This weakened economy, suffering from recession, still had to worry about whether the fights between the House and the Senate would lead to even more economic peril. That is why we were downgraded. Don't blame the President for that. We can blame ourselves—at least partially—for the downgrade. Let me say that too.

We know there is uncertainty about the future. People are waiting for certainty when it comes to the value of real estate, the future of jobs, and business. I understand that. But things are moving in the right direction. Last week, we learned that our economy grew at a rate of 2.8 percent in the last 3 months of 2011—the strongest quarter of the year—and it shows that the chances of double-dip recession are receding.

In 2011, the unemployment rate fell from 9 to 8.5. The private sector added more jobs in 2011 than in any year since 2005. The American manufacturing sector was growing for the first time since the late 1990s.

The Republicans don't want to credit this President as they should. There are 3 million new private sector jobs. The weakness in our unemployment figures reflects the loss of public sector jobs. Federal, State, and local employment has gone down as the revenues of government have decreased.

But this recovery is still fragile. Those who come to the floor, as many have, and argue for austerity and budget deficit concentration aren't wrong, but their timing is wrong. This is the moment when we need to strengthen this economy and move it forward. I was on the Bowles-Simpson commission. Understand that their deficit reduction did not begin until the first of 2013. We wanted to create enough time in that commission for the economy to recover and come out of this recession.

Those who argue that we should abandon that now would sink us even more deeply into a recession instead of on the road to recovery. We need to continue to act, to find that which will strengthen our economy—investment in education and training for our workers, investment in research, whether it is at the National Institutes of Health or other agencies of government, so that we can move forward with innovation and create jobs in areas such as green and clean energy.

Third is the development of our infrastructure. It is indefensible that Congress has been unable to pass a highway bill, an infrastructure bill to rebuild America. The trip I took to China last year was a stark reminder that China is determined to lead the world in the 21st century. They are building in China an infrastructure to do it, while we nurse one that has been falling apart for decades.

Can't Republicans and Democrats agree even in a Presidential election year that we need a solid infrastructure bill that will rebuild America and create good-paying jobs right here in America? It is time for us to have a balanced plan and to work together to achieve it.

The President is not trying to avoid the topic. He addressed it in his State of the Union Address. It is up to the Congress to follow.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

TRIBUTE TO KEVIN HAGAN WHITE

Mr. KERRY. Mr. President, last Friday Kevin Hagan White, a four-term mayor of Boston, passed away.

In the city of Boston, in the shadows of Faneuil Hall, there is a statue of Mayor White that stands 10 feet tall, larger than life. There could not be a more fitting tribute to a mayor and a man who was himself a huge figure in the history of Boston and a mayor who helped to give our city the extraordinary skyline and the extraordinary spirit it has today.

He was a mayor who, more importantly, through four terms led the city of Boston through a remarkable transition, from times of division to a time of new international and singular identity for the city. He led the transition of a great city. But this good man and ground-breaking mayor was, frankly, much more than a transitional leader himself. He was a transformative figure in a city that, when it comes to history-making mayors, does not use the word ''transformative'' lightly.

Mayor White's passing gives Boston and its people a chance to reflect on how one leader, one politician could help to reshape a major city in America—to some degree reflecting his own persona, bright and energetic. Kevin White was elected to city hall in 1967, a time when big city mayors in America were political forces even as the days of the all-powerful political machines were beginning to dwindle. In Chicago, there was Richard Daley; in New York, John Lindsay; in Los Angeles, Sam Yorty, among some of the big city mayors of our Nation. But in Boston, Kevin represented a new generation of urban leaders. He was only 38 years old and was filled with optimism and energy and clear ideas of what he wanted Boston to be—summarized, perhaps, in the notion of being a world-class city.

He attracted brilliant, idealistic young people to help him achieve his goal, brilliant young people such as BARNEY FRANK, Micho Spring, Ann Lewis, Paul Grogan, Fred Salvucci, George Regan, Robert Kiley, Bo Holland, Cecily Nuzzo Foster, Dennis Austin, and Clarence ''Jeep'' Jones, all of whom saw in him a reason to dedicate themselves to public service.

When Kevin White moved into city hall, some people assumed they were getting a business-as-usual mayor—Irish and Catholic, typical and traditional. But the times were changing. The political and social climate of Boston in the late 1960s was hardly traditional, and Kevin White was anything but your typical politician.

He glided effortlessly between the old world and the new. No one had ever seen a Boston politician go to Rhode Island to get the Rolling Stones released into their personal custody after they were arrested, and then the next night, when they appeared at a concert in Boston, stand up and announce to a cheering crowd, ''The Stones have been busted, but I sprung them.'' Kevin did just that in 1972, which happened to be right after 18-year-olds got the right to vote.

Kevin White opened Boston's political system to African Americans, women, Jews, and gay Americans alike. He spearheaded rent control. He decentralized the city government by forming little city halls in the neighborhoods. He made jobs for young people a priority. He organized outdoor summer activities known as ''Summerthing.'' He refused to let Interstate 95 run right through the city in order to protect low-income homes and boost public transportation. But perhaps most importantly, he sparked a downtown renaissance that began with Quincy Market, now one of the city's top tourist attractions, and it became the heartbeat of the new Boston that is his legacy.

Mr. President, Kevin White came to city hall with an ambitious plan to build a new Boston brick by brick if he had to, and that is pretty much what he did. When Kevin White took office, Boston was in many ways still stuck in the 1920s—virtually no new buildings in decades, a steady decline in population and jobs, flophouses in the Back Bay, Quincy Market, a ramshackle warehouse of butchers and cheese dealers. But Kevin and his new team at city hall hit Boston like a bolt of lightning,

eventually reversing the city's economic slide and laying the groundwork for the vibrant Boston of today. He had a vision.

Boston was in Kevin's blood and so was politics. His father and maternal grandfather had been Boston city council presidents, and he married Kathryn Galvin in 1956, the daughter of another city council president. He was elected Massachusetts secretary of state three times before being elected mayor for the first time in 1967.

Kevin White was the right man for the job at the right time, as he proved so importantly and so poignantly within months of taking office on April 5, 1968—to be precise, the day after Dr. Martin Luther King, Jr. was assassinated. James Brown was scheduled to do a concert at Boston Garden that night. Rather than allow it to be cancelled, as many suggested, Kevin arranged for the concert to be televised live in hopes of minimizing unrest. He even appeared on stage himself to plead for calm. He stood on the stage and said:

> All of us are here tonight to listen to a great talent. But we are also here to pay tribute to one of the greatest of Americans, Dr. Martin Luther King, Jr. Twenty-four hours ago, Dr. King died for all of us, black and white, so that we may live together in harmony, without violence, and in peace. I'm here to ask for your help. Let's make Dr. King's dream a reality in Boston. No matter what any other community might do, we in Boston will honor Dr. King in peace.

That was leadership, and it helped. Cities across the country exploded in violence, but Boston summoned relative restraint. James Brown called Kevin ''a swinging cat.'' Of course, difficult times lay ahead, a turbulent period of racial strife. But Kevin White sought to shepherd Boston through those difficult times, and in the process he ushered in the remarkable city we know today. He did his best to hold the city together by walking the streets, reaching out and fighting with every ounce to get Boston where it is today. At one point, he led a march of 30,000 people to protest racial violence.

Kevin White was, according to his most famous campaign slogan, a loner, in love with the city. But this self-proclaimed loner did love Boston, and Boston loved him back. His wide circle of friends and former staff remained loyal and close throughout his life. Above all he was a family man, devoted to his wife Kathryn of 55 years, to his five children, and to his seven grandchildren. To all of them and to the rest of his family, we extend our deepest sympathy and a thank-you for sharing Kevin with us.

The devotion of Kevin's family was boundless throughout his long and valiant fight against Alzheimer's disease. From his diagnosis nearly a decade ago to the very end last Friday, they gave him all the love and care he needed to face his debilitating challenge with the same dignity and courage with which he served the city of Boston for so long.

Mr. President, Boston is that shining city on a hill that John Winthrop, one of the founders of the Massachusetts Bay Colony, spoke about in 1630 as he sailed to America. It is a city teeming with people of all kinds, a city of commerce and creativity, a city of grit and greatness. And Kevin White helped to make it that way.

I consider it a privilege to have watched his journey, to have enjoyed his friendship, support, and counsel. I join with so many in thanking him and his family for his service.

May he rest in peace.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECESS APPOINTMENTS

Mr. PAUL. Mr. President, I rise today in defense of the Constitution. I rise today to condemn the President for making appointments that are unconstitutional and illegal. Recently the President appointed members to the National Labor Relations Board and to the Consumer Financial Protection Agency. He did so by saying we were in recess.

This is news to us because those of us in the Senate maintain that we were never in recess. The President has usurped a power never previously taken by a President and has decided unilaterally that he gets to decide when we are in recess. These appointments are illegal and unconstitutional, and I am surprised—I am surprised—that no member of the majority party has stood to tell the President so.

I am not surprised that the President has engaged in unconstitutional behavior. His health care law is brazenly unconstitutional. His war with Libya was unconstitutional. He got no congressional authority. So, for a man who once gave lip service to the Constitution, the President now has become a President who is prone to lawlessness and prone to unconstitutional behavior.

Our Founders clearly intended that the President have the ability and the power to appoint advisers, but they also separated that power and gave power to the Senate to advise and consent on these high-ranking officers in government. The President has gone an end-around on this and has done something that breaks with historical precedent. It goes against the notion of checks and balances.

In fact, the notion that underlies the whole idea of recess appointments is mostly a historic relic. Alexander Hamilton explained in Federalist 67 that the power was included so the Senate did not have to remain in session year round to deal with nominations. This was also done at a time when Congress would go out of session for months at a time for members to return to their farms and their businesses. Now Congress meets nearly year round.

So, in other words, recess appointments should only happen rarely, in extreme occurrences, if at all. There also should be agreement that we are in recess, and there is no disagreement that we were in recess.

There is a lot of talk about bipartisan cooperation on the other side of the aisle, but I am disappointed that not one Senator has stood to tell the President this sets a terrible precedent; that this is a usurpation of power that is bad for the country and bad for the idea of checks and balances. I am disappointed that not one Senator from the other side of the aisle has stood to oppose this President on this unconstitutional power grab. This is an opportunity for us to stand together in defense of the Constitution.

I state now, unequivocally, if a Republican President tries to usurp his power, if a Republican President tries to define a recess and appoint people illegally, I will stand on the Senate floor and oppose him. This is not about being a Republican or a Democrat, it is about having respect for the Constitution. These lawless, illegal, and unconstitutional appointments fly in the face of the respect for our Constitution. This is an issue of separation of powers, of constitutional authority, and of Senate prerogative. It is sad that not one member of the opposition party will stand for the Constitution, will stand to the President.

Make no mistake, this is a huge breach of precedent. If the President is allowed to determine when we are in recess, nothing prevents him from making recess appointments this evening at 8 o'clock or on the weekends. If this precedent is allowed to stand, nothing stops the President from appointing a Supreme Court Justice tonight at 8 o'clock. Is that the kind of lawlessness we want in our country? Are we going to completely abandon the advise-and-consent role of the Constitution and of the Senate?

I ask today, is there not one Senator from across the aisle who will stand against this unconstitutional power grab? Is there not one Senator from across the aisle who will say to the President that these illegal appointments set a terrible precedent; that these appointments will encourage lawlessness; that these appointments eviscerate the advise-and-consent clause of the Constitution? I ask my colleagues from across the aisle: Where is your concern for the checks and balances? Where is your concern for the Constitution?

I am greatly saddened by this action, and I hope the President will reverse course. I hope the majority party in

the Senate will stand for the Constitution. But I am greatly disappointed in where we are in this debate.

I yield back my time.

The PRESIDING OFFICER. The Senator from Nevada.

THE STOCK ACT

Mr. HELLER. Mr. President, later today the debate will center on the fundamental question of whether Members of Congress should be responsible for upholding the same laws as the American people. The unified answer from this Congress must be an unequivocal yes. It is no secret that Congress has a track record of exempting itself from the very laws it writes.

Former Senator John Glenn said such exemptions are ''the rankest form of hypocrisy. Laws that are good enough for everyone else ought to be good enough for us.''

Former Congressman Henry Hyde once quipped that ''Congress would exempt itself from the laws of gravity if it could.''

I have long supported efforts to ensure that Congress refuses to give into any temptation to exempt itself. When I was serving in the House of Representatives, I was proud to be a leader in the effort to require Members of Congress and their staffs be subject to the same requirements that the Obama health care bill put on all citizens.

While the bad old days of Congress exempting itself from major occupational safety and health and fair labor standard laws were done away with to some extent after passage of the Congressional Accountability Act, and other reforms of the mid-1990s, Congress should not miss this opportunity to show the American people that it is willing to live by the very rules that are imposed on the American people. The people of this Nation are tired of business as usual in Washington. They are tired of the congressional exemptions or carve-outs that create a chasm between the working class and the political class.

My home State of Nevada is currently enduring the highest unemployment rate in the country. In fact, Nevada has led the Nation in unemployment for more than 2 years. As I travel the State, I hear from individuals who are frustrated because the public servants who are supposed to be representing them don't feel their pain. While our economy limps on, the Nation's Capital remains untouched by the difficulties Nevadans experience every day. In light of these facts, is it any mystery why Congress is currently experiencing its worst approval ratings in history?

I am a cosponsor of the STOCK Act because I believe confidential information acquired as a result of holding public office should not be used for private gain. The STOCK Act would prohibit Members or employees of Congress and executive branch employees from profiting from nonpublic information obtained because of their status and requires greater oversight of the growing political intelligence industry. Members and employees should also be required to report the purchases, sales, and exchange of any stock, bond, or commodity transaction greater than $1,000 within 30 days.

As a strong supporter of transparency in Congress and the Federal Government, I believe the STOCK Act is an important step for Congress to take and start earning back the trust and faith of the American people. Restoring that confidence will surely be a long journey because public servants have in too many cases not taken their job seriously. But through legislation such as the STOCK Act, we send an important message to the citizens of this Nation that we understand our position requires us to uphold the highest ethical and moral standards, and we are willing to undergo the scrutiny required to regain that trust.

Members of Congress should follow the same rules as every other American. No American can trade on insider information without the risk of prosecution, and Congress should be held to the same standard. Elected officials should take every precaution to ensure that they do not use public information for personal gain.

I hope both Chambers will take the time to thoughtfully consider this legislation and send it to the President for his signature. My hope is that the American people will view passage of this legislation as an earnest bipartisan effort to change the way Washington does business.

I appreciate the opportunity to discuss this important bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the role.

Mr. LEE. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

THE ECONOMY

Mr. LEE. Mr. President, I rise today to talk about the state of the Nation's economy. Upon taking office, President Obama encountered one of the worst recessions in this country's history. He faced tremendous challenges under any standard. To be sure, it would have been difficult for any President to make the kinds of reforms that would have had an immediate effect on an economy this bad. But at the end of the day we see that although he was handed something that we can fairly characterize as an economic emergency, he, through his actions and through his policies, turned that emergency into a national tragedy.

In his first 2 years, instead of focusing on creating jobs and creating a set of circumstances in which the private sector could bring jobs to fruition, President Obama and his substantial majorities in both Houses of Congress used their tremendous advantage to push for greater government control over America's health care choices, more burdensome and debilitating regulations on businesses, and a failed stimulus package that led to record-setting annual deficits.

Just look at America before President Obama took office and compare it to our economic situation now. For example, unemployment is up 9 percent from when President Obama took office. The price of gasoline is up 83 percent compared to when he took office. Long-term unemployment is up 107 percent. The median value of a single-family home in America is down 14 percent, and the U.S. national debt is up 43 percent. He has added over $4 trillion to our national debt.

Then, last year, President Obama created a standoff with Republicans by refusing to accept a reasonable compromise on spending reforms as a condition for raising the Nation's debt ceiling. He presided over the downgrading of America's credit rating, the first in our country's history, and he has taken every opportunity to block the development of America's energy resources, a source of much-needed revenue and jobs.

Perhaps most troubling, this President has intentionally divided the country by waging vicious class warfare campaigns separating average, hard-working Americans by income and then pitting them against one another. The President's record on this score has been repugnant and damaging.

Instead of working with Congress to address our genuine economic challenges, the President has responded by starting his reelection campaign early. In a series of taxpayer-funded campaign stops, the President sharpened his divisive message and astoundingly blamed Republicans for legislative gridlock—never mind that the President's most recent budget proposal failed to attract even a single vote in the U.S. Senate, and it was, in fact, Senate Democrats who refused to bring the President's own jobs plan to the floor for a vote. Even today, members of the President's own party are lining up against him to oppose his tone-deaf decision on the Keystone XL Pipeline. This project would create 20,000 American jobs, it would inject much needed private sector capital into our economy, and it would increase the country's energy security, but the President has chosen to block the project as an election-year nod to his friends in the extreme leftwing of the environmentalist movement.

President Obama has put the state of our Union in disarray. Certainly he inherited a poor economy, but the decisions he has made and implemented since taking office are making it worse. He was handed an economic emergency, and instead of taking the

challenge head-on, he chose to ignore it, and then he turned it into a national tragedy.

There is a void of leadership in the White House. He must end the divisiveness and start dealing directly and decisively with the needs of the country. The President has very little time left to show the American people that he can be the kind of leader who will put the country before his own personal political interests. For the sake of all Americans, I sincerely hope he uses that time wisely.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I thank the Chair.

(The remarks of Senator COLLINS pertaining to the introduction of S. 2044 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT OF 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2038, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of S. 2038, a bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to S. 2038.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (S. 2038) to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

AMENDMENT NO. 1470

(Purpose: In the nature of a substitute)

Mr. REID. Mr. President, I have a substitute amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN, proposes an amendment numbered 1470.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of Monday, January 30, 2012, under ''Text of Amendments.'')

AMENDMENT NO. 1482 TO AMENDMENT NO. 1470

Mr. REID. Mr. President, on behalf of Senator LIEBERMAN, I call up an amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LIEBERMAN, proposes an amendment numbered 1482 to amendment No. 1470.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make a technical amendment to a reporting requirement)

On page 7, line 22, after ''Reform'' insert ''and the Committee on the Judiciary''.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1478 TO AMENDMENT NO. 1470

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

Mr. BROWN of Ohio. Mr. President, I call up amendment No. 1478.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN] proposes an amendment numbered 1478 to amendment No. 1470.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To change the reporting requirement to 10 days)

On page 6, strike lines 12 through 15, and insert the following:

''(j) After any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress shall file a report of the transaction not later than 10 days following the day on which the subject transaction has been executed.''.

On page 9, line 17, strike ''30'' and insert ''10''.

AMENDMENT NO. 1481 TO AMENDMENT NO. 1470

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I call up my amendment No. 1481.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN] for himself and Mr. MERKLEY, proposes an amendment numbered 1481 to amendment No. 1470.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit financial conflicts of interest by Senators and staff)

At the appropriate place, insert the following:

SEC. ___. PUTTING THE PEOPLE'S INTERESTS FIRST ACT OF 2012.

(a) SHORT TITLE.—This section may be cited as the ''Putting the People's Interests First Act of 2012''.

(b) ELIMINATING FINANCIAL CONFLICTS OF INTEREST FOR MEMBERS OF THE SENATE.—A covered person shall be prohibited from holding and shall divest themselves of any covered transaction that is directly and reasonably foreseeably affected by the official actions of such covered person, to avoid any conflict of interest, or the appearance thereof. Any divestiture shall occur within a reasonable period of time.

(c) DEFINITIONS.—In this section:

(1) SECURITIES.—The term ''securities'' has the same meaning as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

(2) COVERED PERSON.—The term ''covered person'' means a Member, officer, or employee of the Senate, their spouse, and their dependents.

(3) COVERED TRANSACTION.—The term ''covered transaction'' means investment in securities in any company, any comparable economic interest acquired through synthetic means such as the use of derivatives, or short selling any publicly traded securities.

(4) SHORT SELLING.—The term ''short selling'' means entering into a transaction that has the effect of creating a net short position in a publicly traded company.

(d) EXCEPTION.—Nothing in this section shall preclude a covered person from investing in broad-based investments, such as diversified mutual funds and unit investment trusts, sector mutual funds, or employee benefit plans, even if a portion of the funds are invested in a security, so long as the covered person has no control over or knowledge of the management of the investment, other than information made available to the public by the mutual fund.

(e) TRUSTS.—

(1) IN GENERAL.—On a case-by-case basis, the Select Committee on Ethics may authorize a covered person to place their securities holdings in a qualified blind trust approved by the committee under section 102(f) of the Ethics in Government Act of 1978.

(2) BLIND TRUST.—A blind trust permitted under this subsection shall meet the criteria in section 102(f)(4)(B) of the Ethics in Government Act of 1978, unless an alternative arrangement is approved by the Select Committee on Ethics.

(f) APPLICATION.—This section does not apply to an individual employed by the Secretary of the Senate, Sergeant at Arms, the Architect of the Capitol, or the Capital Police.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thought we had a tentative, informal agreement that we were going to go

back and forth, alternating to make amendments pending, and that we would do one from the Democratic side, then one from the Republican side, and go back and forth.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I appreciate the comments from the Senator from Maine. I was just asking that they be offered. I was going to speak on them together, but I am certainly willing for a Republican to go next and then I speak about my two amendments together—whatever the Senator from Maine would like.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I thank the Senator.

Mr. President, I, then, ask unanimous consent that we proceed with amendments so that we do alternate from side to side, since there are a number of amendments that have been filed, and I think that would be the fairest way to proceed to make them pending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Pennsylvania.

AMENDMENT NO. 1472 TO AMENDMENT NO. 1470

Mr. TOOMEY. Mr. President, I ask unanimous consent to set aside the pending amendment.

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

Mr. TOOMEY. Mr. President, I call up amendment No. 1472, my amendment with Senator MCCASKILL.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY], for himself, Mrs. MCCASKILL, Mr. DEMINT, Mr. UDALL of Colorado, Mr. RUBIO, Ms. AYOTTE, Mr. PORTMAN, Mr. THUNE, and Mr. JOHANNS, proposes an amendment numbered 1472 to amendment No. 1470.

Mr. TOOMEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit earmarks)

At the appropriate place, insert the following:

SEC. ___. EARMARK ELIMINATION ACT OF 2012.

(a) SHORT TITLE.—This Act may be cited as the ''Earmark Elimination Act of 2011''.

(b) PROHIBITION ON EARMARKS.—

(1) BILLS AND JOINT RESOLUTIONS, AMENDMENTS, AMENDMENTS BETWEEN THE HOUSES, AND CONFERENCE REPORTS.—

(A) IN GENERAL.—It shall not be in order in the Senate to consider a bill or resolution introduced in the Senate or the House of Representatives, amendment, amendment between the Houses, or conference report that includes an earmark.

(B) PROCEDURE.—Upon a point of order being made by any Senator pursuant to subparagraph (A) against an earmark, and such point of order being sustained, such earmark shall be deemed stricken.

(2) CONFERENCE REPORT AND AMENDMENT BETWEEN THE HOUSES PROCEDURE.—When the Senate is considering a conference report on, or an amendment between the Houses, upon a point of order being made by any Senator pursuant to paragraph (1), and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable under the same conditions as was the conference report. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(3) WAIVER.—Any Senator may move to waive any or all points of order under this section by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(4) DEFINITIONS.—

(A) EARMARK.—For the purpose of this section, the term ''earmark'' means a provision or report language included primarily at the request of a Senator or Member of the House of Representatives as certified under paragraph 1(a)(1) of rule XLIV of the Standing Rules of the Senate—

(i) providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

(ii) that—

(I) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

(II) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

(iii) modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(B) DETERMINATION BY THE SENATE.—In the event the Chair is unable to ascertain whether or not the offending provision constitutes an earmark as defined in this subsection, the question of whether the provision constitutes an earmark shall be submitted to the Senate and be decided without debate by an affirmative vote of two-thirds of the Members, duly chosen and sworn

(5) APPLICATION.—This section shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality or congressional district.

Mr. TOOMEY. Mr. President, I would like to make some comments about this amendment, but I will do that at a later time when time is more available.

I thank my colleague from Maine and my colleague from Ohio for their helpful cooperation in this process.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I thank both the Senator from Pennsylvania and the Senator from Maine.

AMENDMENTS NOS. 1478 AND 1481

I will speak in more detail about my amendments later, but now I want to say a few words about each of them.

First, they are consistent with the spirit of the underlying bill—a version of which I cosponsored. I am particularly appreciative to Senator GILLIBRAND for her good work on this overall issue.

The underlying STOCK Act clarifies that insider trading laws apply the same way to Members of Congress as they do to the rest of the country, pure and simple. It makes sense.

My amendments would also extend generally applicable laws to Members of Congress.

One amendment would apply financial trade disclosure rules to Members in the same way they apply to others, such as corporate insiders, financial advisers, SEC employees. It would narrow the window for disclosure from 30 days down to 10 days. It would make Member disclosure more consistent with rules that require timely disclosure of transactions by corporate directors, officers, and large shareholders. We should do the same more strictly than we have in the past to do the same as they do. Let's hold ourselves to the same standard of openness and shine the light of transparency on our financial trades, if we make them.

The second amendment would extend to Senators the same conflict of interest rules that currently apply to committee staff and executive branch officials. This amendment, which is No. 1481, is coauthored by Senator MERKLEY of Oregon.

Members of the Senate and staff would be prohibited from owning or short-selling individual stock in companies affected by their official duties. We would still be permitted to invest in broad-based funds or place our assets in blind trusts, as permitted by the Select Armed Services Committee—SASC—rule and Federal regulations.

When asked about the fact that the SASC conflict of interest rules apply to staff and DOD appointees, President George W. Bush's Deputy Secretary of Defense, Gordon England, said:

I think Congress should live by the rules they impose on other people.

That is why I am offering these two amendments. It is pretty simple. We vote on a whole range of very important issues in this country. We should not only not benefit from our votes on investments we might have, but it is important that the perception be that when we make decisions, we make them for the good of the country, not for our own financial interests. That is something the public finds pretty distasteful. These two amendments together will help fix that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROWN of Massachusetts. Mr. President, I know we are starting to get the intake of amendments. I want to reiterate what we talked about yesterday, about having relevant amendments filed. This is a very specific issue we are addressing, which is to deal with perceived insider trading and/or Members of Congress having an unfair advantage and having obviously nonpublic information, confidential information that would ultimately be used for financial gain.

As we are reviewing some of the amendments or hearing discussions of others that may be forthcoming, I want to remind the Members that this is something that forces outside this building may not want to happen. I feel very strongly that this is something we need to do and use to reestablish the trust with the American citizens and Members of Congress.

That being said, as our Members are listening or their staffs are proposing amendments that are forthcoming, I hope they would be relevant to the issue at hand and not get sidetracked into a discussion that would take us away from what we are trying to do here.

Again, I am looking forward to the amendments. I know Senators LIEBERMAN, GILLIBRAND, COLLINS, and I will be managing the floor today to try to make sure that happens and convince our Members to stay focused on this very important issue.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I ask unanimous consent to set aside the pending amendment.

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

AMENDMENT NO. 1477 TO AMENDMENT NO. 1470

Mr. THUNE. Mr. President, I ask unanimous consent to call up amendment No. 1477.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 1477 to amendment No. 1470.

Mr. THUNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D)

At the appropriate place, insert the following:

SEC. __. MODIFICATION OF EXEMPTION.

(a) REMOVAL OF RESTRICTION.—Section 4(2) of the Securities Act of 1933 (15 U.S.C. 77d(2)) is amended by inserting before the period at the end the following: '', whether or not such transactions involve general solicitation or general advertising''.

(b) MODIFICATION OF RULES.—Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall revise its rules issued in section 230.506 of title 17, Code of Federal Regulations, to provide that the prohibition against general solicitation or general advertising contained in section 230.502(c) of such title shall not apply to offers and sales of securities made pursuant to section 230.506, provided that all purchasers of the securities are accredited investors. Such rules shall require the issuer to take reasonable steps to verify that purchasers of the securities are accredited investors, using such methods as determined by the Commission.

Mr. THUNE. Mr. President, this amendment would make it easier for small business to better access capital in order to expand and create jobs. On November 3, 2011, the House of Representatives passed a companion measure, which was introduced by Representative KEVIN MCCARTHY, on a near unanimous vote of 413 to 11; 175 Democrats in the House supported this legislation. We have an opportunity here to show the American people that we are serious about creating jobs and to pass this amendment here in the Senate.

This amendment would remove a regulatory roadblock in order to make it easier for small businesses to access needed capital to expand and create jobs. Current SEC registration exemption rules severely hamper the ability of small businesses to raise capital by allowing them to raise capital only from investors with whom they have a preexisting relationship.

By modernizing this rule, small businesses and startups would be able to more easily raise capital from accredited investors nationwide. According to the Small Business and Entrepreneurship Council:

This is a long overdue solution that will widen the pool of potential funders for entrepreneurs. Our economy will improve once entrepreneurs are provided the tools, opportunities and incentives that they need to hire and invest.

Earlier this month, the SEC Small Business Advisory Committee on Small and Emerging Companies recommended that the agency ''relax or modify'' the general solicitation prohibition as a good policy to increase the amount of capital available to small businesses.

In his State of the Union Address last week, President Obama called on Congress to pass legislation that will help startups and small businesses access capital in order to expand and create jobs. The President said:

Most new jobs are created in start-ups and small businesses. So let's pass an agenda that helps them succeed. Tear down regulations that prevent entrepreneurs from getting the financing to grow. Both parties agree on these ideas. So put them in a bill and get it on my desk this year.

This is exactly what this amendment will do. And it has support from investors and entrepreneurs alike. When you have unemployment hovering around 9 percent, we need to pass legislation that will enable our job creators to expand and create jobs. As I said, this legislation received overwhelming bipartisan support in the House of Representatives. I hope we can do the same here in the Senate by passing this amendment.

We all talk about the importance of making it easier, making it less costly, less difficult for our small businesses and entrepreneurs to get access to capital so they can create jobs and get the economy growing again. So many times these are contentious, they are controversial differences of opinion about how best to do that. We fight over regulations, we fight over taxes. This is something where there is broad bipartisan support, almost unanimous support in the House of Representatives, a vote of 413 to 11 in support of this legislation when it was voted on in the House of Representatives.

We have an opportunity to do something that is very straightforward, that is broadly supported by both Democrats and Republicans—at least it was in the House of Representatives—that the President has suggested we ought to be working on, looking for these types of approaches to freeing up access to capital for our small businesses.

You have the folks out there in the business community overwhelmingly supportive of doing away with the regulatory barrier, the regulatory obstacle this particular regulation represents in terms of access to capital for our small businesses. It seems like one of those issues on which there should be no disagreement. I hope that will be the case. I hope we can get a vote on this amendment, get this put into law and put into effect so our small businesses and our entrepreneurs in this country can do what they do best; that is, create jobs. They have to have access to capital in order to do that. This makes that process easier. It does away with some of these unnecessary regulations and roadblocks and barriers that exist today.

I hope my colleagues in the Senate will support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, earlier we agreed to alternate side to side for the offering of amendments. However, I would say to the Democratic floor manager that there do not appear to be any Democrats right now who are seeking recognition. Therefore, I would ask unanimous consent that the Senator from Arizona be permitted to proceed at this time, given the absence of a Democrat on the floor.

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

The Senator from Arizona.

AMENDMENT NO. 1471 TO AMENDMENT NO. 1470

Mr. MCCAIN. Mr. President, I thank both the Senator from New York and the Senator from Maine for their courtesy.

I ask unanimous consent to set aside the pending amendment and call up amendment No. 1471.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. ROCKEFELLER, Mr. ENZI, Mrs. MCCASKILL, Mr. JOHANNS, Mr. BARRASSO, Mr. BLUNT, and Mr. GRAHAM, proposes an amendment numbered 1471 to amendment No. 1470.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To protect the American taxpayer by prohibiting bonuses for Senior Executives at Fannie Mae and Freddie Mac while they are in conservatorship)

At the appropriate place, insert the following:

SEC. ____. LIMITATION ON BONUSES TO EXECUTIVES OF FANNIE MAE AND FREDDIE MAC.

Notwithstanding any other provision in law, senior executives at the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation are prohibited from receiving bonuses during any period of conservatorship for those entities on or after the date of enactment of this Act.

Mr. MCCAIN. Mr. President, this bipartisan amendment is very simple. It would prohibit bonuses for senior executives at Fannie Mae and Freddie Mac while they are in a taxpayer-backed conservatorship. I am joined in this effort by Senators ROCKEFELLER, ENZI, MCCASKILL, JOHANNS, BARRASSO, BLUNT, GRAHAM, COBURN, and THUNE.

Since they were placed in conservatorship in 2008, these two government-sponsored entities have soaked the American taxpayer for nearly $170 billion in bailouts. Recently Freddie Mac requested an additional $6 billion and Fannie Mae requested an additional $7.8 billion. That is $13.8 billion more coming out of the pockets of hard-working Americans, many of whom are underwater on their mortgages.

I wish to read an article from Politico from back in October entitled ''Fannie, Freddie dole out big bonuses.''

The Federal Housing Finance Agency, the government regulator for Fannie and Freddie, approved $12.79 million in bonus pay after 10 executives from the two government sponsored corporations last year met modest performance targets tied to modifying mortgages in jeopardy of foreclosure.

The executives got the bonuses about two years after the federally backed mortgage giants received nearly $170 billion in taxpayer bailouts—and despite pledges by FHFA, the office tasked with keeping them solvent, that it would adjust the level of CEO-level pay after critics slammed huge compensation packages paid out to former Fannie Mae CEO Franklin Raines and others.

Securities and Exchange Commission documents show that Ed Haldeman, who announced last week that he is stepping down as Freddie Mac's CEO, received a base salary of $900,000 last year, yet took home an additional $2.3 million in bonus pay. Records show other Fannie and Freddie executives got similar Wall Street-style compensation packages. Fannie Mae CEO Michael Williams, for example, got $2.37 million in performance bonuses.

Including Haldeman, the top five officers at Freddie banked a combined $6.46 million in performance pay alone last year, though a second bonus installment for 2010 has yet to be reported to the SEC, according to agency records. Williams and others at Fannie pocketed $6.33 million in incentives for what SEC records described as meeting the primary goal of providing ''liquidity, stability and affordability'' to the national market.

I think it is important to ask the question, is it necessary for these bonuses to be provided to these executives when we have men and women who are literally in harm's way, who are compensated far less? Is it possible that there aren't some patriotic Americans who would be willing to serve and head up these organizations and try to get them cleaned up?

The primary causes of the collapse of our economy still plague us to this day.

I ask unanimous consent that an article from Politico be printed in the RECORD.

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

[From Politico, Oct. 31, 2011]

FANNIE, FREDDIE DOLE OUT BIG BONUSES

(By Josh Boak and Joseph Williams)

The Obama administration's efforts to fix the housing crisis may have fallen well short of helping millions of distressed mortgage holders, but they have led to seven-figure paydays for some top executives at troubled mortgage giants Fannie Mae and Freddie Mac.

The Federal Housing Finance Agency, the government regulator for Fannie and Freddie, approved $12.79 million in bonus pay after 10 executives from the two government-sponsored corporations last year met modest performance targets tied to modifying mortgages in jeopardy of foreclosure.

The executives got the bonuses about two years after the federally backed mortgage giants received nearly $170 billion in taxpayer bailouts—and despite pledges by FHFA, the office tasked with keeping them solvent, that it would adjust the level of CEO-level pay after critics slammed huge compensation packages paid out to former Fannie Mae CEO Franklin Raines and others.

Securities and Exchange Commission documents show that Ed Haldeman, who announced last week that he is stepping down as Freddie Mac's CEO, received a base salary of $900,000 last year yet took home an additional $2.3 million in bonus pay. Records show other Fannie and Freddie executives got similar Wall Street-style compensation packages; Fannie Mae CEO Michael Williams, for example, got $2.37 million in performance bonuses.

Including Haldeman, the top five officers at Freddie banked a combined $6.46 million in performance pay alone last year, though a second bonus installment for 2010 has yet to be reported to the SEC, according to agency records. Williams and others at Fannie pocketed $6.33 million in incentives for what SEC records describe as meeting the primary goal of providing ''liquidity, stability and affordability'' to the national market.

''Freddie Mac has done a considerable amount on behalf of the American taxpayers to support the housing finance market since entering into conservatorship,'' Freddie spokesman Michael Cosgrove, told POLITICO on Monday. ''We're providing mortgage funding and continuous liquidity to the market. Together with Fannie Mae, we've funded the large majority of the nation's residential loans. We're insisting on responsible lending.''

A Fannie Mae spokesman said it is currently in a ''quiet period'' in advance of its third-quarter earnings report and declined to comment.

Most analysts believe the financial implosion of 2008 was fueled in part by Fannie Mae and Freddie Mac's zeal in promoting homeownership and their backing of risky loans. And critics say that the mortgage giants' deep backlog of repossessed homes, and their struggle through government conservatorship, is a staggering weight on a weak economy and puts even more downward pressure on home values.

''Fannie and Freddie executives are being paid millions to manage losses,'' Rep. Patrick McHenry (R–N.C.), a longtime critic of the administration's programs to rescue the housing market, told POLITICO. ''By these same standards, I should be the starting forward for the Lakers. It's completely absurd.''

''It is outrageous that senior executives at Fannie and Freddie are receiving multimillion-dollar compensation packages when they now rely on funding from U.S. taxpayers, many of whom face foreclosure or whose homes are underwater,'' Rep. Elijah Cummings of Maryland, who has led House Democrats in efforts to ease Fannie and Freddie's restrictions on restructuring loans or lowering payments for mortgage holders who owe more than their homes are worth, wrote in an email.

Compensation at Fannie and Freddie is, in fact, 40 percent below pre-government takeover levels, according to the FHFA, though those pay packages before conservatorship involved stock awards, while the current payments are exclusively cash. But compensation at both corporations, in particular Fannie Mae, has been a contentious issue since long before the 2008 financial meltdown, thanks to executives like Daniel Mudd, who earned $12.2 million in base pay and bonuses while heading Fannie, and Richard Syron, Freddie's CEO, who pocketed $19.8 million in total compensation the year before the organization went into conservatorship.

Both Fannie and Freddie have long argued that they have to offer Wall Street-size paychecks to compete for the best private-sector talent. House Financial Services Committee Chairman Spencer Bachus (R–Ala.) introduced a bill in April to place the executives on a government pay scale, but it has yet to move out of committee.

A March report by FHFA's inspector general, however, found the agency ''lacks key controls necessary to monitor'' executive compensation, nor has it developed written procedures for evaluating those packages.

FHFA's acting director, Edward J. DeMarco, told Congress last year that the managers who were at the helms of the mortgage companies during the market collapse were dismissed but also argued that generous pay helps lure ''experienced, qualified'' executives able to manage upward of $5 trillion in mortgage holdings amid market turmoil.

DeMarco told lawmakers he's concerned that suggestions to apply ''a federal pay system to nonfederal employees'' could put the companies in jeopardy of mismanagement and result in another taxpayer bailout. He said the compensation packages at Fannie and Freddie are part of the plan to return them to solvency while reducing costs to taxpayers.

An FHFA representative said the agency is installing pay package recommendations outlined in the report. Currently, she wrote, the agency ''carefully reviews all executive officer pay requests and considers suitability and comparability with market practice, after consulting with the Treasury Department in certain circumstances.''

Since both companies' stock is worthless, bonuses are paid in cash, deferred bonuses and incentive pay rather than stock options. A key factor in determining those bonuses is how Fannie and Freddie performed in the loan modification program created by the administration, in addition to measures tied to financial and accounting objectives.

For example, Freddie Mac helped a mere 160,000 homeowners change their mortgages ''in support'' of the president's Home Affordable Modification Program and contacted only 45 percent of eligible borrowers, according to SEC filings. The company itself has modified 134,282 of its own loans since the start of the program. Those measures determined a significant share—35 percent—of deferred bonus salary and, to a lesser extent, ''target incentives'' for Freddie executives.

Fannie, which was involved in modifying 400,000 mortgages last year, also assessed executive payments based in part on how it administered HAMP.

President Barack Obama in the past has derided Wall Street ''fat cats'' for raking in seven-figure bonuses even though their banks and finance companies needed billions of dollars in government bailouts just to stay in business. Yet the White House so far has remained largely silent about comparable bonuses at Fannie Mae and Freddie Mac.

The congressional criticism over compensation follows other charges that DeMarco has been unwilling to throw a lifeline to homeowners plunged underwater when the market collapsed.

The government-sponsored firms have essentially filled the vacuum caused by an exodus from private lenders. But critics want the FHFA to embrace ''principal write-downs,'' in which lenders and, by extension, Fannie and Freddie, would have to forgive a significant portion of homeowners' outstanding mortgages; the move, they argue, would be a major step toward restoring housing market stability and boosting the economy but would force the two companies to accept red ink on their balance sheets.

DeMarco has resisted plans to modify troubled mortgages, insisting it wasn't part of his legal mandate to bring Fannie and Freddie to fiscal stability.

Both HAMP and a similar program, Home Affordable Refinance Program, were seen as having the potential to modify at least 3 million government-backed mortgages and refinance 4 million others. The results were disappointing, however: Just 1.7 million borrowers have been helped since the programs were launched two years ago.

Last week, the White House announced a plan to relax restrictions for the HARP refinance program, which lets homeowners in good standing refinance their mortgages at current rock-bottom interest rates. DeMarco, whom aides say had been studying a similar proposal, gave the plan his blessing—a rare point of agreement between him and the Obama administration.

Mr. McCAIN. For decades, the American taxpayer has been the victim of outright corruption and blatant abuse at the hands of Fannie Mae and Freddie Mac. There have been countless warnings over the mismanagement of both Freddie and Fannie over the years. In May 2006, after a 27-month investigation into the corrupt corporate culture and accounting practices at Fannie Mae, the Office of Federal Housing Enterprise Oversight, the Federal regulator which oversees Fannie Mae, issued a blistering 348-page report which stated in part that ''Fannie Mae senior management promoted an image of the enterprise as one of the lowest-risk financial institutions in the world, as ''best in class'' in terms of risk management financial reporting, internal control, and corporate governance. The findings in this report show that risks at Fannie Mae are greatly understated and the image was false.

During the period covered by that report, Fannie Mae reported extremely smooth profit growth and had announced targets for earnings per share precisely each quarter. Those achievements were illusions deliberately and systematically created by the enterprise's senior management with the aid of inappropriate accounting and improper earnings management.

A large number of Fannie Mae's accounting policies and practices did not comply with generally accepted accounting principles. The enterprise also had serious problems with internal control and corporate governance. These errors resulted in Fannie Mae overstating reported income and capital by a currently estimated $10.6 billion.

By deliberately and intentionally manipulating accounting to hit earnings targets, senior management maximized the bonuses and other executive compensation they received at the expense of the shareholders. Earnings management made a significant contribution to the compensation of Fannie Mae chairman CEO Franklin Raines, which totaled—Franklin Raines' bonus totaled over $90 million from 1998 through 2003. Of that total, over $52 million was directly tied to achieving earnings per share targets, which turned out to be totally false.

The list goes on and on. Mr. President, I recommend to my colleagues, before I go too much further, this book. The title is ''Reckless Endangerment,'' by Gretchen Morgenson, who happens to be a columnist and writer for the New York Times, and Joshua Rosner. ''How Outside Ambition, Greed and Corruption Led to Economic Armageddon.''

In this book it points the finger directly at Fannie and Freddie. I will quote one part of it:

Because bonuses at Fannie Mae were largely based on per share earnings growth, it was paramount to keep profits escalating to guarantee bonus payouts. And in 1998, top Fannie officials had begun manipulating the company's results by dipping into various profit cookie jars to produce the level of income necessary to generate bonus payouts to top management.

Federal investigators later found that you could predict what Fannie's earnings-per-share would be at year-end, almost to the penny, if you knew the maximum earnings-per-share bonus payout target set by management at the beginning of each year. Between 1998 and 2002, actual earnings and the bonus payout target differed only by a fraction of the cent, the investigators found.

Investigators uncovered documents from 1998 detailing the tactics used by Leanne Spencer, a finance official at Fannie, to make the company's $2.48 per-share bonus payout target. That year, Fannie Mae earned $2.4764 per share.

In a mid-November memo to her superiors, Spencer forecast that the company was on track to earn $2.4744 per share, just shy of what was needed to generate maximum bonus payments to executives. She described various ways she could juice the company's profits if need be.

It goes on and on, and then it says this:

That month, Thomas Nides, Fannie's executive vice president for human resources, warned a swath of top managers that earnings growth was coming in weak as the year-end approached.

''You know that as a management group member, you help drive the performance of the company,'' Nides wrote in a memo. ''That's why your total compensation is tied to how well Fannie Mae does each year.

In other words, he was jacking them up, telling them that they have to cook the books some more.

It says:

The memo achieved the desired result. Fannie Mae executives wound up exceeding their target in 1998 by accounting improperly for low-income housing tax credits the company received. The result: 547 people shared in $27.1 million in bonuses. This was a record—the bonuses represented 0.79 percent of Fannie Mae's after-tax profits, more than ever before in the company's history.

The list goes on and on. By the way, executive pay at Fannie Mae was a well-kept secret, and the company successfully blocked some in Congress, such as Congressman Richard Baker of Louisiana, from receiving information about salaries and bonuses paid by the company. It was only after Fannie was caught cooking its books that details of the lavish pay came out.

The accounting fraud went undiscovered until 2005, when an investigation by OFHEO unearthed it in a voluminous and detailed 2006 report. OFHEO noted that if Fannie Mae had used the appropriate accounting methods in 1998, the company's performance would have generated no executive bonuses at all. Although a highly kept secret at the time, Johnson's bonus for 1998 was $1.9 million. Investigators returned and it later emerged that the company made inaccurate disclosures when it said Johnson earned a total of almost $7 million in 1998. In actuality, his total compensation that year was more like $21 million.

None of these people, to my knowledge, have ever been punished—ever. It is one of the great scandals of our time. What steps were taken by Congress at that time to punish Fannie Mae? None.

According to published reports, including Fannie Mae's own news release, Daniel Mudd, the President and CEO of Fannie Mae at the time, was awarded over $14.4 million in 2006 and over $12.2 million in 2007 in salary, bonuses, and stock, and Fannie Mae continued their risky behavior, successfully posting profits of $4.1 billion in 2006.

Well, I fully understand that the corrupt individuals who cooked the books

in order to meet the targets necessary for maximum executive compensation are no longer in place at Fannie Mae and Freddie Mac. For that, we can be thankful. But let's be clear about one thing: the structure for executive bonuses remains in place. There is still incentives for executives at Fannie and Freddie to meet certain goals in order to be rewarded with millions of dollars in bonuses.

I am not suggesting that either one of these GSEs is using fraudulent accounting methods, but the taxpayer remains at risk if an unscrupulous individual or a group of individuals decides to put their own self-interests above that of the American people. It has happened at Fannie and Freddie before, and it can happen again. It is unconscionable.

It has been proven time and again that Fannie Mae and Freddie Mac are synonymous with mismanagement, waste, and outright corruption and fraud, and their Federal regulator had the audacity to approve $12.8 million in executive bonuses to people who make $900,000 a year. This body should be ashamed if we let this happen again, especially in these tough economic times.

Every day more and more Americans are losing their jobs and their homes, and we are allowing these people to take home annual salaries of $900,000 and bonuses of $12.8 million, all while they ask the taxpayers for $6 billion more in bailout money.

Many of my colleagues sent a letter to Edward DeMarco, the Acting Director of the FHFA, asking for an explanation for his decision to award millions in bonuses to executives at Fannie and Freddie. In his response, Mr. DeMarco echoed what has become an increasingly popular theme used to defend the big payouts. Essentially, Mr. DeMarco argues that in order to get the best people in place, we need to pay them outrageous amounts of taxpayer dollars. Well, I don't buy that argument.

It is ridiculous to tell the American taxpayer: Look, we lost hundreds of billions of your money, so we need to pay these smart guys millions of dollars of your money so that we don't lose the rest of your money. The American people are smart enough to see through that sham logic and they are angry.

As I have previously stated on the Senate floor, I find it hard to believe that we cannot find talented people with the skills necessary to manage Fannie and Freddie for good money—$900,000—without the incentive of multimillion-dollar bonuses. There are many examples of intelligent, well-qualified, patriotic individuals working in our Federal Government who make significantly less than the top executives at Fannie and Freddie, with just as much responsibility.

For example, the basic pay for a four-star general is $179,700. Including the basic allowance for housing, that figure rises to $214,980. Chief Justice Roberts makes $223,500 a year. The President's Cabinet Members make $199,700 a year. Today, to add a little insult to injury—or a lot of insult to injury—here is today's story from NPR.

Freddie Mac, the taxpayer-owned mortgage giant, has placed multibillion-dollar bets that pay off if homeowners stay trapped in expensive mortgages with interest rates well above current rates.

This is the same outfit we are paying all this money to in these bonuses; so they decided to bet against the homeowners of America.

Freddie began increasing these bets dramatically in late 2010, the same time that the company was making it harder for homeowners to get out of such high-interest mortgages.

No evidence has emerged that these decisions were coordinated. The company is a key gatekeeper for home loans but says its traders are ''walled off'' from the officials who have restricted homeowners from taking advantage of historically low interest rates by imposing higher fees and new rules.

Freddie's charter calls for the company to make home loans more accessible. Its chief executive, Charles Haldeman, Jr., recently told Congress that his company is ''helping financially strapped families reduce their mortgage costs through refinancing their mortgages.''

But the trades, uncovered for the first time in an investigation by ProPublica and NPR, give Freddie a powerful incentive to do the opposite, highlighting a conflict of interest at the heart of the company.

Do we need this company around? Can't we find something better?

In addition to being an instrument of government policy dedicated to making home loans more accessible, Freddie also has giant investment portfolios and could lose substantial amounts of money if too many borrowers refinance. . . . Freddie Mac's trades, while perfectly legal, came during a period when the company was supposed to be reducing its investment portfolio, according to the terms of its government takeover agreement. But these trades escalate the risk of its portfolio, because the securities Freddie has purchased are volatile and hard to sell, mortgage securities experts say.

The financial crisis in 2008 was made worse when Wall Street traders made bets against their customers and the American people. Now, some see similar behavior, only this time by traders at a government-owned company who are using leverage, which increases the potential profits but also the risk of big losses, and other Wall Street strategums. ''More than three years into the government takeover, we have Freddie Mac pursuing highly levered, complicated transactions seemingly with the purpose of trading against homeowners,'' says Mayer. ''These are the kinds of things that got us into trouble in the first place.''

You can't make it up. So it seems to me that the first thing we ought to do, as I and others have recommended, is get these GSEs on the track to going out of business as quickly as possible. Their track record is outrageous. The second thing, let's not give millions of dollars in bonuses to people who are betting against the homeowners of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will shortly be offering, as an amendment, an amendment to the substitute. It will be on behalf of myself and Senator JOHN CORNYN. I will ask consent in a moment to suggest the absence of a quorum but, upon the rescission of the absence of a quorum, that I be recognized for up to 3 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1483 TO AMENDMENT NO. 1470

(Purpose: To deter public corruption, and for other purposes)

Mr. LEAHY. Mr. President, I am soon going to offer an amendment to the substitute. I am going to offer it on behalf of myself and Senator CORNYN.

I hear Senators saying that with the public's opinion of Congress at a low point, we need to take action to restore public confidence. I think our amendment does that by closing loopholes in the laws that have allowed corruption to escape accountability.

I believe we have to provide investigators and prosecutors the tools they need to hold officials at all levels of government accountable when they act corruptly.

This amendment, which reflects a bipartisan, bicameral agreement, will strengthen and clarify key aspects of Federal criminal law and help investigators and prosecutors attack public corruption nationwide.

I should note, the Senate Judiciary Committee has reported this bill with bipartisan support in three successive Congresses, and I would note that the House Judiciary Committee, under a Republican chairman, recently reported a companion bill and did so unanimously. Every Republican and every Democrat voted for it. So I believe it is time for Congress to pass serious anticorruption legislation. We have demonstrated that this is something that could bring both Republicans and Democrats together, and we ought to pass it.

Public corruption erodes the trust the American people have in those who are given the privilege—and it is a privilege—of public service. Too often, loopholes in existing laws have meant corrupt conduct can go unchecked. The stain of corruption has spread to all levels of government, and that victimizes every American by chipping away at the foundation of our democracy. The amendment, I believe, will help to restore confidence in government by rooting out criminal corruption. It includes a fix to reverse a major step backward in the fight against crime and corruption.

In Skilling v. United States, the Supreme Court sided with a former executive from Enron and greatly narrowed the honest services fraud statute, a law that has actually been used for decades in both Republican and Democratic administrations as a crucial weapon to combat public corruption and self-dealing. Unfortunately, whether intended, the Court's decision leaves corrupt conduct unchecked. Most notably, the Court's decision would leave open the opportunity for State and Federal public officials to secretly act in their own financial self-interest rather than in the interest of the public.

The amendment Senator CORNYN and I have put together would close this gaping hole in our anticorruption laws. It includes several other provisions designed to tighten existing law. It fixes the gratuities statute to make clear that while the vast majority of public officials are honest, those who are not cannot be bought. It reaffirms that public officials may not accept anything worth more than $1,000, other than what is permitted by existing rules and regulations, given to them because of their official positions. It also appropriately clarifies the definition of what it means for a public official to perform an official act under the bribery statute. It will increase sentences for serious corruption offenses. It will provide investigators and prosecutors more time to pursue these challenging and complex cases. It amends several key statutes to clarify their application in corruption cases to prevent corrupt public officials and their accomplices from evading prosecution based on legal ambiguities.

If we are serious about addressing the kinds of egregious misconduct we have seen in some of these high-profile corruption cases, then let's enact meaningful legislation. Let's give investigators and prosecutors the tools they need to enforce our laws. It is one thing to have a law on the books; it is another to have the tools to enforce it. So I hope this bipartisan amendment will be adopted.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I send to the desk an amendment to the substitute proposed by myself and Senator CORNYN.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. CORNYN, proposes an amendment numbered 1483 to amendment No. 1470.

Mr. LEAHY. I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

RECESS

Ms. COLLINS. Mr. President, I know of no other speakers who plan to come to the floor before we are scheduled, under the previous order, to recess at 12:30. So I suggest that we might want to move up the recess time by a couple moments.

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

Thereupon, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT—Continued

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, what is the regular order, may I ask?

The PRESIDING OFFICER. The pending amendment is amendment No. 1483 by Senator LEAHY to S. 2038.

Mr. LIEBERMAN. I thank the Chair. So we are on the STOCK Act and Senator LEAHY has introduced this amendment, which I appreciate that he has done that. This underlying bill, as we said yesterday, responds to the concern about whether Members of Congress and our staffs are covered by insider trading laws; that is, laws that prohibit a person from using nonpublic information for private profit.

I suppose most of us here believed we have always been covered by insider trading laws. There were some questions raised about that at the end of last year. In fact, our committee held a hearing on two bills offered, one by Senator KIRSTEN GILLIBRAND of New York, the other by Senator SCOTT BROWN of Massachusetts, on this question, and we had some broadly respected, credible experts on securities law who said in fact there might be a question about Members of Congress, whether Members of Congress and our staffs were covered by Securities and Exchange Commission law and regulation on insider trading for a reason that would only make sense to lawyers and therefore may not be sensible but I will mention it anyway.

It is that the law relating to insider trading is actually the result not of a specific statute prohibiting insider trading, it is the result of regulations and enforcement actions by the SEC pursuant to antifraud provisions of the Securities Exchange Act of 1934.

In these regulations that have become the law of insider trading, a necessary element for prosecution for violating insider trading laws is the breach of a duty of trust, of a fiduciary duty. The law professors told us at our hearing at the end of last year that in fact one might raise the question of whether Members of Congress had a duty of trust as defined in insider trading cases, which is more typically the duty of trust that a corporate executive, for instance, has to stockholders. I presume that most Members of Congress would say of course we have a duty of trust, we have a very high duty of trust to our country, to our constituents. But it is, apparently, in the contemplation of securities law, perhaps not covered by the existing definitions, so this bill makes clear that Members of Congress and our staffs are covered by insider trading laws.

We cannot derive personal profit from using nonpublic information that we gain as a result of our public offices. That is made absolutely clear by stating that indeed we do have a duty of trust to the Congress, to the government of the United States and, most importantly, to our constituents, to the people who were good enough to send us here.

I do believe that provision gives us an opportunity to take a step forward. It is going to take a lot more than one step to rebuild the trust and confidence that the American people have lost at this moment in our history in Congress and in our overall Federal Government.

There are two other very important provisions. One requires Members of Congress and our staffs to file a statement within 30 days of any transaction, purchase, or sale of a stock or other security with the Senate—and that would immediately go on line, as will now, as a result of this legislation, the annual financial disclosure statements that we file. Incidentally, these statements are now available to the public but you have to go to the office here in the Senate to get them and copy them. That is out of date and not consistent with the general principles of transparency and disclosure that I think people rightly expect of Congress today.

Our bill makes clear that both the annual statements and the 30-day statements have to be filed on line. That should help provide the transparency that the SEC itself has said—in testimony before the House of Representatives on this bill or one quite similar to it—would assist them, the SEC, in guarding against insider trading by Members of Congress or our staffs; that is, that the regular reporting, the 30-day reporting and the online reporting, would assist them in preventing insider trading.

I know there are a lot of amendments filed; actually, thankfully, not too many, but a significant number. Seeing the presence of the Senator from Oklahoma, I hope he may be here to take up one of his amendments. Obviously we would all like to begin to debate the amendments and have some votes.

I yield to the Senator from Maine, Senator COLLINS.

Ms. COLLINS. Mr. President, before the Senator from Oklahoma offers his amendment—and I will not take a great deal of time in my comments—I want to respond to some questions that many of our colleagues have raised about the reporting requirements in this bill. One of my colleagues, for example, has asked if a change in a Member's or staff's allocation in the Thrift Savings Program would be required to be reported under this bill. It would not. It is not required to be reported under the annual financial disclosure and it is not required under this bill.

A second of our colleagues has brought up a question of how would mutual funds be treated. Again, I would say that the treatment is not changed by this bill, other than the time period. Under this bill, as under the annual financial disclosure forms, qualified investment funds—those are the widely available mutual funds that are exempt from trades being disclosed—would be exempt under this bill as well.

As with our annual financial disclosures, you still list the fund and the amount of assets in categories for those funds, but you indicate that they are a qualified exempt fund and there is no requirement for trying to figure out what the trades are within that fund.

I mention these two examples because I fear there is some misinformation about the bill that is circulating. There is a legitimate dispute over whether 30 days is too short a time, whether the 90-day period in the original bill is better, which is my own preference. But the fact is that the information that is being reported is not being changed. The issue is how often it is reported. The inquiries from my colleagues about the implications for the Thrift Savings Plan allocations and for qualified exempt investment funds, widely held mutual funds, remain the same. They are reported, the category of the investment, the amount is reported, but the individual trades within the fund are not reported.

I apologize for surprising the Senator from Connecticut with this inquiry, and hope he will forgive me for that, but I would, through the Chair, pose a question to the Senator from Connecticut, the chairman of the committee, as to whether his understanding is the same as mine with regard to the Thrift Savings Plan and qualified mutual funds?

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

Mr. LIEBERMAN. Mr. President, first let me thank Senator COLLINS for making these points because there is concern about this particular part of the bill. There is a lot of misinformation around. I totally agree with her interpretation, which is that the reporting on the 30-day basis in the bill will not change what is reported and therefore both transactions within Thrift Savings Plan accounts and in qualified mutual funds will not have to be reported. I thank my colleague for clarifying that.

Ms. COLLINS. I thank my colleague and friend from Connecticut, the chairman of the committee.

Thank you, Mr. President, for allowing us to pose a question through the Chair. I hope our colleagues have heard this exchange, this colloquy, which clarifies what appears to be a rather widespread misunderstanding about the reach of this bill. As I said, the 30-day issue is a different issue, a legitimate dispute as to whether that is too aggressive. We have some colleagues who think it should be a 10-day reporting period and an amendment has been filed to implement that. I personally prefer the 90 days in the original bill. I think that is more realistic. But the fact is there is a lot of misinformation and questions regarding what is reported. I appreciate the clarification from the Senator, the chairman of the committee.

At this point I yield to Senator COBURN for the next amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, as my colleagues are no doubt aware, I stand in opposition to this bill, not because I think we should have insider trading. As a physician I am trained to fix the real problem and you are treating the symptoms. Several months ago, CBS did a series and showed some questionable, not necessarily insider trading, stock transactions, which, given the low level of confidence by the American public in this institution, have raised the question: What about insider trading?

I honestly believe everyone in our body is never going to use insider trading to advantage themselves over the best interests of our country. But the real problem is the confidence in the Congress to do what is in the best long-term interest of the country. The reason the confidence is not there doesn't have anything to do with insider trading as we would normally think about it. It has to do with insider trading that we do not normally think about, as to how we sell a vote to get something else on the next vote, how we trade a position, how we saw positions were bought and sold on the health care bill. Whether it be the Cornhusker Kickback or the Florida Gator-aid, whatever it was, the fact is the American people saw behavior of Members of Congress doing things that were politically expedient rather than what is in the long-term best interest of our country. That is the real insider trading scandal we ought to be addressing.

How do we do that? The way we address that is bring to the floor bills that actually address the problems our country is having today. Every second of every day this year our Government will spend $121,000. We will borrow $52,000 a second every day. We are not addressing any of that in the Senate. We did not all last year and we are not this year. The real problem in front of our country is America does not see a Congress that is willing to address the real issues and make the hard choices.

Hard choices are coming. We will make those choices ultimately. Some of us will not be here. But the longer we delay in making those very difficult choices—such as saving Medicare, such as saving Social Security, such as reforming the Tax Code to stimulate economic activity and create job opportunities for Americans—that is what they want us doing.

The other thing I will mention is I was one of two people who voted against the last ethics law. I ask my colleagues, did we improve the Senate with the last ethics law? Will we improve the quality of representation with this law? I do not think so. I think what we are doing is playing a political game to say we are all guilty, now we have to prove that we are not. That is not what our system of law is built on. Our system of law is built on the fact innocent until we are proven guilty. The assumption that the Senate is undertaking now is that some of our colleagues are doing insider trading on the stock market. Nothing could be further from the truth. The real insider trading is the horse-trading that goes on in this body that is not always in the best interest of the country. This legislation is not about to earn back the trust of the American people.

The SEC and the Ethics Committee already have the power to investigate inside trading abuses. Yearly we fill out a report saying: Let's deem every trade we have made. If it is true what the chairman of the committee said that what the SEC would like to do is have it more refined so they can have better access, then that ought to be the bill we bring forward. We ought to bring forward a bill that says: No. 1, we are under the laws of the SEC, section 10b, and we are. We don't hear that said anywhere, but we are. If our intent is to bring forward a bill to fix the potential for insider trading, then that is what we ought to be doing. But the assumption we are guilty first and have to prove we are not by making a notification every 30 days of any trade that somebody makes for us—we may not have even been involved, but we have a fiduciary that we asked to trade for us, and then we are going to have to make that representation.

Has anybody asked the question: What happens if you do have inside information, have no involvement whatsoever in a trade because you put it in a trust account for yourself, but it is still being traded and they happen to coordinate at the same time? Are you guilty of insider trading or are you going to spend $50,000 to $100,000 proving that you are not guilty?

This is a fine institution. It can be better, but it is best when it fixes the real problems, not the symptoms of the problems.

AMENDMENT NO. 1473 TO AMENDMENT NO. 1470

Mr. President, I ask unanimous consent that the pending amendment be

set aside and that amendment No. 1473 be called up.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma, [Mr. COBURN], for himself, Mr. UDALL of Colorado, Mr. MCCAIN, Mr. BURR, Mrs. MCCASKILL, and Mr. PAUL, proposes an amendment numbered 1473.

Mr. COBURN. Mr. President, I ask unanimous consent that the amendment be considered as read.

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

The amendment is as follows:

(Purpose: To prevent the creation of duplicative and overlapping Federal programs)

At the appropriate place, insert the following:

SEC. _____. PREVENTING DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''Preventing Duplicative and Overlapping Government Programs Act''.

(b) REPORTED LEGISLATION.—Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking ''and (b)'' and inserting ''(b), and (c)'';

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

''(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

''(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

''(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.''.

(c) SENATE.—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

''6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

''(b) The analysis and explanation required by this subparagraph shall contain—

''(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

''(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

''(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of—

''(1) a significant disruption to Senate facilities or to the availability of the Internet; or

''(2) an emergency as determined by the leaders.''.

Mr. COBURN. This is a bipartisan amendment. This amendment is sponsored by Senator MCCAIN, Senator MCCASKILL, Senator UDALL from Colorado, Senator BURR, and Senator PAUL, as well as myself.

This is a straightforward amendment. We have asked for this multiple times but have not gotten it. What this amendment says is, every bill that comes before Congress and to be considered by the Senate should determine whether it is duplicating something that is already happening in the Federal Government. It is common sense, and all we are saying is to have an analysis by the CRS, Congressional Research Service, to determine if the bill creates a new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, Federal office, or initiative with a similar mission, similar purpose, similar goal or activities along with a listing of all the overlapping duplicative Federal programs or offices or initiatives or initiative.

Now, why is that important? Last February the GAO brought to us the first third of the Federal Government and outlined to us $200 billion worth of spending on duplicate programs. They gave it to us. It was held as a great thing. Now we know we have all of these areas: 82 teacher-training programs, 47 job-training programs, 56 financial literacy programs, and on and on. They brought that to us, and we all said that was good. The problem is we didn't do anything about it. If we want to restore confidence in the Congress, do something about the problems that have been identified already.

This is a good government policy that says before we act on a new bill that we actually will know what we are doing, and we will have checked with CRS, and they will tell us if we are duplicating again something that is already happening now.

One of the other amendments we should pass is to have every agency give us their list of programs every year. Do you realize there is only one agency in the Federal Government, one department, that actually knows all their programs? There is only one. It is the Department of Education. They are the only ones we can go to and find a list of all of their programs. The rest of them don't know it. There is no catalog. They have no idea.

So before we pass a new piece of legislation, we ought to at least have the help of the Congressional Research Service, and we ought to pass good legislation that doesn't duplicate. It may be a well-intentioned piece of legislation, but because we, as a Congress, have failed in our oversight responsibility, we don't know that it is duplicative when we bring it to the floor and pass it in the Senate.

All I am asking is, let's do a doublecheck, especially in the time of trillion-dollar deficits. We ought to do a doublecheck and make sure we are not duplicating something that is already happening.

That is important for a second reason: If we don't know we are duplicating something, that means we are not ''oversighting'' what is occurring right now, the program or the office or the initiative that is out there now, if we don't have knowledge of it. Rather than create a new program, it might give us the opportunity to fix one that was well-intentioned but is not working.

So this is a good government amendment that is bipartisan that says: Let's do this before we pass additional legislation. But let's know what we are doing. It is complete and it is thorough. It also will provide greater transparency for both us and taxpayers regarding the impact of the legislation we are passing.

Some may say: What if we have an emergency? This has a clause in it that says if it is an emergency, that requirement is waived. So if in the case of an emergency we need to do something, we will waive the requirement that we have to look at CRS to see if there are duplications. So it is a commonsense amendment. I would hope my colleagues will support it, and that we can, in fact, actually fix the real problems not the symptoms of the disease.

AMENDMENT NO. 1474 TO AMENDMENT NO. 1470

Mr. President, I ask unanimous consent that the current amendment that is pending be set aside, and I call up amendment No. 1474.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma, [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 1474.

The amendment is as follows:

(Purpose: To require that all legislation be placed online for 72 hours before it is voted on by the Senate or the House)

At the appropriate place, insert the following:

SEC. _____. AVAILABILITY OF LEGISLATION IN THE HOUSE AND SENATE.

(a) IN GENERAL.—It shall not be in order in the Senate or the House of Representatives to proceed to any legislative matter unless the legislative matter has been publically available on the Internet as provided in subsection (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate or the House of Representatives is in session on such a day) prior to proceeding.

(b) AVAILABILITY.—With respect to the requirements of subsection (a), the legislative matter shall be available on the official website of the committee with jurisdiction

over the subject matter of the legislative matter.

(c) WAIVER AND SUSPENSION.—

(1) IN THE SENATE.—The provisions of this section may be waived in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(2) IN THE HOUSE.—The provisions of this section may be waived in the House of Representatives only by a rule or order proposing only to waive such provisions by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(3) POINT OF ORDER PROTECTION.—In the House of Representatives, it shall not be in order to consider a rule or order that waives the application of paragraph (2).

(4) MOTION TO SUSPEND.—It shall not be in order for the Speaker to entertain a motion to suspend the application of this section under clause 1 of rule XV of the Rules of the House of Representatives.

(d) LEGISLATIVE MATTER.—In this section, the term ''legislative matter'' means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment.

Mr. COBURN. Mr. President, this is another good government amendment. If we want to restore confidence, this is something we should do. It says before we vote on a bill, we are going to have at least 72 hours to read it. It is going to be available online with a CBO score so that when we cast a vote, we actually know what we are casting a vote on and we actually know how much it costs. It just says it has to be online for 72 hours.

In other words, we get the privilege of reading the bills we are voting on, and we also get the privilege of knowing the financial costs of the bill or at least an estimate of the financial cost and what that will entail. This transparency is designed to make the Senate better. If we want to build confidence with the American public, then the way we build confidence is to assure them that we knew exactly what we were doing when we cast a vote, not guessing at what the consequences and the details of that legislation are.

For many pieces of legislation right now, what we have seen in the last 2 or 3 years is there was no time given, no capability to study the legislation to make improvements, and many of the pieces of legislation came without the ability to modify it. If we cannot read the legislation, then we cannot amend it. What does that tell us about the legislative temperament and thoughtfulness of the Senate? We cannot read it, we don't have time to contemplate and consider it, and we cannot amend it even if we could. That doesn't have anything to do with the Senate as it was designed and has functioned for the last 170 years. It has everything to do with politics today rather than the best long-term interests of the country.

Amendments like this have gained a large amount of bipartisan support and have had the support in the past when we voted on it, although we have not acquired the 67 votes that have been necessary in the past to pass it. The cosponsor of this amendment is Senator MCCAIN. He understands the importance of reading what we pass. All of our colleagues do. Why not put in the self-discipline that we have to rather than the political moment that says we have to vote on this whether we know anything about it or not?

During the health care debate, eight of my colleagues sent a letter to review the health care legislation. They ultimately voted for the health care legislation. Their request was to give them 72 hours to read the legislation. The legislative text and complete budget scores from the Congressional Budget Office of the health care legislation considered on the Senate floor should be made available on a Web site the public can access for at least 72 hours prior to the first vote to proceed to the legislation.

Why shouldn't the public be able to see what we are doing 72 hours before we do it? Just as important, why shouldn't we be able to know what we are doing before we vote so it is straightforward, commonsense, and transparent to the American public as well as to our colleagues in the Senate that now we have the time available to read a piece of legislation contemplated and hopefully have the opportunity to improve it. What is the goal? The best long-term outcome for the country.

AMENDMENT NO. 1476

Mr. President, I would ask that the pending amendment be set aside, and I call up amendment No. 1476.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma, [Mr. COBURN], proposes amendment numbered 1476.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. MEMBER CERTIFICATION.

Section 102(a) of the Ethics in Government Act of 1978 is amended by inserting at the end the following:

''(9)(A) A statement (as provided in subparagraph (B)) certifying that financial transactions included in the report filed pursuant to section 101 (d) and (e) were not made on the basis of non-public information.

''(B) The certification required by this paragraph is as follows: 'I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material, non-public information.' ''.

Mr. COBURN. Mr. President, this amendment would provide a complete substitute for the STOCK Act. It requires Members and staff to certify that they have not used inside information for private financial profit. In other words, they are going to make an affirmative statement under the law that they have not violated section 10b of the Securities and Exchange Act. All Members would be required to sign the following statement on an annual financial disclosure form: I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material nonpublic information.

The STOCK Act does not create new restrictions for Congress against insider trading. We all know that. Those restrictions are there. There are no new restrictions. We don't change the restrictions at all. The SEC has stated that the Members of Congress and staff are already subject to insider trading laws. They just need some clarity with that. They also would like to have timeliness with that.

In fact, all Americans are subject to these laws, including the Senate, found primarily in section 10b. This provision restricts anyone who trades stocks from using material nonpublic information to profit financially, and Congress is no different from anybody else.

The STOCK Act was carefully written to carefully reaffirm that Congress is not exempted from these laws, and I believe the chairman stated that just a moment ago, which we would include in this. As such, the bill brings no new reforms to the table nor does it create any real expectation that behavior will change. It just requires paperwork filing. All Members and relevant staff should have to certify they are not trading on private information.

Each year every Member and certain high-salaried staff are required to disclose their financial holdings. Senate rule 37 also already prohibits any Senator or staff from conflicts of interest. That would be a conflict of interest. Specifically, rule 37 prohibits the receipt of compensation by virtue of influence improperly exerted from his position as a Member or officer or employee.

So we are covered doubly. We are already covered under rule 37, and we are covered under section 10b of the Securities and Exchange Act.

If, in fact, somebody fails to do this, then they will be liable under the False Statements Act in title 18, section 1001, which makes it a crime to lie to Congress. Section 1001 prohibits anyone from knowingly and willfully making any material false, fictitious, or fraudulent statement to the government. The punishment for violating the False Statements Act is a fine and a prison term up to 5 years. This does not mean that someone who makes a good-faith effort but mistakenly forgets something will face punishment. Yet any Member who knowingly signs that form in error will be liable for making a false statement on his or her finances, carrying large penalties.

I think efforts to reestablish trust in the Congress are important. I disagree with my colleagues that this is one that will make a difference. It won't. Nothing materially changes other than a paperwork requirement. Nothing materially changes other than having to report every 30 days instead of annually.

What is the real problem? The people of this country do not have confidence in Congress because Congress does not address the real issues of the country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to thank my friend from Oklahoma for coming to the floor and introducing these three amendments. It begins the process of considering the legislation.

I wish to go back to the first point he made, which I think is an important point—that we have to do a lot more than deal with the concern that Members of Congress and our staffs are not covered by insider trading laws to restore the confidence of the American people in this institution. It has taken a long time to get us as low as we are in public esteem today, and it is going to take a long time, I am afraid, to get back to it.

The first thing we can do is begin to work more across party lines to be less partisan, to be less ideologically rigid. This institution represents people across the widest array of origins, of ideologies, of political policy beliefs, et cetera. We can't function without compromise. When I say ''compromise,'' I don't mean a compromise of principle, I mean compromise in the sense that one can rarely in a democratic institution of this kind—small ''d''—get everything one aspires to get on a particular piece of legislation. If a person gets half of what they are aspiring to or even more, hopefully, that is a good result.

It reminds me of what my dad used to say about marriage, which was that in a successful marriage a spouse felt they were giving in 70 percent of the time to the other spouse, and maybe that is a good guideline for a successful Congress. We are not doing that enough here, and we are particularly not doing it enough on the central question of the deficit annually and the debt overall. The public sees this, so they are upset.

I wish to, therefore, put what we are doing in the STOCK Act in context. I think if we pass it, both because of the clarity with which we state that Members of Congress and our staffs are covered by anti-insider trading laws and the disclosure improvements we make in the law, we will take a step forward in beginning to rebuild some confidence the American people have lost in this institution, but, O Lord, it is only the beginning. The more we can deal particularly with the imbalances we have created in our Federal books, the more we are going to restore confidence in this institution.

Also, I hope we can prove on this measure and any number of others that we are still capable of working across party lines to get things done. That is, after all, why our constituents sent us here.

This is the beginning of my 24th year in the Senate. It has been a privilege. This is my last year in the Senate since I have announced I am not seeking reelection. I am forced to say that last year was the least productive of the 23 years I have been here. I hope we can perhaps on this bill prove, at least, that we can come together and get this done, and it will be the beginning of getting other much more important things done, including, as Senator COBURN has stated, doing something about the debt and the deficit. I have been privileged to work with him on some ideas we have put forward to make that happen. We can't do it and make everybody happy. We can't do it and make all the interest groups happy. But that is not why we came here. We came here to support and protect this extraordinary country of ours that we are blessed to be citizens of. So I say that by way of a first reaction.

The second is that I wish to take some time in that context to take a look at amendments Nos. 1473 and 1474 that the Senator from Oklahoma has introduced, the first to prevent the creation of duplicative and overlapping Federal programs, and the second is this requirement that all legislation be placed online for 72 hours before voted on in the House and Senate. Both of these on first response have some merit, in my opinion. Certainly the first one has a lot of merit.

I am concerned and I know all of us—meaning Senators COLLINS, BROWN, and GILLIBRAND—who have worked to bring the main parts of the bill out are concerned that we not go too far afield in amendments to the bill for fear that it will weight it down and it will ultimately get stopped or, at worst, that the majority leader will take the bill off the floor because we are not coming to a point of completing our business because amendments keep coming in that are not relevant. But these are two serious amendments, and I want to look at them and take a little time to respond.

The third, amendment No. 1476, I guess is a good news, bad news reaction that I have. The good news is that this really is directly relevant to the substance of the bill. The bad news, if you will, is that I am opposed to it because it really does—it is a totally different approach to what we are trying to do in the bill. I don't think it accomplishes the intention of most Members on this bill because it would really replace the entire STOCK Act with the requirement that Members or anyone in the government who has to fill out a financial disclosure form certify that they—we—haven't traded on inside information. I don't think as a result that the amendment does anything to clarify the current ambiguity in the law; that is, the question we heard raised before our committee by these experts on securities law about whether Members of Congress are really covered. If we don't clarify that we have a duty of trust to bring our behavior totally within existing securities law against insider trading, then I don't think the legislation would get us to where we need to go and we are still left with the kind of ambiguity that creates the kind of mistrust I know none of us want.

We have spoken at length on this question with the Securities and Exchange Commission staff, and I must say they share the concerns I have just expressed and believe that if the legislation doesn't explicitly state that a duty of trust exists and is held by Members of Congress, then the legislation will not do what is needed to get at the problem, which is whether an insider trading case brought before a court could be objected to by a Member of Congress who is the target of that suit.

Mr. COBURN. Will the Senator yield?

Mr. LIEBERMAN. Yes.

Mr. COBURN. Through the Chair, would the chairman accept that modification to my amendment, that we would, in fact, establish positively that Members of Congress are under rule 10b of the Securities and Exchange Commission? Would that give the Senator less heartburn?

Mr. LIEBERMAN. Well, it would give me less heartburn, but it would probably still leave me needing at least a Rolaid.

Mr. COBURN. Well, I have plenty of those. In fact, I will do better—I will give you a Zantac.

Mr. LIEBERMAN. We should reason together. But, as the Senator from Oklahoma knows, there are three main parts to the STOCK Act. One is the declaration we have just talked about, and the second and third are disclosure requirements, one 30 days, and then the other is the online requirement. But I am glad to talk with the Senator about adding the requirement of a certification to the STOCK Act as opposed to substituting it for the whole STOCK Act.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask unanimous consent that my amendment No. 1476 be modified with the change to the instruction line only. I am just doing some housekeeping on that.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is as follows:

Strike all after the first word and insert the following:

SECTION 1. MEMBER CERTIFICATION.

Section 102(a) of the Ethics in Government Act of 1978 is amended by inserting at the end the following:

''(9)(A) A statement (as provided in subparagraph (B)) certifying that financial transactions included in the report filed pursuant to section 101 (d) and (e) were not made on the basis of non-public information.

''(B) The certification required by this paragraph is as follows: 'I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material, non-public information.' ''.

Mr. COBURN. I would make one other point, and I am not trying to put my chairman in the hot seat, but nobody in this Chamber can name somebody right now who is trading on inside information. I believe that is a true statement. Yet we are changing the law not because anybody has done something wrong but because we are struggling to try to get people to think we are doing things right. There is

nothing wrong with that as long as we are not going to entrap our colleagues.

The question I have is, if we can't name somebody and if there is not factual truth, what we are really putting the Senate on notice for is that, by the way, you are assumed to be trading on inside information now, and therefore we must do this to ensure that you are not. Well, I don't believe anybody in this body is doing that. And when we put our Members in that position by changing the law to, for example, 30 days—if I have three stock tradings and I miss it by 1 day, what is the consequence of that filing and of this bill? What is going to be the penalty that comes out of the Ethics Committee for missing it 1 day or missing one of the three trades because you didn't know? We have lots of questions that are not answered.

I can tell my colleagues that many Members of this body have spent a lot of their personal money defending themselves on accusations that were absolutely untrue before the Ethics Committee, and that should be addressed and clarified in the body, the report language, of this bill.

I have no doubt this bill is going to pass in one form or another. I understand I am in the very slim minority of people who think it is unnecessary because I think the law already applies to us, and I also don't think we have a bunch of cheats working in the Senate. But would the Senator agree through the Chair that we ought to make clarification of everything we can so we know what the ultimate results are or are we going to leave that up to the lawyers on the Ethics Committee? What are we going to do with that? Are we going to determine what the penalties are for late filing or an accidental omission? What is going to be our direction to the Ethics Committee in this regard?

Mr. LIEBERMAN. Mr. President, I thank Senator COBURN. Let me go back to the first point, but it is not the question he ultimately asked.

The Senator is raising a very high standard because I hope nobody is involved in insider trading as a Member of Congress. I presume they are not. There were some serious allegations made last year by people outside Congress against Members of—certain Members of Congress, a small number. They have been denied and responded to by those Members. I presume that if there is any substance to them, the SEC will be investigating and take action. But obviously, necessarily, for dealing with insider trading, we would not know it is going on because they are using nonpublic information privately to secure private profit. So, as the Senator from Oklahoma well knows, the purpose of the law is to make sure that if anybody is doing this—and again, I know the people here, this is an honorable group of people, but if anybody is acting dishonorably—human nature being what it is—and a prosecution is brought by the Securities and Exchange Commission, then there won't be any defense that the law doesn't cover Members of Congress. It is simple as that.

But let me come to the other point. I know there is a lot of unease amongst some Members about the 30-day requirement in this bill, which is that within 30 days one has to file a disclosure of any trade in a stock or security that a Member has been involved in that has a value of more than $1,000. There is a lot of concern about the requirements that will put on Members. Ultimately, the Ethics Committee will adjudicate this. I assume there would be some rule of reasonableness if an unintentional error was made, and I certainly am happy to try to clarify in report language what our intention is, but the overall intention is to create transparency.

While I am on this—and I will be very brief with this—I know that people are worried about what it will take to fulfill this requirement and that it is in some sense unfair to ask Members of Congress to have to disclose stock purchases or sales within 30 days. But it is my understanding that people defined by law as corporate insiders have to declare it within 48 hours of trades they make in their company stock. The staff of the SEC have to publicly declare their trades within 5 days. So it is possible to do this. I gather it is possible to do it by simply asking whomever trades for you to copy the office here in the Senate when a transaction occurs, and then it automatically goes into a database online. We are asking more, and for some it will be an inconvenience. But we are different. We hold a public office. We have a public trust and public responsibility. So that is why this provision was in the original STOCK Act introduced in the House, bipartisan, and here in the Senate, both by Senator GILLIBRAND and Senator BROWN. But I do want to state I am happy to work with the Senator from Oklahoma on report language that will encourage the Ethics Committee to apply a kind of rule of reason if there is an unintentional violation of that 30-day reporting requirement.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Oklahoma.

Mr. COBURN. Mr. President, I have one more question for the chairman.

If, in fact, this is what we should do—and I think the body is going to agree this is what we should do—does not the Senator think this should apply to the administration as well, the executive branch, that this should apply the same 30-day rule to every member of the executive branch? You talk about real knowledge of inside information, they have it. We do not have it. They have it. Why would this rule not apply to—no matter who is President—executive employees in the administration?

Mr. LIEBERMAN. Mr. President, the Senator from Oklahoma is asking good questions.

Let me say first, as a point of clarification, as a result of an amendment submitted in the committee by Senator PAUL, and adopted, the insider trading parts of the bill do relate to executive branch employees. The 30-day disclosure requirement does not. I am happy to work with the Senator on this. I gather the administration itself applies certain disclosure requirements to a group of people in the administration at a Cabinet level or somewhat slightly below, but, obviously, not to all executive branch employees. But we can talk about this one.

I continue to be concerned, overall, that we are going to extend this so far and make it so ''good'' that it is going to fall of its own weight and not make it through. But the Senator is raising a reasonable question, and Senator BROWN and I just talked about it. We are glad to continue the conversation.

Mr. COBURN. Mr. President, I would make a couple points. One, we already file all our stock trades—correct?—every year.

Mr. LIEBERMAN. That is right. We file annually.

Mr. COBURN. Every change in every investment we have, we file every year. We already do that. We are already under rule 37 of the rules of Senate Ethics, which forbids any conflict of interest action that would benefit ourselves. That would include inside information to trade stocks. There are 5 to 10 times as many senior executive positions within the administration than Members of Congress that, in fact, this same thing should apply to.

If the important thing is ''within 30 days,'' my hope would be the chairman and the sponsor of the bill, Senator BROWN, would give very clear instructions to the Ethics Committee on how this is to work. Because I will note for you, last year 16 Senators got a 90-day extension on their filings with the Ethics Committee. That is 16 percent. We have to have some vow to make sure we do not put the Members who are absolutely innocent of anything in a corner because they cannot timely respond to this bill.

So my hope is—and I will finish with this; I know Senator BROWN wants to speak—looking at the timeliness of the filing I think is important to still accomplish what you want, but not make it so rigorous that people are going to fall out of that. We all know how things get busy here, how we come in, we come out. We are traveling, and we have all these things we are responding to. It will be difficult for many Members to comply with the 30 days.

My hope would be you would look at that, and you would also look at rule 37 of Senate Ethics because, in fact, we are already doubly covered. We are covered under 10b. And I do not have any problem with modifying my amendment to say we are covered so you cannot have a defense to say you are not. But we are also covered under rule 37, which forbids any conflict of interest under which you would benefit personally.

With that, I yield the floor and thank the chairman of the committee.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I have enjoyed the back and forth between the chairman and the Senator from Oklahoma. The Senator from Oklahoma has raised some very valid points, points that we actually had discussed in committee.

I originally asked for a 90-day reporting period, and it was changed out of committee to the 30-day period. Obviously, I am happy to work with the Senator from Oklahoma and the chairman and the ranking member to determine if, in fact, there is some guidance necessary to Ethics; and, sure, I am happy to do it. This needs to not only be done in the proper manner but, obviously, to be implemented in a way that everybody can comply and not be caught short in that type of situation.

So I am looking forward—in speaking to the chairman—that we will certainly take those valid points into consideration, any guidance we need to put in for the record, or letters of guidance to Ethics as to what our legislative intent is. I am happy to do that and look forward to continuing that dialog.

I yield the floor.

Mr. LIEBERMAN. Mr. President, I thank my friend from Massachusetts.

Seeing no one else seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE POSTAL SERVICE

Mr. SANDERS. Mr. President, I want to say a word about an issue I think has not gotten the kind of attention it deserves here in Washington or even among the general public; that is, the situation regarding our Postal Service.

Right now, for a number of reasons, the Postal Service is facing financial difficulties.

No. 1, it is no secret to any American that first-class mail has declined significantly because the American people are using e-mail and not first-class mail, and that decline in first-class mail has significantly impacted the revenue for the Postal Service.

Second of all, not widely known is the fact that the Postal Service, every single year now, because of legislation passed in 2006, is forced to come up with $5.5 billion—every single year—for future health retiree benefits. To the best of my knowledge—and to the best of the knowledge of anybody whom I have talked to—there is no agency of government forced to come up with anything near this kind of onerous requirement, nor is any corporation in the private sector doing that as well.

So the issue we face is whether we are going to save the U.S. Postal Service, whether we are going to bring about reforms which make the Postal Service strong and relevant to the 21st century and the digital age or whether we—as the Postmaster General has proposed—cut 40 percent of the workforce, shut down 3,700 post offices—most of them rural—end Saturday mail service, lay off or cut back on the workforce of the Postal Service by 40 percent—over 200,000 American workers, many of them, by the way, veterans who are now serving and working in the Postal Service.

Let me start off again with what the Postmaster General has proposed. Let me talk a little bit about legislation which has been led by Senator LIEBERMAN and Senator CARPER, which I think will be coming to the floor, I expect, next week, and then talk about where I think, and a number of us think, we should be going to strengthen that bill.

No. 1, this is what the Postmaster General has suggested that he needs to do in order to solve the financial problems facing the Postal Service. One, close down about 3,700, mostly rural, post offices. I will tell you, coming from a rural State, a post office is not just a post office. In many parts of Vermont, many parts of America, rural post offices serve many functions. If you get rid of those post offices, you are causing severe distress to the identity, the sense of self of small towns in rural America.

No. 2, what the Postmaster General has suggested is the shutting down of about 252 mail processing facilities—about half of the mail processing facilities in this country. If you do that, there is no debate that you are significantly slowing down the delivery of mail in America. If you used to put a letter in a postal box, and it might get there in 1 day, now the talk is it may get there in 3 days. If today it gets there in 3 days, it might in the future, under these cuts, get there in 5 days.

Here is the fear I have and many other Members of the Senate and House have: If the Postal Service is trying to compete against the instantaneous communications of e-mail, what does it mean that you are slowing mail service significantly? Many of us believe this is the beginning of a death spiral for the Postal Service in the sense that many consumers, many businesses will say: Hey, what is the sense of me working with the Postal Service if my mail or packages are going to get there in 3 days or 5 days?

So we think shutting down 252 mail processing facilities, slowing down mail services, is laying the foundation for the destruction of the Postal Service as we know it.

To my mind, the issue is not whether we make changes or maintain the status quo. The status quo is not working. The Postal Service has to change. In my view, and I think the view of many others, the Postal Service must become much more aggressive, much more entrepreneurial, must be going out to the business community, must be going out to consumers and saying: We have these services we can offer you.

I will give you a few examples, and some of them, by the way, are included in the legislation brought forth by Senators LIEBERMAN and CARPER and COLLINS and SCOTT BROWN.

For example, in a rural State, if people would like to walk into a post office and get a letter notarized, they cannot do it today. If people walk into a post office and want to get 10 copies of their letter, they cannot do it today. The United States Congress has said they cannot do that. If somebody walks into a rural post office and wants to get a fishing license or a hunting license or fill out a driver's license, they cannot do that right now.

So I think what we need is a new business model for the post office, much more entrepreneurial. I would suggest—and what is happening around the world is, clearly, the United States Postal Service is not the only postal service having to deal with the digital world. What we are seeing in Europe and throughout the world is countries responding by giving their postal services much more flexibility.

One example: A lot of people are unemployed. A lot of people get unemployment checks. Sometimes in order to cash those checks they have to go to a payday lender. Why can't they walk into a postal service and cash that check at a minimal fee rather than paying 10, 15, or 20 percent to a payday lender?

So I think one of the provisions that has to be included in any serious postal reform legislation is a blue ribbon commission made up of the best entrepreneurs we can find, those people within the Postal Service who have the most experience who will tell us what we can do and how we can raise additional revenue when we have thousands of post offices all over this country. Can they be renting out their space? What other services can they be providing? Right now we have our letter carriers delivering mail to about 150 million doors every single day, 6 days a week, all over the country. What more can they be doing?

So the debate we are having is two visions of the future of the post office. No. 1, the Postmaster General is saying: Let's cut 40 percent of the workforce over a period of time. Let's slow down mail delivery service. That is the business model he is proposing.

Some of us are saying, when we have a rural constituency, when we have senior citizens who live at the end of a dirt road who are dependent upon the post office in order to get their prescription drugs in the mail, when we have rural areas that very much depend on rural post offices, that the goal is to give more flexibility to the post offices so they can be more competitive, so they can raise additional sums of funding in order to deal with their financial problems.

A couple of specific points: Almost everybody agrees now that the $5.5 billion required from the post office is absolutely onerous. I have talked to the Office of Personnel Management. They think $2.5 or $3 billion is quite enough, given the fact we have $45 billion already in the account. Talk to other people and they will say given the fact that $45 billion is already earning interest, that, in fact, we do not have to do anything. We do not have to add anything more into that account, and it will deal with all of the future health care retiree benefits the post office requires.

So I believe we have to be very firm and say, No. 1, if the post office is going to survive in any significant way, we have to maintain 1- to 3-day delivery standards for first class mail. Second, we have to maintain 6-day delivery of mail, not end Saturday service. Third, we have to protect our rural post offices. Fourth, we have to significantly reduce prefunding requirements for future retiree health benefits, not to mention that there is also widespread agreement that the Postal Service has overpaid the FERS account, the Federal Employment Retirement Service, by some $11 billion. Obviously, that has to be dealt with.

Lastly, in my view, as I said previously, we need to develop a new business model for the Postal Service, get them involved in the digital age, not run away from it—get them involved. Expand what they can do both with State and local governments as well as what they can do with the private sector.

So in the coming days, this is an issue that a number of us will be working on. I look forward to the support of my colleagues on both sides of the aisle.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I appreciate the Senator's reference to the post office, and the postal issue is something Senators COLLINS, LIEBERMAN, CARPER, and I have been working on probably about 300 or 400 hours at this point. So I look forward to his involvement as well.

At this point, getting back to the business at hand dealing with the STOCK Act, I ask that Senator PAUL be recognized. I believe he has three amendments that he would like to offer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENTS NOS. 1484, 1485, 1487 TO AMENDMENT NO. 1470 EN BLOC

Mr. PAUL. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendments Nos. 1484, 1485, and 1487 en bloc.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes amendments numbered 1484, 1485, and 1487 to amendment No. 1470.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 1484

(Purpose: To require Members of Congress to certify that they are not trading using material, non-public information)

Strike all after the enacting clause and insert the following:

SECTION 1. MEMBER CERTIFICATION.

Section 102(a) of the Ethics in Government Act of 1978 is amended by inserting at the end the following:

''(9)(A) A statement (as provided in subparagraph (B)) certifying that financial transactions included in the report filed pursuant to section 101 (d) and (e) were not made on the basis of non-public information.

''(B) The certification required by this paragraph is as follows: 'I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material, non-public information.' ''.

SEC. 2. USE OF NONPUBLIC INFORMATION AND INSIDER TRADING BY CONGRESS AND FEDERAL EMPLOYEES.

A Member, officer, or employee of Congress, a Federal employee (as defined in section 2105), including the President, the Vice President, and an employee of the United States Postal Service or the Postal Regulatory Commission, and a judicial officer are not exempt from and is fully subject to the prohibitions arising under section 10(b) of the Securities Exchange Act of 1934 and Rule 10b–5 thereunder, including the insider trading prohibitions.

AMENDMENT NO. 1485

(Purpose: To apply the reporting requirements to Federal employees and judicial officers)

Strike section 6 and insert the following:

SEC. 6. PROMPT REPORTING OF FINANCIAL TRANSACTIONS.

(a) REPORTING REQUIREMENT.—Section 101 of the Ethics in Government Act of 1978 is amended by adding at the end the following subsection:

''(j) Not later than 30 days after any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress, a Federal employee (as defined in section 2105), including the President, the Vice President, and an employee of the United States Postal Service or the Postal Regulatory Commission, and a judicial officer shall file a report of the transaction.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to transactions occurring on or after the date that is 90 days after the date of enactment of this Act.

AMENDMENT NO. 1487

(Purpose: To prohibit executive branch appointees or staff holding positions that give them oversight, rule-making, loan or grant-making abilities over industries or companies in which they or their spouse have a significant financial interest)

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON EXECUTIVE BRANCH OFFICERS AND EMPLOYEES INVOLVEMENT IN MATTERS INVOLVING FINANCIAL INTEREST.

The Ethics in Government Act of 1978 (5 U.S.C. App) is amended by adding at the end the following:

''TITLE VI—GOVERNMENT-WIDE LIMITATION ON INVOLVEMENT IN MATTERS INVOLVING FINANCIAL INTEREST

''SEC. 601. LIMITATION ON INVOLVEMENT.

''(a) DEFINITIONS.—In this section—

''(1) the term 'Executive agency' has the meaning given that term in section 105 of title 5, United States Code;

''(2) the term 'equity interest' includes stock, a stock option, and any other ownership interest;

''(3) the term 'immediate family member' has the meaning given that term in section 115 of title 18, United States Code;

''(4) the term 'remuneration' includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship; and

''(5) the term 'significant financial interest', relating to an individual, means—

''(A) with regard to any publicly traded entity, that the sum of the fair market value of any remuneration received by the individual from the entity during the most recent 2-year period and the fair market value of any equity interest of the individual in the entity is more than $5,000; and

''(B) with regard to any entity that is not publically traded—

''(i) that the fair market value of any remuneration received by the individual from the entity during the most recent 2-year period is more than $5,000; or

''(ii) that the individual has an equity interest in the entity.

''(b) LIMITATION.—An individual may not hold a position as an officer or employee of an Executive agency in which the individual would have oversight, rule-making, loan, or grant-making authority—

''(1) over any entity in which the individual or the spouse or other immediate family member of the individual has a significant financial interest; or

''(2) the exercise of which could affect the intellectual property rights of the individual or the spouse or other immediate family member of the individual.''.

Mr. PAUL. These amendments are recognizing what the authors of this bill have been discussing: that people should not profit off of their involvement in government; they should not profit off of special relationships; they should not profit off of special knowledge they gain in the function of serving the people.

Currently, there are some large donors who have been giving to this administration who have profited enormously and disproportionately. This will allow this bill to apply to the administration, and I do not believe people who are multimillionaires and billionaires should use the apparatus of government, as was used in the loans that were given to Solyndra, by someone who is profiting off of their relationship and ties to the President, profiting off of people who used to work for these companies who are now employed in the administration and using these connections to get taxpayer money to go to private individuals. This is wrong and this should stop.

I think this bill is a great vehicle for discussing how people in government are abusing their roles in government to make more money at the expense of the taxpayer. I think it should end.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, we obviously just received the amendments. We look forward to digesting them and actually working on some of the points. They are well taken. So we look forward to doing that.

Since there is no Democrat here to offer another amendment, I would then, in the spirit of back and forth, yield the floor to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 1488 TO AMENDMENT NO. 1470

(Purpose: To express the sense of the Senate that the Senate should pass a joint resolution proposing an amendment to the Constitution that limits the number of terms a Member of Congress may serve)

Mr. DEMINT. Mr. President, I ask unanimous consent to set aside the pending amendment. I have amendment No. 1488 at the desk and ask for its immediate consideration.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 1488 to amendment No. 1470: At the appropriate place, insert the following: Section: Sense of the Senate: It is the sense of the Senate that the Senate should pass a joint resolution proposing an amendment to the Constitution that limits the number of terms a Member of Congress can serve.

Mr. DEMINT. Mr. President, I allowed that to be read because it is so short. I think all of us know that in just about all areas of life power corrupts. And despite the good people in the Congress, the good intentions here, we have found that the longer folks stay in Washington the more likely their associations with interest groups and other temptations often cause bad behavior.

What we are working on here with this STOCK Act is just treating the symptoms again when what we need to do is work on the root causes. If we bring a professional class of politicians to Washington, and we know incumbents always have the advantage in reelections, elections are not the only way to limit terms.

If we want good government, if we want representation of the people, then we need to have folks represented in the House and the Senate who are from the people and not from an elite class of politicians in Washington. That is why for years many of us on both sides of the aisle have worked on this idea of term limits.

My amendment is not a law. It does not set any specific term limits for the House or the Senate. It is a sense of the Senate that says we should pass a constitutional amendment that allows the States to ratify some limit on the terms of office. We know this would likely attract people who want to make representation a calling and not a career. So I would hope that as we look at this total bill, and certainly we do not want insider trading, Congressmen and Senators benefiting from their service in any personal way, if we want to get at the root cause of many of the problems here, many of the problems between parties across the aisle, many of the false differences, we need to limit the terms of people who come to Washington and bring in some fresh voices from all over the country. I think we will get better government, certainly less corruption.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BEGICH. Mr. President, I know there has been some discussion. Today we are talking about the STOCK Act. I know there has been some back and forth on what is the appropriate time when people should notify the public. I just hope at the end of the day our body is not afraid of transparency at every level.

The amendment I brought forward in the committee on which I sit dealt with the STOCK Act and made sure that all issues around any transactions that we make are going to be publicly disclosed in a timely manner—30 days—but electronically. So it does not matter where you are around the country, you can access it.

So I hope we do not forget what our goal is; that is, creating more disclosure, more transparency so people know what we are doing in Congress. The STOCK Act is just one of those steps.

I rise today to support the STOCK Act as a sponsor of this act, legislation prohibiting insider trading by Members of Congress and their staffs. Since day one in the Senate I have made transparency a top priority in my office. Alaskans deserve to know what their Members of Congress are up to. That is why I worked hard to make sure they have access to critical information. I believe we must hold ourselves to a higher standard.

Since being elected I have posted my personal disclosures, my personal financial disclosures, on my Senate Web site so my constituents have full knowledge of how and what I am engaged in, and they can get it electronically. They can access my personal information electronically anytime they want. This is something Senators are not required to do but is just common sense. I will talk more about transparency in just a moment.

Now, when it comes to the STOCK Act, I know my constituents at home in Alaska and other Americans are probably shocked this bill is even necessary. They are asking themselves, and I have heard this: Is it really legal for Members of Congress to participate in insider trading? The fact is, insider trading is illegal for all Americans, including Members of Congress. All along, the SEC, the Securities and Exchange Commission, has had the authority to enforce insider trading laws.

But it is time for a little clarity. Trust and accountability are critical to our roles in Congress. That is why I support and have cosponsored this important bill, the STOCK Act. This stands for Stop Trading on Congressional Knowledge, again, the STOCK Act. This bill reaffirms that it is against the law for Members of Congress to engage in insider trading and confirms that anyone who does not follow the rules will be prosecuted.

Members of Congress are not, and should not be, immune. We have a responsibility to do our jobs in an honest, open, and transparent manner, and to demonstrate that we are here every day fighting for our residents—in my case, the residents of Alaska. All you need do is look at Congress's approval rating to figure out that Americans don't think we have lived up to our end of the deal.

This bill is an important step in the right direction to regaining public trust. However, reminding our colleagues of laws we should have already known about is not enough. Transparency is a key element of moving forward. As I said, it is common sense.

That is why Senator TESTER and I introduced a transparency amendment during the markup process. As he said in committee, listening to the testimony and debate, we thought it was necessary to take an additional step. I am pleased to say it was adopted and incorporated into the bill by the full committee.

The provision is simple. It requires that annual financial disclosure forms—the ones I put on my Web site—filed by Members of Congress and their staffs be posted online and accessible to the American public.

When you think about where we are in this world, in the 21st century, with electronics and telecommunications and how we are not doing that today—I went on the Alaska Public Offices Commission Web site, which is the equivalent of what we are talking about today. If you want to file yours in Alaska, your disclosure form, as a State legislator—or in my case as former mayor—it is now all electronic.

The current system we have here is outdated, not transparent. It is not easily accessible to our folks back home. Under this new provision, Members, candidates, and staffs must file their financial disclosure forms electronically. They will use a new system created and maintained by the Secretary of the Senate, Sergeant at Arms, and the Clerk of the House of Representatives. The American public will be able to search, sort, and download data contained in the financial disclosure form. This information will be maintained online during their time of service and 6 years after the Member leaves office.

I commend Chairman LIEBERMAN, Ranking Member COLLINS, Senators GILLIBRAND, BROWN of Massachusetts, and LEVIN for their work on this legislation. The STOCK Act will make Congress more accountable and, I hope, will inspire confidence in the American people that we are here to represent their interests and not our own.

Again, I encourage passage of this legislation. It is another step to ensure that we have full transparency, and we should never be afraid of making sure our folks back home know exactly who we are, what we are doing, and what our work is here in Washington.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, first, I commend the Senator from Alaska for his efforts during the committee process. He offered some good amendments that we ultimately took up and accepted. We look forward to his continued involvement in the process.

As we have said, we need to make sure that all of the amendments are relevant. We hope he will join with us and get some of his colleagues to focus on the very important issues we are trying to work on and not get sidetracked.

That being said, I congratulate him and look forward to working with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, let me join in what the Senator from Massachusetts said. Senator BEGICH, with Senator TESTER, offered an amendment in committee that has not gotten as much attention as some other parts of the bill—but it will have at least as great a positive effect as the other parts of the bill—which is so simple that it makes you wonder why we have not done it before. I have been quoting Dr. Seuss lately, and I won't do it here, but there is a saying that sometimes the best answers to questions that are complicated are simple answers—something like that; I am losing something in the translation.

But Senator BEGICH and Senator TESTER require that the annual financial reports we file, which are public documents—for the public to see them, they or some representative have to go to the office of the Secretary of the Senate to look at them or make copies. We are in the information age, the digital age. So Senator BEGICH and Senator TESTER took a small step on the bill—which is a large step for the American people—which is that these reports will now be online and electronically filed. Everybody, not just the SEC, will have immediate access to those financial disclosure reports.

Incidentally, the 30-day provision for disclosure will also be covered by that, and will also be available.

The Director of Enforcement, Robert Khuzami, of the SEC, testified before the House committee on the comparable bill that the 30-day requirement and the annual requirement for electronic filing would assist the SEC in carrying out its responsibilities.

Once again, I thank the Senator from Alaska for his contribution to the bill.

Mr. BEGICH. I thank the Senator.

One quick comment. Imagine the folks from Alaska who want to get a copy of a report. They have to find somebody in DC to go to a clerk and get a copy and send it over, and now, if this passes, they can go online from anywhere.

Again, I thank Senators LIEBERMAN, BROWN, and others. We are honored to be able to contribute our piece to it. It will be easier for the public to get this information. I thank the Senator for his kind comments.

I yield the floor.

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Ms. KLOBUCHAR. Mr. President, I rise today in strong support of the Stop Trading on Congressional Knowledge, better known as the STOCK Act, legislation that is critical to increasing accountability in Federal office and restoring the public's faith in government.

I am a cosponsor of the STOCK Act and have been working to address concerns about insider trading in Congress. I appreciate the leadership of my colleague from Minnesota, TIM WALZ, in the House who spearheaded the bill, as well as the work of my colleagues, including Senator GILLIBRAND and Senator BROWN, who have shown leadership in moving this issue forward.

No one is above the law in this country, least of all the lawmakers. At a time when Americans are crying out for leaders who are willing to put public interest before political gain, the STOCK Act presents a rare opportunity for both parties to come together and pass a bill that not only makes for good policy but that is, very simply, the right thing to do.

Over the last few years, we have worked to restore accountability and integrity to the major institutions in this country. We have worked to rein in recklessness on Wall Street. We have enforced greater accountability in Federal budgets. And in 2007, we passed historic reforms to strengthen congressional ethics laws.

I am standing here today because we can and must do more. Those of us who have the privilege of writing the rules have a responsibility to play by the rules, to not just talk the talk but walk the walk, and the STOCK Act is about making sure we are doing just that. This commonsense bill will strengthen our democracy by ensuring that no Federal employee or Member of Congress can profit from nonpublic information they have obtained through their position.

First and foremost, the legislation clarifies and strengthens laws for regulating insider trading by Members of Congress and their staff. It redefines the practice to clearly state that it is illegal to purchase assets based on knowledge gained through congressional work or service, ensuring Members of Congress are held to the same standards as the people we represent. That seems only fair.

Some people have argued that there are already laws on the books for this, but the fact is that insider trading by Members of Congress and their staff is currently not prohibited by the Securities Exchange Act or congressional rules. Furthermore, the status of trading on congressional information has never been explicitly outlawed. The resulting ambiguity has made it incredibly difficult to enforce these rules, which is almost certainly part of the reason not a single violation has ever been prosecuted.

The STOCK Act would clear up the ambiguity and make these laws crystal clear. It would give both the SEC and the ethics committee in each Chamber the authority to investigate and prosecute charges of insider trading, and it would make it a violation of the rules of the House and the Senate to engage in such activity, meaning that anyone who uses their role as a Member of Congress to enrich themselves would have to answer to the Department of Justice and the Securities and Exchange Commission.

The bill would also enforce better oversight by significantly strengthening reporting requirements. Members of Congress are already required to disclose the purchase or sale of securities and commodities on an annual basis, and the STOCK Act would take these requirements several steps further. Not only would it mandate that Members and employees disclose any and all transactions of over $1,000 within 30 days of the trade, but it would require that information about the transaction be published online.

Finally, to close the revolving door between Congress and special interest groups, the STOCK Act would introduce much needed transparency into the industry known as political intelligence consulting—the practice of reaching out to people working in the legislative and executive branches to gain market intelligence regarding proposed rules, regulations, and bills. The STOCK Act would require the Government Accountability Office to study this issue and see what we can do to ensure that these consultants are subject to the same reporting requirements and restrictions imposed on lobbyists.

Trust is the tie that binds our democracy, but with faith in government now at an alltime low, it is clear that some

of those ties did break. Why would we not want to strengthen those bonds? Why would we not want to show the people who have sent us to Washington that we have nothing to hide by passing this bill? America was built on the principles of hard work, fair play, and personal responsibility. These are the rules middle-class families in States such as Minnesota and all across America are still playing by today. We in Congress need to be willing to stand up and say we are willing to do the same.

I want to end my remarks today by sharing two letters that were sent to my office on the subject of the STOCK Act. The first is from a Minnesotan named Robert, who wrote:

> Elected officials need to get back to the business of representing those who sent them to Washington to serve, not increasing their personal wealth based on information they learn from holding those offices—information that, were it not for their elected office, they would otherwise not be privy to.

The second letter comes from a Minnesotan named David, who makes this issue crystal clear. He says:

> Voters elect politicians to do what is best for the country, not to become rich.

I could not have put it better myself, and I could not agree more. I arrived in this town in a Saturn with my college dishes from 1985 and a shower curtain in the back seat, so clearly this is not as relevant to my personal situation. But I truly believe, if we are going to restore trust in government, we need to pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. BROWN of Massachusetts. Mr. President, I commend the Senator from Minnesota for coming down. I appreciate her comments, her hard work on this issue, and thank her for her efforts.

Once again I reiterate to folks who may be listening, we are gathering amendments. I believe they are stacking up. Some are very relevant. Some have pieces of relevancy. What we have been trying to do is take the best of each one and try to formulate a plan to move forward and try to get some votes, obviously today and tomorrow, and get this done as quickly as possible and get it over to the House.

I once again reiterate my request to have all amendments be relevant to the issue at hand. Like Senator LIEBERMAN—I am not going to quote Dr. Seuss as he did, but I want to be sure we have a bill that has a chance not to get bogged down but to pass expeditiously.

To let folks know in the gallery and also those watching on television, there have been some very good amendments, good ideas. Some, actually, we may end up combining. There are amendments coming up in the days ahead that we have not had a chance even to look at because the amendments are coming in fast and furiously. We have not had a chance to get out and try to comment as to what we are doing with this amendment or that amendment. There are good points in virtually every amendment. We need to be sure we get the best and strongest bill we possibly can. I want to add that.

I do not see Senator MCCASKILL here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 1472

Mr. TOOMEY. Mr. President, I would like to take a moment to discuss an amendment that I think is relevant to this discussion. I thank my colleague, Senator MCCASKILL, for her work on this topic. It goes to the issue of the integrity by which this body and Congresses in general operates, which certainly is a central issue regarding this particular bill. Our amendment goes to a particular aspect of the integrity of this body.

My concern is that in the absence of our amendment, many of our colleagues will likely resume a very wasteful, nontransparent process which is prone to corruption and abuse, and that is the process of earmarking. I wish to speak a little bit about earmarks and what they are and why I think we ought to have a permanent legislative ban on the process.

Let me be clear about the process. Earmarks exist precisely in order to circumvent any real scrutiny, transparency, or any process by which this body, the other body, or the American people can evaluate the merits of a given project. There is no authorization to earmarks. There is no proper scrutiny. There is no competitive bidding among competing demands for resources. I think the process itself is indefensible.

In part because the process is so badly flawed, we should not be surprised that it leads to extraordinary waste. We have seen it. Some of the earmarks have become famous because they are so wasteful and inappropriate. We all heard about the ''bridge to nowhere.'' Recent earmarks include, above and beyond that, a $1 million alternative salmon products earmark. There was a $1.9 million earmark for the Charles Rangel Center for Public Service requested by none other than Congressman CHARLES RANGEL. There was $550,000 for a glass museum, $2.5 million for Arctic winter games. The list goes on and on. I could go on all day with indefensible projects that got into law, taxpayer dollars that were spent precisely because these earmarks were permitted. I would argue that it has gotten to the point where it really adds up to real dollars and cents.

Those who would like to resume earmarking would like to suggest that it is not a real number, doesn't add up to a whole lot of money. Over the course of the last 15 years, the total value of taxpayer dollars spent this way has tripled. In the last Congress, it reached $36 billion.

One other thing that is particularly pernicious about earmarks is that over time they became a currency used to buy votes. There was this unwritten law that if you ask for an earmark in a spending bill and you get it, you are obligated to vote for that bill regardless of how bloated, inappropriate, wasteful, or otherwise nonsensical that bill might be. That is a really terrible process.

Finally, the fact is, it is an opportunity for corruption. I am not suggesting there is corruption involved in most earmarks. I am sure there is not. But we do know of some examples of some of our colleagues who did in fact use earmarks quite inappropriately to enrich themselves. I know of one in jail right now because of that. While that is certainly the very unusual exception, the fact is a process such as that is badly flawed and should be remedied.

As we all know, there is a current temporary moratorium in place on earmarks that has been adopted by both bodies and both parties. But that temporary moratorium expires this year. What our amendment does is create a permanent legislative ban on earmarks. It does that by creating a point of order. Any Senator can come down to the Senate floor and strike an earmark if one is inserted in a spending bill, and it would take a two-thirds vote of the Senate to override the effort to strike the earmark.

It is important to know that this amendment does not strike the entire bill. It would not invalidate the bill or otherwise disrupt the bill. It would surgically remove the earmark that would be offending this point of order.

As I say, I thank Senator MCCASKILL for her support. I thank Senator COBURN for the many years in which he has battled, as have others, especially Senator MCCAIN and others. But Senator COBURN once described earmarks as the gateway drug to spending addiction, and I think he is really onto something with that characterization.

I think it is time we change the culture in Washington, that we change the culture of Congress, get away from a culture that says, how can we maximize spending, which really has been the culture of Congress for way too long, and move to a culture that says, how do we maximize savings, because when we are running trillion-dollar annual deficits, we have to find savings anywhere we can. I can't think of a better place to start.

If we really want to change Washington, if we really want to reduce wasteful spending, if we really want to eliminate opportunities for corruption, if we really want to change the culture of spending and begin the process of doing these things to hopefully restore some of the confidence of the American people in their government, one of the ways we can do this very constructively is to pass this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I thank Senator TOOMEY for joining me. He has been a great leader on this since he arrived in the Senate, in terms of

the fight against earmarks. I thank him for that.

I also welcome him to our band of warriors in terms of fighting the earmark culture in Washington. It has been a fairly small number of Senators since I arrived here in January of 2007. I will be honest, the Senator spent some time in the House, so he was more familiar with the process of earmarking than I was. When I came to the Senate, I did not really understand how it worked. I did not really get it. I do not think, until you have gotten here and watched it from the inside, you truly appreciate how flawed it is in terms of a way of distributing public money. It really is going in the back room and sprinkling fairy dust. It is really a process that has more to do with who you are and whom you know than merit.

Have there been lots of projects that have been funded that I have supported? Of course. Did I make a decision—a difficult one—to not cherry-pick certain earmarks to go after on the floor? Instead, I have tried, when I got here and realized the problems, to reform the process, not just to say, let's find this one earmark in this bill and gin up an amendment on it; rather, let's try to stop the process in its entirety because it makes no sense. And that is what this amendment does. It actually will stop the process in its entirety.

Why do we need it if we have a moratorium? Why now? Frankly, when I first started saying I wanted to do away with all earmarking, I was laughed at by Members of this body, directly and indirectly. Sometimes I felt as if people were patting me on the head and saying: Go away. You have no chance to do this. I am proud of the fact that we have gotten a moratorium now. The truth is, there are a lot of Members of this body who want to go back to the old ways, and I think it is very important that we do a permanent ban. I certainly thank the Senator for helping, and I think the amendment we are working on together will make sure we will not have what happened in the House this year.

Mr. TOOMEY. Will the Senator yield?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I wished to touch on a point the Senator just made that I think is important to underscore. I would agree without hesitation that there are any number of earmarked projects that probably have very good merit. This is not at all to suggest that every earmark that has ever occurred had no merit. That is not what this is about.

What we are criticizing and what we are trying to change is a very badly flawed process that permits a great deal of projects that have no merit to get funded that otherwise would not be funded. Those that have merit—and goodness knows all kinds of projects, especially transportation projects—ought to be funded, but they ought to be funded in a transparent and honest way, subject to evaluation by an authorizing committee and subject to competition, so those projects that have the greatest merit and the greatest need would be funded first. That is what I think we are trying to get at and get away from this process where an individual Member of either this body or the other body, in the dark of night, can drop in some specific provision because he or she wanted it without it being subject to the proper scrutiny and evaluation and competition that the taxpayer deserves.

I just wished to underscore that point. I appreciate the Senator's work and the message she brought.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. I will tell my colleagues that I think for too long too many Senators believed the measure of their worth as a Senator had everything to do with how much money they were bringing home. I have a new idea. Instead of the measure of our worth being how much we can spend, I think the measure of our worth ought to be how much we can save. This place turned on the notion that if one stayed here long enough, if they got to be an appropriator, they got more earmarks. If they became a ranking member on a subcommittee on appropriations, they got even more.

Then I found out about honey pots. I didn't know about honey pots until I got here. I don't know if Senator TOOMEY is familiar with that term, but let me educate him about what that term means. A honey pot is what the ranking minority member and chairman set aside as their special pot of money that they get to spend on earmarks that is greater than everyone else's. Some of the appropriations subcommittees have honey pots and some don't. The very notion that we are deciding how to divide the money based on how long we have been here, what our party affiliation is, what committees we serve on is not the way we should spend public money. We spend public money based on merit or on a formula based on how many people are in our State.

One of the other things that drives me crazy is this talking point against doing away with earmarks: We can't let the bureaucrats decide. We can't let the executive branch decide. It is the power of the purse. We have had the power of the purse in Congress for hundreds of years. Earmarking is a modern invention. We have the right to oversee the executive budget, change the executive budget, cut the executive budget, and add money to the executive budget. We can do that as a Congress and that has nothing to do with earmarking.

Let me also say this about this talking point: This notion that earmarked money just grows on trees somehow—where does the money for earmarking come from? It comes from other programs. Guess what programs it is taken from. It is taken from programs—I will just say from programs such as surface transportation.

Let's talk about that. We have a local process in Missouri. We have stakeholders all across the State who go to meetings and the public is invited and these agencies work very hard at trying to prioritize their transportation projects based on the economic needs of their community, based on safety considerations. These local folks work very hard to prioritize their projects, and what does earmarking do? It cuts in line. One individual's judgment supplants all the local planning.

This is not about Washington bureaucrats. In a lot of these instances it is about saying: I know better than the people back home know. Look at the Byrne grants, another perfect example. Money for the Byrne grants—which is a State-administered program done on a competitive basis at the State level—they have been stealing money out of the Byrne grants for earmarks so one individual Senator can decide this sheriff needs new equipment as opposed to the State authorities deciding that there may be a crime problem in one area of the State, such as a methamphetamine problem that needs special attention.

Mr. TOOMEY. Will the Senator yield?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. This is a very important point. It is a common refrain from those who would like to go back to earmarking: We can't turn this over to the bureaucrats. Who controls the bureaucrats? It is Congress. If we think the bureaucrats are allocating resources in a way that we don't approve of, we can change the rules. We write the law that determines the criteria, the metrics, the methodology, the process by which they compete and evaluate competing projects. That is entirely up to us. So it is not fair for us to suggest that while the bureaucrats will not spend it wisely, then we should set the rules so they must. Frankly, they don't have the kind of incentives that some people who are holding elected office think they have to try to show up back home with a big oversized check. The bureaucrat doesn't have that incentive.

I would argue I can't imagine any bureaucrat who would award several hundred million dollars to build a bridge to nowhere or to build a cowgirl hall of fame or an indoor tropical rain forest. These are things that if a bureaucrat did make those decisions, it would be because they were following ridiculously flawed guidelines given to them by Congress. So this in no way diminishes Congress's control of the purse strings; it insists on a more accountable process by which we allocate the resources from the purse.

Mrs. MCCASKILL. Mr. President, it is easy to see why earmarking is held so dear to so many Members. I remember when I first was elected and people

began showing up in my office that, frankly, had not been big supporters of mine. All of us who are here—and if we are brutally honest for the folks back home—we want to be loved. We put ourselves out there for public acceptance or rejection every 2, 4, 6 years. So people started showing up and being very nice to me who had not particularly been supporters of mine, and they were being nice to me and I thought, What is up here? Then all of a sudden I figured it out. They were all showing up to get their earmarks. The people in Missouri—I don't know about Pennsylvania—but in Missouri they are very worried about not having earmarks because they have been fed this line all these years: If we don't have earmarks, we are not going to get anything. We are not going to get our share. We are not going to get as much as we deserve.

Let's take water. Pennsylvania—this is a good example because Pennsylvania didn't get very much in water projects either. I don't know how many rivers there are in Pennsylvania. I should be more familiar with the geography there. But to say that Missouri is a river State is an understatement. I mean, we have the confluence of the two greatest rivers of our country, the Missouri and Mississippi Rivers, in our State. We have major impact in terms of water projects that need to be done in our State because of how prominent water is in the State of Missouri. But yet we have been way down the line in terms of water projects because we don't have an appropriator on that committee. We have appropriators on other committees but not on that committee.

I keep telling the folks at home, if we compete with other States for water projects, we are going to do just fine, and that is the way it is supposed to work. States are supposed to get what they need and not get the benevolence of Washington because they happen to have somebody who has been here long enough to be on the right committee to have the right chairmanship or the right ranking committee so they can get even more. That is not the way this place should be run. It is not the right way to spend public money.

Mr. TOOMEY. Would the Senator yield?

Mrs. MCCASKILL. I will.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I can tell the Senator how I think a big majority of Pennsylvanians feel about this because I hear from them every day. Sure, there are some folks who would love to resume earmarks because they benefited from them in the past. I think the vast majority of Pennsylvanians—and I would guess Americans—generally understand that, especially at a time when we have reached $15 trillion in debt, when our debt now exceeds the entire size of our economy, when we are running annual deficits of over $1 trillion for the last several consecutive years and, frankly, probably in the years to come. We are in an unsustainable mode right now. What my constituents want is for us to put ourselves on a viable, sustainable fiscal path. That means getting spending under control. So I don't think our constituents want us to see how much money we can spend, as the Senator pointed out. They want to see how much we can save, and I think they would overwhelmingly welcome ending a process that clearly leads to wasteful spending.

Mrs. MCCASKILL. I hope we get a vote on this amendment. I am not optimistic about that because, typically—let's be honest—the vast majority of the leadership in this body has typically been appropriators and many of them want to go back to earmarking, and this is on both sides of the aisle.

As I started to point out before, it was the Republican Armed Services Committee in the House that set aside a slush fund and began doing earmarking on the Defense authorization bill. We were able to expose it and stop it, but clearly people are having a hard time breaking this habit. So I think this amendment is very important. I am happy to go toe-to-toe with anyone over the merits of this amendment. I am happy to stand shoulder-to-shoulder with anyone in this Congress, Republican or Democrat, who is willing to stop this process once and for all.

I think this amendment would do it. I hope we get a vote on it, and if we don't, it will not be the last time I think they will hear from both of us about our bill and how serious we are about getting it passed.

There will come a time that this bill will pass because the American people are on to us. The American people are on to this bad habit. They want it to end and they will have their way. It may not be today, it may not be this week, but I remind the Members of the Senate that it wasn't that long ago people laughed out loud at me when I said there would be an end to earmarking. They thought that was the silliest joke they had ever heard, and we have made a lot of progress thanks to the American people.

By the way, the credit should not go to me or Senator MCCAIN or Senator COBURN—who have been working on this for much longer than I have—it should go to the American people who are figuring this out and rising in record numbers to say: We don't like earmarks. Stop it. We should give credit to them for paying attention. I hope they stay on it, and I hope we will eventually prevail.

Mr. TOOMEY. If the Senator would yield one final time.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I appreciate the Senator's kind indulgences. I am newer to this body, and maybe that explains my relative optimism. I am hopeful that we do get a vote, and I am hopeful, if we do get a vote, it will succeed. I point to the voluntary moratorium both Chambers instituted 1 year ago as a sign that this is increasingly becoming the consensus view among Members of both bodies. I don't know if I am right. I am hopeful. If we don't succeed today, that means we need to come back on another day when we can succeed because there is no doubt in my mind that the people of Pennsylvania—and I suspect across America—want us to win this battle and begin to rein in wasteful spending. There is no better place to start than to ban these earmarks.

I thank the Senator from Missouri for her leadership and her work.

I yield the floor.

Mrs. MCCASKILL. I also yield and thank the Senator for his work. This should be the easiest for us to get done. We have some hard work we have to do around here that is going to mean sacrifice and changes that are not going to be easy for anyone. This ought to be simple, so let's try to get it done.

I yield the floor.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. BROWN of Massachusetts. Madam President, as you know, people are coming down requesting amendments be brought up. Since I did not see any Democrats offering any, I yield to Senator PAUL. He has an amendment.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 1490 TO AMENDMENT NO. 1470

Mr. PAUL. Madam President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 1490.

The PRESIDING OFFICER. Is there objection?

Mr. LIEBERMAN. Madam President, I have no objection to proposing the amendment.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 1490 to amendment No. 1470.

Mr. PAUL. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require former Members of Congress to forfeit Federal retirement benefits if they work as a lobbyist or engage in lobbying activities)

At the appropriate place, insert the following:

SEC. ____. FORFEITURE OF CREDIT FOR SERVICE AS A MEMBER IF FORMER MEMBERS OF CONGRESS BECOME LOBBYISTS.

(a) DEFINITIONS.—In this section—

(1) the term ''creditable service'' means service that is creditable under chapter 83 or 84 of title 5, United States Code;

(2) the term ''lobbyist'' has the meaning given that term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602);

(3) the term ''Member of Congress'' has the meaning given that term in section 2106 of title 5, United States Code; and

(4) the term ''remuneration'' includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship.

(b) FORFEITURE OF CREDIT FOR SERVICE.—Any service as a Member of Congress shall not be creditable service if the Member of Congress, after serving as a Member of Congress—

(1) becomes a registered lobbyist;

(2) accepts any remuneration from a company or other private entity that employs registered lobbyists; or

(3) accepts any remuneration from a company or other private entity that does business with the Federal Government.

Mr. PAUL. This amendment will address some of the situations that are concerning the American people. I think the ability to serve in the Senate is a great honor. The ability to serve in the House of Representatives is a great honor. But I am somewhat sickened and somewhat saddened by people who use their office, who leave office and become lobbyists, who leave office and call themselves historians but basically leave office and peddle the friendships they have found here and the relationships to make money. I think it is hard to prevent people from being lobbyists. But I think if people choose to leave the Senate and leave the House of Representatives and become lobbyists, they should give up something. These people are making millions of dollars lobbying Congress. I think maybe they should give up their pension. Maybe they should give up the health benefits that are subsidized by the taxpayer.

If someone is going to use their position as an ex-Senator or as an ex-Congressman to enrich themselves, maybe they should have to give up some of those perks they accumulated while in office. So this amendment would say that if you go out and become a lobbyist, you have to give up your pension and you have to give up your health benefits and you need to pay for them yourself. I think this is the least we can ask.

I think we have a great deal of coverage now talking about people who are either lobbyists or not or whether they are historians. The bottom line is we have a lot of people peddling their friendship and their influence for monetary gain, and I do not think the taxpayers should be subsidizing that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Madam President, I thought I would bring our colleagues up to date on what is going on this evening, as it is getting late. We are close, I believe, to working out an agreement for a vote on an amendment that was offered by Senator PAUL earlier. It has to do with extending to executive branch officials the same kind of reporting requirement to ban insider trading that would apply to Members of Congress and their staffs. It is an amendment that enjoys the support of both managers and the principal authors of this bill.

We are trying to make sure, however, that we narrow the amendment so that it applies to top-level Federal employees and not to low-level Federal employees, who have no policy responsibilities. So we were looking at limiting it to Senate-confirmed positions. The problem with that is it brings in all of the military appointments that are Senate confirmed, so we want to make sure we exclude those individuals who are clearly not the target of the amendment.

We continue to work—the managers, the sponsors of the bill, and the sponsor of the amendment, Senator PAUL—in order to refine his amendment. It is still our hope that we can reach that compromise and have a rollcall vote tonight. We will keep our colleagues informed about whether it will be possible to complete the drafting that would be needed to modify his amendment.

AMENDMENT NO. 1490

In the meantime, I want to talk very briefly about an amendment Senator PAUL filed, his amendment No. 1490. This is an amendment that would require former Members of Congress to forfeit their Federal retirement benefits if they work as a lobbyist or even engage in any lobbying activity—regardless, I might say, of whether they served 40 years in this body.

I also note that the language in this amendment is extraordinarily broad. For example, the definition of remuneration includes salaries, any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship. Think about that. As I read the language, a former Member of Congress who writes a book would be in danger of forfeiting his or her pension. In other words, this is going to apply to authors. It mentions honoraria, so if a former Member of Congress gives a speech and receives $1,000 for giving that speech, that former Member is going to forfeit his or her pension—earned pension?

I don't even know that this would pass constitutional muster. But there is certainly a fairness issue, it seems to me. I don't know if the intent of the Senator from Kentucky was to draft this as broadly as he did to include and define as remuneration paid authorship. In other words, if you wrote a book—and it would not even have to be a book; what if you wrote a newspaper article or an op-ed for the Washington Post and received $250 for that? Do you forfeit the Federal pension? What if you worked in the private sector for a number of years, worked in State government for a number of years, and then worked for a few years serving the people of this country in Congress? Would you then forfeit your pension if you provided some lobbying activities? If you wrote a book? If you gave a speech for money? This is extraordinarily broad.

I see the Senate majority leader is on the floor, so I will stop discussing this amendment. I did want our colleagues to actually read the text of this amendment before we ever vote on it.

It defines remuneration not just as salary or payment for services not otherwise identified as salary, but consulting fees, honoraria, and paid authorship. In other words, if after being in Congress you wrote a book or you wrote an op-ed for which you were paid, you forfeit your Federal pension because you did some lobbying activities? This strikes me as a very sweeping amendment that does not belong on this bill.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I am happy to hear what that amendment does, and I thank the Senator.

COMMENDING ALAN S. FRUMIN ON HIS SERVICE TO THE UNITED STATES SENATE

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to S. Res. 359.

The PRESIDING OFFICER. The clerk will report the resolution by title.

Mr. REID. I ask the clerk to read the entire resolution.

The PRESIDING OFFICER. The clerk will read the resolution.

The assistant legislative clerk read as follows:

Whereas Alan S. Frumin, a native of New Rochelle, New York, and graduate of Colgate University and Georgetown University Law Center, began his long career with the Congress in the House of Representatives precedents writing office in April of 1974;

Whereas Alan S. Frumin began work with the Secretary of the Senate's Office of the Senate Parliamentarian on January 1, 1977, serving under eight Majority Leaders;

Whereas Alan S. Frumin served the Senate as its Parliamentarian from 1987 to 1995 and from 2001 to 2012 and has been Parliamentarian Emeritus since 1997;

Whereas Alan S. Frumin revised the Senate's book on procedure, ''Riddick's Senate Procedure,'' and is the only sitting Parliamentarian to have published a compilation of the body's work;

Whereas Alan S. Frumin has shown tremendous dedication to the Senate during his 35 years of service;

Whereas Alan S. Frumin has earned the respect and affection of the Senators, their staffs, and all of his colleagues for his extensive knowledge of all matters relating to the Senate, his fairness and thoughtfulness;

Whereas Alan S. Frumin now retires from the Senate after 35 years to spend more time with his wife, Jill, and his daughter, Allie; Now, therefore, be it

Resolved, That the Senate expresses its appreciation to Alan S. Frumin and commends him for his lengthy, faithful and outstanding service to the Senate.

Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to Alan S. Frumin.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 359) was agreed to.

The preamble was agreed to.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I want to join in saluting Alan for his many years of work. He is someone all of us know to be an honest broker, who calls them as he sees them, who withstands at times tremendous pressures, and who has extraordinary knowledge that all of us have come to rely upon.

On behalf of the Republican side of the aisle, I am sure I am speaking for our Members as well in saluting Alan and wishing him well, and thanking him for his many years of dedicated public service.

We wish you well.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I would be remiss if I didn't say a word of thanks to Alan Frumin for his service to the Senate.

When I first came to the Senate in 1989 and had the privilege to occupy the chair, I had two great mentors. One was the great Senator from West Virginia, Robert C. Byrd, and the other was Alan Frumin. Both were steadfastly reliable.

I was just one of many who sat in the chair. We are often asked questions whose answers do not immediately spring to mind, and there was a voice that I heard—in this case, it was not from above but from slightly below—that clarified exactly what the rules of the Senate required.

Alan has been a true and faithful public servant, has held himself to the highest standards, and helped this inherently unruly body to be ruly. For that, I thank him and wish him well in his next chapter of life.

Mr. COCHRAN. Mr. President, I am pleased to join the leader and other Senators on both sides of the aisle as we congratulate Alan Frumin on his impressive service as our Parliamentarian which was characterized by the dutiful and trustworthy performance of his duties.

We wish for him much continued success in the years ahead.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT OF 2012—Continued

Mr. DURBIN. Pending before the Senate is the STOCK Act, and the purpose is one that I support. It is a bill I cosponsored.

The notion behind it is that Members of Congress should not use their public service or information gained in their public service for private benefit. It basically outlaws the type of insider trading and conflict of interest that should be a standard and will be a standard after this is enacted into law.

Amendments have been proposed to this measure, and there is one in particular I heard about earlier and asked for a copy of. This is an amendment proposed by the Senator from Kentucky, Mr. PAUL. It is an amendment which talks about Members of Congress forfeiting their Federal retirement benefits and the conditions under which they would forfeit their Federal retirement benefits. Understand that these are Members of Congress who have completed enough service in the Congress to qualify for a pension. It is my understanding that is about 6 years. So at a minimum of 6 years of service, Members of Congress receive some pension benefit. Certainly those benefits increase the longer they serve.

This bill would disqualify them from pensions they have been credited and earned as Members of Congress under three conditions:

First, should they decide after they have served in Congress to serve as a registered lobbyist. That in and of itself is breathtaking. To think that if a person should decide after service in Congress to become a registered lobbyist—with or without compensation I might add, for perhaps a nonprofit organization—they would forfeit their Federal pension. That in and of itself is unacceptable and inexplicable, but then it gets worse.

This amendment goes on to say that a Member of Congress, retired, forfeits his Federal pension if he accepts any kind of remuneration, which could be a salary, a consulting fee, even an honorarium for giving a speech, from any company or other private entity that employs a registered lobbyist.

Think about that for a second. If a retired Member of Congress in Illinois should give a speech to a gathering of the management of Caterpillar Tractor Company in Peoria about their experience in Congress and their views on issues in Washington, give a speech and receive any compensation for giving that speech, they would forfeit their Federal pension because Caterpillar has a paid lobbyist in Washington.

Then it gets worse. The third provision says that a retired Member of Congress would forfeit their pension if they accept that remuneration from any company or private entity that does business with the Federal Government. Is using the mail service doing business with the Federal Government? Would most businesses in America, therefore, be doing business with the Federal Government because they use the mail service? If so, if I take compensation from that company, I forfeited my Federal pension?

What is the purpose of this, other than just to basically harass Members of Congress in their retirement?

There are certainly situations where a person could forfeit their pension based on misconduct, for example, or convictions for crime. That is understandable. But this has gone way too far. I hope Members of the Senate will read this amendment—it is very brief, two pages long—and in reading it realize this is something that should not be offered and if offered should be defeated. It does nothing to make this a better place to serve. It raises serious questions about the rights of individuals who have served the Nation in Congress and what they are going to do after they leave the service of the United States.

I urge my colleagues to defeat the amendment offered by the Senator from Kentucky and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, I rise today to speak about the STOCK Act. I wish to start by thanking the leaders on the floor, Senator LIEBERMAN and Senator COLLINS, for their hard work and leadership in bringing this bill to the floor. There should not be any question that Members of Congress should be held accountable to the same laws to which every other American is held.

That is why in November Senator GILLIBRAND, Senator TESTER, and I introduced the STOCK Act to prohibit Members of Congress from engaging in insider trading. This bill is common sense. The American people deserve to know that their representatives in Congress are doing what is right for the country and not trying to strike it rich by trading on insider information.

My constituents are certainly wondering why this isn't law already, and that is a good question. It certainly is a question I asked myself last year when there were news reports raising this issue, and I was very pleased to join immediately with my colleagues to put forward this legislation to make it absolutely clear that insider trading by Members of Congress is in violation of the law.

I wish to thank, as I indicated before, the Senator from Connecticut and the Senator from Maine for moving this

bill through their committee and bringing it to the Senate floor. I appreciate very much the vote of 93 Senators who voted last night to move the bill forward. I think it is a very important example of bipartisan support. I hope we will be able to move this forward to a simple up-or-down vote this week and that we will not see extraneous issues or obstruction or delay involving this bill. This is very simple and very straightforward. I am hopeful we will be able to move it forward and accomplish this goal.

We need to make sure it is very clear that the same laws to which everyone else adheres are held to be true for Members of Congress. It is also important to note that our bill creates new reporting requirements for Members of Congress and their staffs, with the reports available online, with a searchable database. That is very important for transparency. It asks the Government Accounting Office to investigate the so-called ''political intelligence consultants'' who contact Members and staff to get information on how legislation could affect their business clients or stock prices.

This bill is very simple and very clearcut. We are all engaged in conversations on a daily basis that make information available to us, and we need to make it very clear as to our responsibilities for handling that information and operating in the public interest.

So I am hopeful we will be able to keep this bill focused on the intended goal so we can actually get it passed, get it over to the House, and have the House do the same. It is important that while there may be a number of different issues we all care about that we would like to offer through amendments, we will be able to keep this focused on the issue in front of us and that we will be able to get this done as quickly as possible.

Our constituents are certainly looking to us to be able to do this. It would be an excellent way to start the new year by working together on a bipartisan basis to close a loophole that has created confusion about the responsibilities, the ethics, and the legal responsibilities for Senators as it relates to insider information and potential insider trading.

So I am hopeful we can get this done. I appreciate the work of everyone who has been involved in helping to get us to this point. Hopefully, by the end of the week we will have something passed that we can all feel very good about.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, how many amendments are pending?

The PRESIDING OFFICER. There are 15 amendments pending.

Mr. REID. We started this morning at about 11 o'clock. We had to invoke cloture on the motion to proceed to this bill, which was supposedly a bill everyone wanted. It is too bad we had to invoke cloture on the motion to proceed, but we did. We have been working all day to set up rollcall votes—all day. We thought we had one a few minutes ago, but a couple Senators came over and said: There will not be a vote on that unless I am guaranteed votes on mine—even though their votes are totally not relevant or germane to the subject matter.

I appreciate Senator LIEBERMAN and Senator SUSAN COLLINS. They are fine legislators. They understand what this body is all about and how important this legislation is and how important they are as managers of this bill. So they are negotiating on several of the amendments.

But at some point, Mr. President, this becomes ridiculous. To have Senators come over here and say they are not going to allow a vote on an amendment unless they are guaranteed votes on nongermane, nonrelevant amendments? Then people criticize me for not having an open amendment process? It becomes a circus. This is not the Senate that we have had or should have. At some point, we need cooperation from Members on both sides of the aisle to set up votes and dispose of these amendments and move on to passage of the bill.

I do not want to have to file cloture on this bill. I just want to alert everyone, if we continue the way we are going, where people are saying: You cannot have a vote on any amendment unless I am guaranteed a vote on my nongermane, nonrelevant amendment—what am I supposed to do to protect this body?

So I would hope the night will bring some common sense to some Senators. It is really—I will not say embarrassing, but it is a little bit, to these two fine Senators who have worked together for years on a bipartisan basis on some of the most sensitive issues this country has, protecting the homeland. We could not have two better people working on a bill to create some bipartisanship. But this is unfortunate and unfair and not right, and I, as the leader, am not going to let this continue forever.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the leader for his statement and thank him for his patience. I know people are critical of the way Senator REID has been forced to operate to try to get anything done, but if you go through a day like we have gone through, you understand why he has had no choice.

Mr. PAUL, the Senator from Kentucky, offered an amendment. We had a very thoughtful negotiation with him about modifying the amendment. We came to a meeting of the minds and were ready to go, and then another Member said: I will not consent to you voting on Senator PAUL's modified amendment unless you promise me a vote.

As Senator REID well knows, in the early years I was here this kind of behavior sometimes happened at just before the final vote on a bill or perhaps before a recess was about to be declared. But to conduct oneself in this way at the very beginning of a debate on a bill about which there is bipartisan support—yesterday, it was clear on the cloture motion, only two Senators voted against it. It is a real good government bill, and to hold it up in this way is frustrating.

I quote the majority leader, who is a straighter talker: It is ridiculous.

So at the end of a long day, we have nothing to show for our labor. I apologize to the Members of the Senate. But it requires some reasonableness from our colleagues to proceed.

VOTE EXPLANATIONS

Mr. MENENDEZ. Mr. President, I was unavoidably detained for the rollcall vote on the motion to invoke cloture on the motion to proceed to S. 2038, the Stop Trading on Congressional Knowledge, STOCK, Act. Had I been present, I would have voted ''yea'' on the motion to invoke cloture. I cosponsored the STOCK Act on December 14, 2011.

Mr. ISAKSON. Mr. President, I was unavoidably detained during rollcall vote No. 3 on the motion to invoke cloture on the motion to proceed to S. 2038.

Had I been present I would have voted ''yea'' for rollcall vote No. 3 and I ask that the RECORD reflect that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

RECOGNIZING KNOX COLLEGE ON 175 YEARS

Mr. DURBIN. Mr. President, I rise today to congratulate Knox College in Galesburg, IL, on the 175th anniversary of its founding.

On February 15, 1837, the Illinois Legislature granted a charter to Knox Manual Labor College. Its founder, the Reverend George Washington Gale, a social reformer from New York, came to the Illinois prairie to found a college emphasizing manual labor that would be open to students regardless of their financial means, gender, or race.

This egalitarianism and the strong anti-slavery beliefs of Reverend Gale and his followers gave Knox and Galesburg a unique place in the history of the abolitionist movement in America. Knox is a nationally recognized part of the Underground Railroad network. Its Old Main was the site of the fifth debate between U.S. Senate candidates Abraham Lincoln and Stephen Douglas. It was during the debate at Knox that Lincoln would argue for the first time against slavery on moral grounds.

It seems fitting that President Lincoln, the Great Emancipator, and President Obama, our nation's first African American president, both hold honorary degrees from this institution. Knox was also the alma mater of Barnabas Root, who in 1870 became one of the first African Americans to earn a college degree in Illinois. In that same year, Hiram Revels, who also attended Knox, became the first African American to serve in the United States Senate.

Today, the Knox campus is a vibrant community of world class scholar-teachers, staff, and more than 1,400 students hailing from 48 States and 51 countries. Manual labor may have been dropped from its name and curriculum—much to the relief of its current students to be sure—but Knox's founding commitment to providing a quality education to all persists. Of Knox's students today, more than a quarter are first generation college students, a quarter are U.S. students of color, and nearly one third are low-income students. Approximately two thirds of students receive some form of financial aid, and Knox has been rated by Princeton Review as a ''Best Bang for Your Buck.''

I congratulate President Teresa Amott and the entire Knox community on this milestone in the proud and storied history of Knox College. Knox is truly one of our nation's great liberal arts institutions—its contributions far surpass its relatively small size. So, as we look back in celebration of Knox's preceding 175 years, we also look to the future in anticipation of the continued contributions this small college on the Illinois prairie will make to our State and our country for years to come.

RECOGNIZING THE BATTLE OF MILL SPRINGS

Mr. McCONNELL. Mr. President, I rise to submit to my colleagues a resolution that is very important to the history of the Commonwealth of Kentucky and the history of our Nation. This resolution, S. Res. 357, sponsored by myself and my friend Senator PAUL, commemorates the 150th anniversary of the Battle of Mill Springs and recognizes the significance of the great clash of the Civil War that took place there.

On January 19, 1862, the Battle of Mill Springs spilled across Pulaski and Wayne Counties in southeastern Kentucky. It was the second-largest battle to take place in the State, and involved over 10,000 soldiers. More importantly, it was the first significant Union victory to happen in what was then considered the western theater of the Civil War. The Union's victory meant that the main Confederate defense line that had been anchored in eastern Kentucky was broken, freeing Union soldiers to move through Kentucky and into Tennessee.

One hundred fifty years later, this battle is still a vital story in our Nation's history. That is why our resolution also salutes the Mill Springs Battlefield Association, which has worked hard to preserve the historic site and educate the public about what went on there. The Mill Springs Battlefield Association has a visitors' center, provides tours, displays Civil War artifacts and maintains a Civil War library. More than 50,000 visitors have traveled to see the preserved battlefield.

So Mr. President, I am proud to submit this resolution to the United States Senate, and proud of the history we have preserved for posterity in Kentucky.

TRIBUTE TO GARY D. REESE

Mr. INOUYE. Mr. President, every so often, it is my honor as the chairman of the Committee on Appropriations to recognize the outstanding contributions of members of the Senate family. As anyone who has spent a few years in Washington will know, public service may not be the career of choice for those who hope to be appreciated in their own time.

Benjamin Franklin recognized this back in 1772, when he wrote:

> We must not in the course of public life expect immediate approbation and immediate grateful acknowledgement of our services. But let us persevere through abuse and even injury. The internal satisfaction of a good conscience is always present, and time will do us justice in the minds of the people . . .

Mr. President, through his 20 years of service in the U.S. Senate, Gary Reese is an exception to Mr. Franklin's rule. His charm, his expertise, and his professionalism have earned Gary the respect and appreciation of Senators, leaders in the executive branch, and his colleagues.

Gary's service in the Senate began in 1987, when he joined the staff of Senator Bennett Johnston as a legislative assistant for military issues. In 6 years of service, Gary demonstrated a great ability to get results for the State of Louisiana and distinguished himself by developing a thorough understanding of the shipbuilding industry. Gary then moved to the Senate Select Committee on Intelligence in 1993, where he developed expertise in some of the most technical and important aspects of our national security.

The Committee on Appropriations was extremely fortunate to lure Gary away from that prestigious committee in January 1997. As a professional staff member on the Subcommittee on Defense, Gary excelled in oversight of acquisition programs in each of the military services, as well as classified matters. Gary departed the Senate in 2002, at which time his accomplishments were recognized by the Department of the Navy with the Meritorious Public Service Award and by the National Reconnaissance Office with the Gold Medal for Distinguished Service.

After 5 years with General Electric, Gary once again answered the call to public service. He rejoined the Committee on Appropriations in 2007, where he has applied his skills to the most challenging intelligence issues that our country has faced in Iraq, Afghanistan, the Horn of Africa, and the Asia-Pacific. His vision and ingenuity have made substantial contributions to our policies and operations in those regions, for which I hope the full story may someday be told.

Listing Gary Reese's accomplishments during his two decades of service to the U.S. Senate tells only a small part of his story. In an era of partisanship and divisiveness, Gary served both Democrats and Republicans with skill and dedication. I feel just as fortunate to have had Gary's assistance as my friend and former colleague, Ted Stevens, surely did.

In a capital city filled with bluster and ego, Gary's charm, humor, and integrity built trusted relationships in many corners of the Congress, the executive branch, and industry.

In a job where long hours and late nights can overwhelm even the most industrious public servant, Gary has never forgotten his dedication and commitment to his wife Ann, their son Bob, and their daughter Trish.

Mr. President, on behalf of myself and all the staff of the Committee on Appropriations, I wish to offer Gary and his family my appreciation for his 20 years of service to the Senate, and I wish him all the best on his future endeavors.

ANNUAL REPORT OF THE SELECT COMMITTEE ON ETHICS 112TH CONGRESS

Mrs. BOXER. Mr. President, the Honest Leadership and Open Government Act of 2007, the ''Act'', calls for the Select Committee on Ethics of the U.S. Senate to issue an annual report not later than January 31 of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing the committee's activities in 2011 in the categories set forth in the act:

(1) The number of alleged violations of Senate rules received from any source, including the number raised by a Senator or

staff of the Committee: 77. (In addition, 3 alleged violations from the previous year were carried into 2011.)

(2) The number of alleged violations that were dismissed—

(A) For lack of subject matter jurisdiction or in which, even if the allegations in the complaint are true, no violation of Senate rules would exist: 58.

(B) Because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion: 14.

(3) The number of alleged violations for which the Committee staff conducted a preliminary inquiry: 08. (This figure includes 3 matters from the previous year carried into 2011.)

(4) The number of alleged violations for which the Committee staff conducted a preliminary inquiry that resulted in an adjudicatory review: 0.

(5) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee dismissed the matter for lack of substantial merit: 05. (This figure includes 2 matters from the previous year carried into 2011.)

(6) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee issued private or public letters of admonition: 0.

(7) The number of matters resulting in a disciplinary sanction: 0.

(8) Any other information deemed by the Committee to be appropriate to describe its activities in the previous year:

In 2011, the Committee continued its preliminary inquiry into the conduct of Senator John Ensign. An outside Special Counsel was appointed to assist the Ethics Committee staff with its fact finding regarding whether Senator John Ensign violated Senate rules and federal law. As noted in the Report of the Preliminary Inquiry into the Matter of Senator John E. Ensign released by the Committee, the Special Counsel determined that there was substantial credible evidence that Senator Ensign engaged in violations of law and Senate rules. The Special Counsel concluded that the evidence that would have been presented in an adjudicatory hearing would have been substantial and sufficient to warrant the consideration of the sanction of expulsion had Senator Ensign not resigned. The Committee lost jurisdiction over Senator Ensign because he resigned his United States Senate seat. The Committee referred the matter to the U.S. Department of Justice and Federal Election Commission for further review.

In 2011, the Committee staff conducted 6 new Member ethics training sessions; 14 employee code of conduct training sessions; 15 Member and committee office campaign briefings; 42 ethics seminars for Member DC offices, state offices and Senate committees; 3 private sector ethics briefings; and 8 international ethics briefings.

In 2011, the Committee staff handled approximately 10,918 telephone inquiries and 1,745 inquiries by email for ethics advice and guidance.

In 2011, the Committee wrote approximately 800 ethics advisory letters and responses including, but not limited to, 594 travel and gifts matters (Senate Rule 35) and 104 conflict of interest matters (Senate Rule 37).

In 2011, the Committee issued 4,130 letters concerning financial disclosure filings by Senators, Senate staff and Senate candidates and reviewed 1,869 reports.

WELCOMING ELIZABETH MACDONOUGH

Ms. SNOWE. Mr. President, I rise today to pay tribute to the retiring Parliamentarian of the Senate, Alan Frumin, who has for the past two decades faithfully and honorably served this institution and who will, beginning tomorrow, embark upon a new chapter in his professional life. For 20 years, Alan has advised the Senate and the hundreds who have had the privilege of serving here with a deft understanding of its rules, some of which can be quite arcane, and an abiding passion for this august body that will reverberate for generations to come. As Alan departs this Chamber, I extend my personal gratitude to him, wish him the very best, and hope he knows that this country is deeply indebted to him for his longstanding service.

At the same time, I want to recognize and applaud a milestone moment in the life of this venerable institution as we welcome Alan's successor, Elizabeth MacDonough, the first woman in the history of the Senate to assume the indispensable responsibilities of the Parliamentarian. Elizabeth, who has served as Senior Assistant Parliamentarian since 2002, has proved herself to be not only well-versed in the labyrinthine procedures of this body but fully prepared for the demanding and often unheralded work of ensuring that my colleagues and I remain within the bounds of proper parliamentary procedure, allowing us to focus less on the operation of the Senate and more on fulfilling the Senate's constitutional role.

Since 1931, the Parliamentarian has diligently sat below the President's rostrum, independently advising the Presiding Officer on the often obscure rules and precedents that guide the process and work of the Senate. Tomorrow Elizabeth becomes the first woman in 80 years to answer what can only be deemed a calling, and a noble one at that. There are very few who have amassed the considerable experience, knowledge, and disposition required to serve with distinction in this capacity. Elizabeth is well-equipped to take on this formidable task, and I wish her the very best.

RECOGNIZING UVM PEACE CORPS ALUMNI

Mr. LEAHY. Mr. President, I would like to take a moment to commend the University of Vermont for its close relationship with the Peace Corps. This year, UVM ranked fifth in the Nation among midsized colleges and universities that are the top producers of Peace Corps volunteers. I am proud of the 42 UVM alumni currently serving in the Peace Corps around the world.

UVM has highlighted Eric Smith as one of its current alumni volunteers. Eric, who is stationed in Costa Rica, is applying his business degree by teaching microfinance and helping young women develop small businesses. He says that such efforts ''would not have been possible without my education at UVM.''

Like Eric, all of the UVM volunteers have devoted 2 years to promoting cultural understanding and improving the lives of people in countries such as Cambodia, El Salvador, Tanzania, and Uganda. Some are employing innovative teaching methods to inspire young people. Some work on small farms, increasing food production in rural villages. Others help provide safe drinking water or combat the HIV/AIDS pandemic. Yet all of the UVM volunteers display an admirable commitment to civic engagement with the dream of building a better world.

This dream is emblematic of the Vermont spirit. For the second year in a row, in 2011 our State produced the most Peace Corps volunteers per capita in the Nation. The Upper Valley region of Vermont ranks eighth in the Nation among metropolitan areas whose citizens are serving in the Peace Corps. In 2010, the Burlington area ranked second in the same category.

As the Peace Corps continues its 50th year of building understanding between Americans and the citizens of other countries, I want to applaud the contributions of Vermonters and the University of Vermont. These volunteers deserve our appreciation and support.

I ask unanimous consent that a January 25, 2012, Burlington Free Press article entitled ''UVM ranks 5th in producing Peace Corps vols.'' be printed in the RECORD.

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

[From the Burlington Free Press, Jan. 25, 2012]

UVM RANKS 5TH IN PRODUCING PEACE CORPS VOLUMES.

(By the Associated Press)

BURLINGTON.—The Peace Corps says the University of Vermont ranks fifth in the country in the number of former students who are serving as volunteers overseas.

The rankings of medium sized universities released Tuesday show that 42 UVM alumni are serving overseas. The figure is up eight over last year and it moved the school from 13th to fifth.

The Vermont alumni work across the globe in programs that include agriculture, education, environment, health and business and youth development.

The top producing medium sized college or university is The George Washington University.

The overall top producing school is the University of Colorado at Boulder.

ADDITIONAL STATEMENTS

HONORING JOSE BUNDA

• Mr. BOOZMAN. Mr. President, our veterans protected our country. They have also helped to spread the ideals for which it stands and have made great sacrifices for our Nation throughout its history. We thank these patriots for the selflessness and courage they have exhibited under the most daunting circumstances.

The heroic tales of survival and commitment to service depicted in the history books are a reality for the men and women who served in our Nation's

uniform while fighting to protect our interests and spread democracy worldwide.

While many of these patriots gave their lives on the battlefield, survivors such as Jose Bunda lived to tell some of the horrific events he endured. His firsthand accounts show the realities of WWII. They are gut-wrenching but show the human will to survive.

Today I wish to recognize the service and sacrifice of one of our veterans from the 'Greatest Generation' who stood in the face of danger: Jose Bunda. He is a true American hero who lived through the worst days of war and told his heroic story of survival.

Mr. Bunda grew up in the Philippines and joined the U.S. Army after graduating from high school when he was 18. When the Japanese attacked Pearl Harbor, Mr. Bunda was stationed on Corregidor Island.

In 1942, Mr. Bunda was defending the island against the Japanese and although his squad was able to hold its ground, he and his comrades were forced to surrender.

The realities of war Mr. Bunda experienced is something he always remembered. Almost 60 years after he was taken prisoner he recalled it as one of the worst times of his life in a story published in the Times Record.

Mr. Bunda detailed how he was piled into a boxcar for a ride that lasted 18 hours. Once the train stopped at Camp Duo he was forced on the infamous Bataan Death March where he walked day and night with no food.

''Once you fall down, they shoot you or chop off your head,'' Mr. Bunda said in a 1999 interview saying it was a miracle that he survived.

He was a prisoner of war for 2 years, working in a Japanese labor camp but escaped and joined a guerrilla unit until the end of the war.

Mr. Bunda's will to survive triumphed over the atrocities he was put through in WWII. Despite all the hardships, violence and massacres he witnessed, he remained committed to the military and continued his service in the Korean War.

Mr. Bunda and his wife Rosario came to the United States in 1957 when he was stationed at Fort Chaffee. Although his career required him to move to other military bases, the couple moved back to Arkansas in 1962 once he retired from the military after 30 years of service.

In 2000, Mr. Bunda received many of the medals, awards and recognitions he deserved for his heroics and service. Of his 16 medals, he said he was proudest of his Silver Star and the Prisoner of War medals.

A veteran, a POW and a member of Disabled American Veterans, Mr. Bunda lived his life as a loving husband, devoted father and an inspirational grandfather. Today we honor the life and legacy Mr. Bunda leaves behind. His heroic tales of survival and commitment to service have ensured he will be remembered with the highest regard as a great American hero. His sacrifices made to secure victory and peace for all freedom loving people of the world will never be forgotten.●

RECOGNIZING THE UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAMME

● Mr. CRAPO. Mr. President, I rise today to honor the Uni-Capitol Washington Internship Programme, UCWIP. Our Nation has benefited from the service of outstanding Australian college students who participate in internships throughout the U.S. Congress through this program.

The program is providing students with the opportunity to obtain considerable experience through their congressional internships, while also making available other educational experiences throughout their time in the United States. Uni-Capitol Washington Programme interns have helped me serve Idaho constituents, and I am grateful for their efforts and dedication.

Chris Colalillo, a UCWIP participant, has joined my staff as an intern this semester. Chris is studying bachelor's of law and arts at the University of Western Australia, where he is double majoring in political science and international relations and ancient history. When he graduates, Chris plans to work in a law firm and eventually go into Federal or State politics. Chris has been great to work with, and he was very quick to learn his role and responsibilities in the office. He is very intelligent, eager, and always puts forward his best work. He has shared with us some of the political and cultural differences between the United States and Australia, and it has been a great learning experience for both Chris and the staff.

Chris shared his impressions regarding the program and his internship. He said:

> The UCWIP has been a unique opportunity to further my knowledge in the legislative process of the United States, enabling me to develop an appreciation for democratic systems of government as well as providing me with practical experience that will facilitate my theoretical studies in Political Science and International Relations. The welcoming nature of the staff within Senator CRAPO's office has made this internship an enjoyable experience thus far.

Eric Federing, UCWIP's director and founder, has successfully focused his Capitol Hill and Australia experiences to provide this valuable educational exchange opportunity that benefits Australian students and congressional offices. His dedication to advancing this learning experience is remarkable.

I have been honored to have worked with the Uni-Capitol Washington Internship Programme for 5 years. The program is shaping young leaders who are helping to deepen understanding between our two nations while providing outstanding constituent support. I commend Chris Colalillo, Eric Federing, and the other Uni-Capitol Washington Internship Programme participants and interns for their achievements and wish them continued success.●

RECOGNIZING BIG BROTHERS BIG SISTERS OF NEW YORK

● Mr. SCHUMER. Mr. President, I rise today in honor of National Mentoring Month. This month we recognize the millions of Americans who have joined together to better the lives of others, especially our youth, through the gift of mentorship. The generosity and willingness of individuals to work together for the common good has been a hallmark of the American character since our Nation's founding.

Every day volunteer organizations across the country make substantial contributions to our Nation by fostering a place and sense of mentorship. One such extraordinary organization is the Big Brothers Big Sisters of New York City. Founded in 1906, Big Brothers Big Sisters of New York City is the oldest and largest youth mentoring organization in the United States, serving more than 3,000 young people annually. The mission of Big Brothers Big Sisters of New York City is to provide mentors to all children who need caring adult role models. These mentors change the lives of New York City's youth by expanding their horizons and helping them to realize their potential.

Big Brothers Big Sisters of New York City is unique in that it offers a variety of individualized mentoring programs that match dedicated mentors, or Bigs, to special populations of youth, or Littles. These include a New American Mentoring Program for immigrant youth, a Young Mothers Mentoring Program for pregnant teens or teenage mothers, an Incredible Kids Mentoring Program for children with a learning or physical disability or chronic disease, a Building Futures Mentoring Program for youth who are in the foster care system, and a Children of Promise Mentoring Program for children who have an incarcerated parent, sibling, or family member. Two additional special mentoring programs offered at Big Brothers Big Sisters of New York City that have a national significance are their 9/11 Together We Stand and FDNY Partnership Programs. These are unique mentoring programs for children who lost a parent or close relative in the World Trade Center attacks and those who lost a parent in the FDNY in the line of duty, including but not limited to September 11. So as you can see, Big Brothers Big Sisters of New York City is doing their part to ensure that all children have positive role models in their life no matter what their circumstances may be.

National Mentoring Month highlights the need and significance of mentors and mentoring for individuals of all ages. From organizations to individuals, mentoring enriches children's education and overall success in life.

The small investment a mentor makes in the life of a child exponentially increases the success of a child's future and the success of the community. National Mentoring Month is particularly significant for Big Brothers Big Sisters of New York City because it offers a special opportunity for the organization to raise awareness of the power of mentoring and recruit volunteer mentors, which are critical to its mission of providing children with caring adult role models. By upholding the principles of volunteerism and academics, we continue creating positive opportunities for the next generation.

Mr. President, I urge my colleagues to join me in recognizing the month of January as National Mentoring Month so we may continue to honor the important work that organizations such as Big Brothers Big Sisters of New York City play in making our Nation a better and more prosperous place.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2041. A bill to approve the Keystone XL pipeline project and provide for environmental protection and government oversight.

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–4786. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Suspending Random Row Diversion Regulations Under the Marketing Order for Tart Cherries'' (Docket No. AMS–FV–11–0047; FV11–930–1 FR) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4787. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2011–2012 Marketing Year'' (Docket No. AMS–FV–10–0094; FV11–985–1A IR) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4788. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Increased Assessment Rate'' (Docket No. AMS–FV–11–0057; FV11–906–1 FR) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4789. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''United States Standards for Grades of Frozen Okra'' (Docket No. AMS–FV–07–0100; FV11–327) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4790. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate'' (Docket No. AMS–FV–11–0077; FV11–983–2 IR) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4791. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Direct Single Family Housing Loans and Grants'' (RIN0575-AC81) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4792. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)'' (FRL No. 9329–9) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4793. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2011–0002)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–4794. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–4795. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–4796. A communication from the Chief of the Recovery and Delisting Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Revising the Listing of the Gray Wolf (Canis lupus) in the Western Great Lakes'' (RIN1018-AX57) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Environment and Public Works.

EC–4797. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Disapproval and Promulgation of Implementation Plans; Texas; Infrastructure and Interstate Transport Requirements for the 1997 Ozone and the 1997 and 2006 PM2.5 NAAQS'' (FRL No. 9613–7) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4798. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oklahoma; Interstate Transport of Pollution'' (FRL No. 9613–2) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4799. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions'' (FRL No. 9613–3) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4800. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; State of Florida; Control of Hospital/Medical/Infectious Waste Incinerator (HMIWI) Emissions from Existing Facilities'' (FRL No. 9611–8) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4801. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units'' (FRL No. 9611–4) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2012; to the Committee on Environment and Public Works.

EC–4802. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Damages on Account of Personal Physical Injuries or Physical Sickness'' (TD 9573) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Finance.

EC–4803. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Restitution Payments under the Trafficking Victims Protection Act of 2000'' (Notice 2012–12) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Finance.

EC–4804. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's Performance and Accountability Report for fiscal year 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–4805. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Annual Catch Limits and Accountability Measures'' (RIN0648–BA23) received in the Office of the President of the Senate on January 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4806. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component of the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XA886) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4807. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea and Aleutian Islands Atka Mackerel Total Allowable Catch Amount'' (RIN0648–XA901) received during adjournment of the Senate in the Office of the President of the Senate on January 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4808. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XA884) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4809. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea and Aleutian Islands Pacific Cod Total Allowable Catch Amount'' (RIN0648–XA903) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4810. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XA887) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4811. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2012 Bering Sea Pollock Total Allowable Catch Amount'' (RIN0648–XA906) received during adjournment of the Senate in the Office of the President of the Senate on January 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4812. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Adjustments to the Atlantic Bluefin Tuna General and Harpoon Category Regulations'' (RIN0648–A85) received during adjournment of the Senate in the Office of the President of the Senate on December 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–4813. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2012 Specifications and Management Measures and Secretarial Amendment 1'' (RIN0648–BB27) received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4814. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Reef Fish, Spiny Lobster, Queen Conch and Coral and Reef Associated Plants and Invertebrates Fishery Management Plans of Puerto Rico and the U.S. Virgin Islands'' (RIN0648–BA62) received during adjournment of the Senate in the Office of the President of the Senate on January 20, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4815. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Pelagic Fisheries; Closure of the Hawaii Shallow-Set Pelagic Longline Fishery Due To Reaching the Annual Limit on Sea Turtle Interactions'' (RIN0648–XA370) received during adjournment of the Senate in the Office of the President of the Senate on December 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–4816. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, a rule entitled ''Grants and Cooperative Agreements to State and Local Governments: DOT Amendments on Regulations on Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals and Other Non-Profit Organizations'' (RIN2105–AD60) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4817. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Mercury, NV'' ((RIN2120–AA66) (Docket No. FAA–2011–0894)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4818. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Stuart, IA'' ((RIN2120–AA66) (Docket No. FAA–2011–0831)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4819. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Carroll, IA'' ((RIN2120–AA66) (Docket No. FAA–2011–0845)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4820. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Sturgis, SD'' ((RIN2120–AA66) (Docket No. FAA–2011–0430)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4821. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Spearfish, SD'' ((RIN2120–AA66) (Docket No. FAA–2011–0431)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4822. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Bryan, OH'' ((RIN2120–AA66) (Docket No. FAA–2011–0606)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4823. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Anaktuvuk Pass, AK'' ((RIN2120–AA66) (Docket No. FAA–2011–0867)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

EC–4824. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Huntington, WV'' ((RIN2120–AA66) (Docket No. FAA–2011–1057)) received in the Office of the President of the Senate on January 26, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs:

Report to accompany S. 1789, a bill to improve, sustain, and transform the United States Postal Service (Rept. No. 112–143).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself, Mr. BROWN of Massachusetts, Mr. AKAKA, Mr. COBURN, Mr. LEVIN, and Mr. KYL):

S. 2044. A bill to require the Under Secretary for Science and Technology in the Department of Homeland Security to contract with an independent laboratory to study the health effects of backscatter x-ray machines used at airline checkpoints operated by the Transportation Security Administration and provide improved notice to airline passengers; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR:

S. 2045. A bill to amend title 38, United States Code, to require judges of the United States Court of Appeals for Veterans Claims to reside within fifty miles of the District of Columbia, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MIKULSKI (for herself and Mr. KIRK):

S. 2046. A bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 2047. A bill to authorize the Secretary of Education to make demonstration grants to eligible local educational agencies for the purpose of reducing the student-to-school nurse ratio in public elementary schools and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 2048. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of certain life insurance contract transactions, and for other purposes; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. MCCAIN, Mr. COBURN, and Mr. ENZI):

S. 2049. A bill to improve the circulation of $1 coins, to remove barrier to the circulation of such coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mr. BROWN of Massachusetts):

S. 2050. A bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. LEAHY, Mr. SANDERS, and Ms. STABENOW):

S. 2051. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER:

S. 2052. A bill to amend title 5, United States Code, to provide that the legal public holiday for the birthday of George Washington take place on February 22, rather than on the third Monday in February; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 359. A resolution commending Alan S. Frumin on his service to the United States Senate; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mrs. HUTCHISON, Mr. LEAHY, Mr. ISAKSON, Mr. WHITEHOUSE, and Mr. FRANKEN):

S. Res. 360. A resolution raising awareness and encouraging prevention of stalking by designating January 2012 as ''National Stalking Awareness Month''; considered and agreed to.

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. Res. 361. A resolution congratulating the University of Alabama Crimson Tide football team for winning the 2011 Bowl Championship Series National Championship; considered and agreed to.

By Mr. CRAPO (for himself and Mr. WHITEHOUSE):

S. Res. 362. A resolution designating the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month''; considered and agreed to.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. Res. 363. A resolution congratulating the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship; considered and agreed to.

By Mr. VITTER (for himself, Ms. LANDRIEU, and Mr. JOHANNS):

S. Res. 364. A resolution recognizing the goals of National Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 165

At the request of Mr. VITTER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 165, a bill to amend the Public Health Services Act to prohibit certain abortion-related discrimination in governmental activities.

S. 376

At the request of Mr. COBURN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 376, a bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment.

S. 595

At the request of Mrs. MURRAY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 680

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 680, a bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum.

S. 1023

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1023, a bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1034

At the request of Mr. SCHUMER, the names of the Senator from Virginia (Mr. WEBB) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1034, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1051

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1051, a bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1277

At the request of Ms. CANTWELL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1277, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

S. 1309

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1309, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1467

At the request of Mr. BLUNT, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1467, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services.

S. 1591

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1616

At the request of Mr. MENENDEZ, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1616, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1622

At the request of Mr. HELLER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1622, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 1629

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1629, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1983

At the request of Mr. SCHUMER, the names of the Senator from Delaware (Mr. COONS) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1983, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 1989

At the request of Ms. CANTWELL, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 1990

At the request of Mr. LIEBERMAN, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from Vermont (Mr. LEAHY) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2003

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States, and for other purposes.

S. 2010

At the request of Mr. KERRY, the names of the Senator from Maine (Ms. SNOWE) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2043

At the request of Mr. RUBIO, the names of the Senator from Indiana (Mr. COATS), the Senator from Louisiana (Mr. VITTER) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 2043, a bill to amend title XXVII of the Public Health Service Act to provide religious conscience protections for individuals and organizations.

AMENDMENT NO. 1470

At the request of Mr. BEGICH, his name was added as a cosponsor of amendment No. 1470 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

At the request of Mr. LIEBERMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 1470 proposed to S. 2038, supra.

At the request of Mr. HELLER, his name was added as a cosponsor of amendment No. 1470 proposed to S. 2038, supra.

AMENDMENT NO. 1471

At the request of Mr. MCCAIN, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from South Dakota (Mr. THUNE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of amendment No. 1471 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

AMENDMENT NO. 1472

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of amendment No. 1472 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

AMENDMENT NO. 1476

At the request of Mr. COBURN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of amendment No. 1476 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. BROWN of Massachusetts, Mr. AKAKA, Mr. COBURN, Mr. LEVIN, and Mr. KYL):

S. 2044. A bill to require the Under Secretary for Science and Technology in the Department of Homeland Security to contract with an independent laboratory to study the health effects of backscatter x-ray machines used at airline checkpoints operated by the Transportation Security Administration and provide improved notice to airline passengers; to the Committee on Commerce, Science, and Transportation.

Ms. COLLINS. Mr. President, I rise today to introduce legislation aimed at ensuring that the health of American travelers is not placed at possible risk as our airport security technology evolves. I am very pleased to be joined by Senators AKAKA, COBURN, SCOTT BROWN, and LEVIN, who are cosponsoring this bill.

Our bill has two major components. First, it would require the Department of Homeland Security's Science and Technology Directorate, in consultation with the National Science Foundation, to commission an independent study on the possible health effects of the x-ray radiation emitted by some of the scanning machines we see and pass through in our airports. Second, it would give airline passengers, especially those passengers in sensitive groups such as pregnant women, clear notice of their ability to choose another screening option in lieu of exposure to ionizing radiation.

Some advanced-imaging technology—or AIT—machines rely on x-ray backscatter technology. Time and time again, I have expressed my concern over their use, particularly since there is an alternative screening technology available. While the TSA has repeatedly told the public that the amount of radiation emitted from these machines is extremely small, passengers and some scientific experts have raised legitimate questions about the impact of repeated exposure to this radiation.

Last November, during a hearing on aviation security before our Homeland Security Committee, the TSA Administrator, John Pistole, agreed to my

call for an independent study to address the lingering health concerns and questions about this additional and repeated exposure to radiation. Shortly thereafter, however, he appeared to back away from this commitment, suggesting that a forthcoming report by the Department of Homeland Security's inspector general might be a sufficient substitute for a new, completely independent, thorough study.

Chairman JOE LIEBERMAN and I wrote to the Administrator to press for more details about TSA's plans for an independent study. Two weeks later, having received no reply, I sent another letter to Administrator Pistole asking why he believed the IG report on TSA's use of backscatter machines was a sufficient substitute for an independent study of the health impacts. TSA's response lacked any detail as to why the agency no longer believes an independent study on the health effects of x-ray backscatter machines is warranted, nor did it explain how the IG's review would be a sufficient substitute for an independent study. That is why I have introduced this bill today.

Late last year, the European Commission announced that ''in order not to risk jeopardizing citizens' health and safety,'' it would only authorize the use of passenger scanners in the European Union that do not use x-ray technology. This prohibition gives even more need and justification for an independent study of the safety of the AIT machines.

Some respected experts have warned Congress and the administration of the potential negative public health risks posed by the x-ray backscatter machines. They note that while the risk that someone might develop cancer because of his or her exposure to radiation during one screening by such an AIT machine is very small, we simply do not truly know the risk of this radiation exposure over multiple screenings for frequent flyers, those in vulnerable groups, or TSA employees themselves who are operating these machines.

When a person is scanned by these machines, they receive a dose of radiation—what experts in the field call a direct dose. During the scan, some of the radiation is not absorbed but is scattered in random directions from the person being scanned. Experts call this the scatter dose. Some experts point to anomalies between the scatter dose reportedly associated with these scanners and the scatter dose associated with comparable medical technology. Specifically, the scatter doses for these AIT machines are higher in relative terms than scatter doses for comparable medical devices. What is troubling is that the experts are not sure why the AIT scatter doses are higher. They point to possible deficiencies with the testing equipment or the poor placement of the testing equipment as possible explanations. Overall, they say this anomaly could point to higher direct dose rates and should be yet another impetus for an independent study.

Additionally, some experts note that the safety mechanisms in these machines that would prevent them from malfunctioning have never been independently tested. This means that if a machine malfunctions and the safety features designed to shut the machine down in such an instance do not work, a traveler could receive a higher dose of radiation. Pregnant women, children, the elderly, and as much as 5 percent of the adult population are more sensitive to radiation exposure. At a minimum, this suggests the need for further independent study.

Mr. President, I wish to share with my colleagues a tragic episode involving the daughter of two of my constituents. She underwent screening at the airport with a backscatter x-ray AIT. She was pregnant and directed by TSA to a line for a backscatter x-ray AIT machine. She was completely unaware that she was entering into an x-ray emitting machine before she stepped into it. She thought it was the more traditional magnetometer. Afterward, she was distressed to know she had exposed her unborn child to x-ray radiation. Had she realized ahead of time, she clearly would have opted for the alternative screening methods. Only 2 weeks later, she suffered a miscarriage which she attributes to the radiation she received from this scan. We will never know for certain the cause of this family's loss, but they believe in their hearts that the backscatter radiation is to blame.

Clearly, at a minimum, this young woman should have been informed by a prominent sign that an alternative means of screening was available. That is why my bill also requires TSA to have larger, understandable signs at the beginning of the screening process, not later when it is only noticed, if at all, after a lengthy wait in line. Signs should alert passengers that pregnant women, children, and the elderly can be more sensitive to radiation exposure. These signs should also make clear that passengers can opt out of this type of scanning.

I have urged TSA to move forward using only radiation screening technology, but in the meantime, an independent study is needed to protect the public and to determine which technology is worthy of taxpayer dollars. Surely passengers should be well informed of their screening options.

We Americans have demonstrated our willingness to endure enhanced security measures at our airports if those measures appear to be reasonable and related to real risks. But travelers become frustrated when security measures inconvenience them without cause, cause privacy or health concerns, or when they appear to be focused on those who pose little or no threat.

On this particular issue, Senators AKAKA, COBURN, SCOTT BROWN, LEVIN, and I agree that we are past the time when an independent review of the scanning technology that emits radiation must be undertaken. I urge my colleagues to join us in quickly passing this legislation.

By Ms. SNOWE (for herself, Ms. LANDRIEU and Mr. BROWN of Massachusetts):

S. 2050. A bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise to introduce along with Senator LANDRIEU the Small Business Tax Extenders Act of 2012, that will provide targeted tax relief legislation to small businesses and extend the essential tax relief provisions that were included in the Small Business Jobs Act of 2010, P.L. 111–240.

When the Small Business Jobs Act of 2010 was crafted, Senator LANDRIEU and I worked closely with Finance Committee Chair BAUCUS, then-Ranking Member GRASSLEY, and now Ranking Member HATCH to ensure the critical small business tax provisions that reflected our shared priorities were included in that legislation. We sincerely appreciate all of their hard work on that legislation.

As the former Chair and now Ranking Member of the Committee on Small Business and Entrepreneurship, and along with current Chair LANDRIEU, we are well aware of the urgent imperative of job creation in our country. According to the Bureau of Labor Statistics, the average annual unemployment rate for 2011 was 9 percent. For the past 3 years, unemployment has been no lower than 8.3 percent, so we are far from where we need to be in a recovery. About 45 percent of the unemployed have been out of work for at least 6 months—a level previously unseen in the 6 decades since World War II.

At a time when 14 million Americans are still unemployed, and have been so for the longest period since record keeping began in 1948, our government should be taking every possible step to ease the burden on job creators. We must help create an environment that is conducive to small businesses' job creation. Our Nation's small businesses are the engine of job creation, being responsible for at least 60 percent and perhaps as many as ⅔ of all new jobs created, and they should be the focus of our support. One critical way to do so is through targeted small business tax incentives.

The bill Senator LANDRIEU and I are introducing today provides those targeted tax incentives that in the past have received bipartisan support both in the Senate and in the House. These tax provisions provide relief to small businesses in their capital investments and to those willing to risk their own savings by investing in the small business. The provisions provide relief to the self-employed as well as to S corporations and partnerships. The success of these provisions over the past

several years is evident in the fact we noted above, about small businesses being the one bright spot of job creation even in these troubled times, and this bill will help them continue to grow and continue to help provide jobs.

The lifeblood of a small business is its cash flow and this bill contains several provisions to improve it. One of these provisions will address a fundamental injustice of the tax code by extending the deduction for health insurance premiums against not only income taxes but also against payroll taxes. At a rate of 15.3 percent, the self-employment, or SECA, tax is imposed on the health benefits of business owners. This is a costly injustice that makes health insurance just that much more expensive at a time when insurance costs are already prohibitively expensive.

In the coming years we will certainly see health premiums rise, making it all the more onerous on small businesses to provide critical benefits to their employees. Allowing the full deduction for health insurance is critical for its affordability. I was thrilled that we were able to address this injustice in the Small Business Jobs Act of 2010, and I sincerely hope that this provision can be extended again until we can find a permanent solution.

This legislation will also extend a provision permitting general business credits to be carried back 5 years and taken against the Alternative Minimum Tax, AMT. Before the enactment of the Small Business Jobs Act, a business's unused general business credit could be carried back to offset taxes paid in the previous year, and the remaining amount could be carried forward for 20 years to offset future tax liabilities.

The 5-year carryback of credits will allow business owners to reach back to prior years when they had taxable income to offset prior tax liability with these credits and get immediate cash infusion. Business owners can use this cash as they choose, but as we have seen with net operating loss relief, they use these funds for anything from meeting payroll to investing in new equipment. The same principle applies with respect to the provision that allows credits to be used against the AMT.

When Congress implements policies through the tax code, it is with intent that businesses will utilize such incentives to do what they do best, and that is to grow their operations, which in turn leads to hiring additional employees. Unfortunately, during a struggling economic cycle that we have been experiencing for more than 3 years, businesses do not have income tax liability that can be offset with a credit. It is rather simple: if you do not have enough revenue to claim a credit, that credit is of little use to you.

An incredible benefit of the carryback and the use of general business credits against the AMT is to make health insurance more affordable for business owners to offer to their employees.

This bill would also extend the availability of the so-called Section 179 expensing to give businesses the option of writing off the cost of qualifying capital expenses in the year of acquisition instead of recovering these costs over time through depreciation, and allow businesses to take advantage of higher limits for the so-called Section 179 expensing. Under this provision, up to $250,000 can be expensed for real property and up to $250,000 for equipment, or up to the full $500,000 for just equipment.

Expanding Section 179 expensing has been a significant Small Business Committee bipartisan priority of mine and Chair LANDRIEU's, as well as of former Small Business Committee Chair KERRY, as reflected in no fewer than three separate bills in the previous Congress.

I want my colleagues to understand that this provision is expected to confer a major economic boost because it certainly speeds up the recovery time on these investments. Extending this provision will help the businesses modernize while aiding construction firms and their employees.

Additionally, the Small Business Jobs Act of 2010 provided for a temporary reduction in the recognition period for S corporation built-in gains tax. When businesses convert from a C corporation to an S corporation, they have been required to hold their appreciated assets for a full decade or face a punitive level of double taxation. In such instances, first the built-in gain corporate tax rate of 35 percent is applied and then all other applicable federal, state and local shareholder tax rates are applied, often totaling near 60 percent in most states, including Maine. In effect, the built-in gain tax locks-up businesses' own capital and forces them to look elsewhere—a particular challenge for S corporations since closely-held businesses have limited access to the public markets and therefore fewer options for raising needed capital.

Recent law changes temporarily shortened this holding period to 7 years, but that is still too long. By infusing capital—that is, releasing their own capital—this provision in the Small Business Jobs Act, reducing the holding period from 7 years to 5 years, enabled companies that have long been S corporations to redeploy this capital to invest in and grow their businesses. Extending this provision also underscores how vital access to capital is for small businesses, while preserving the original policy intent of the holding period and making it more reflective of the shorter business planning cycles of the 21st century.

A final provision would extend a complete exclusion on capital gains attributable to small business stock held for five years. Extending this measure will help further critical investment in our nation's small businesses. This is a longstanding priority of mine and of Senator JOHN KERRY—former Chair of the Small Business Committee and my fellow colleague on the Finance Committee. The Kerry-Snowe Invest in Small Business Act of 2009 included this exclusion, which we fought to incorporate into the Small Business Jobs Act. Chair LANDRIEU and I are very pleased to take-up that mantle together and we are committed to its extension.

But targeted small business tax provisions, for all their importance and critical need, are not enough. That is why as a senior member of the Senate Finance Committee, I have been urging this administration to champion tax reform, and, in fact, I led a panel on the issue as part of the Economic Summit at the White House more than three years ago.

The individual income tax form has more than tripled in length from 52 pages for 1980 to 174 pages for 2009. American taxpayers spend 7.6 billion hours and shell out $140 billion—or one percent of GDP—just struggling to comply with tax filing requirements. This is not surprising as there have been 15,000 changes to the tax code since the last overhaul in 1986.

Alarmingly, the tax code is also needlessly restricting our ability to compete in today's integrated global economy, as we strain under the second highest corporate tax burden in the industrialized world. And while this Administration and the Senate majority are pondering whether we should reform our tax code, small businesses continued to struggle with the current tax regime at the expense of creating more jobs and growing operations.

While I continue to advocate for comprehensive tax reform, there are certain measures that, although not a silver bullet, should be passed right away to help improve the economic environment for small businesses. The Small Business Tax Extenders Act is a critical example: this legislation contains provisions that Senator LANDRIEU and I have championed for years to provide small businesses greater cash flow, incentivizing their investments, and increasing tax fairness.

Mr. President, it is essential that we pass these small business tax extensions. I urge my colleagues to support this legislation so we can ensure that our Nation's small businesses and their employees are provided with much needed tax relief.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2050

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''Small Business Tax Extenders Act of 2012''.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. EXTENSION OF TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking ''January 1, 2012'' and inserting ''January 1, 2013'', and

(2) by striking ''AND 2011'' and inserting '', 2011, AND 2012'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after December 31, 2011.

SEC. 3. EXTENSION OF 5-YEAR CARRYBACK OF GENERAL BUSINESS CREDITS OF ELIGIBLE SMALL BUSINESSES.

(a) IN GENERAL.—Subparagraph (A) of section 39(a)(4) is amended by inserting '', 2011, or 2012'' after ''2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to credits determined in taxable years beginning after December 31, 2010.

SEC. 4. EXTENSION OF ALTERNATIVE MINIMUM TAX RULES FOR GENERAL BUSINESS CREDITS OF ELIGIBLE SMALL BUSINESSES.

(a) IN GENERAL.—Subparagraph (A) of section 38(c)(5) is amended by inserting '', 2011, or 2012'' after ''2010''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to credits determined in taxable years beginning after December 31, 2010, and to carrybacks of such credits.

SEC. 5. EXTENSION OF REDUCTION IN RECOGNITION PERIOD FOR BUILT-IN GAINS TAX.

(a) IN GENERAL.—Clause (ii) of section 1374(d)(7)(B) of the Internal Revenue Code of 1986 is amended by inserting ''2012, or 2013,'' after ''2011,''.

(b) CONFORMING AMENDMENT.—The heading for section 1374(d)(7)(B) is amended by striking ''AND 2011'' and inserting ''2011, AND 2012''.

(c) TECHNICAL AMENDMENT.—Subparagraph (B) of section 1374(d)(7) of such Code is amended by striking ''The preceding sentence'' and inserting the following: ''For purposes of applying this subparagraph to an installment sale, each portion of such installment sale shall be treated as a sale occurring in the taxable year in which the first portion of such installment sale occurred. This subparagraph''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 6. EXTENSION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.

(a) IN GENERAL.—Section 179(b) is amended—

(1) by striking ''2010 or 2011'' each place it appears in paragraph (1)(B) and (2)(B) and inserting ''2010, 2011, or 2012'',

(2) by striking ''2012'' each place it appears in paragraph (1)(C) and (2)(C) and inserting ''2013'', and

(3) by striking ''2012'' each place it appears in paragraph (1)(D) and (2)(D) and inserting ''2013''.

(b) INFLATION ADJUSTMENT.—Subparagraph (A) of section 179(b)(6) is amended by striking ''2012'' and inserting ''2013''.

(c) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2013'' and inserting ''2014''.

(d) ELECTION.—Section 179(c)(2) is amended by striking ''2013'' and inserting ''2014''.

(e) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—Section 179(f)(1) is amended by striking ''2010 or 2011'' and inserting ''2010, 2011, or 2012''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 7. EXTENSION OF SPECIAL RULE FOR LONG-TERM CONTRACT ACCOUNTING.

(a) IN GENERAL.—Clause (ii) of section 460(c)(6)(B) is amended by striking ''January 1, 2011 (January 1, 2012'' and inserting ''January 1, 2013 (January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2010.

SEC. 8. EXTENSION OF INCREASED AMOUNT ALLOWED AS A DEDUCTION FOR START-UP EXPENDITURES.

(a) IN GENERAL.—Paragraph (3) of section 195(b) is amended—

(1) by inserting '', 2001, or 2012'' after ''2010'', and

(2) by inserting ''2011, AND 2012'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2010.

SEC. 9. EXTENSION OF ALLOWANCE OF DEDUCTION FOR HEALTH INSURANCE IN COMPUTING SELF-EMPLOYMENT TAXES.

(a) IN GENERAL.—Paragraph (4) of section 162(l) is amended by striking ''December 31, 2010'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2010.

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. LEAHY, Mr. SANDERS, and Ms. STABENOW):

S. 2051. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce with my colleagues Senators WHITEHOUSE, SANDERS, STABENOW, and FRANKEN legislation to stop the student loan interest rate from doubling on July 1 of this year.

This is an issue that weighs heavily on many of Rhode Island's students and families who rely on student loans to finance college. Rhode Island's college graduates have the ninth highest student debt total in the Nation, according to a recent study by the Project on Student Debt. In Rhode Island, 67 percent of students graduating from four-year colleges and universities in the 2010 school year had debt averaging over $26,300.

Nationwide, the Department of Education estimates that more than 10 million students will borrow subsidized Stafford Loans in fiscal year 2012. Unless we act soon, they will see their interest rates double for the upcoming academic year.

In 2007, Congress made a historic investment in higher education by passing the College Cost Reduction and Access Act. Included in this law was a provision that reduced the fixed interest rate on Stafford Loans for undergraduate students from 6.8 percent to 3.4 percent over a 4 year period, easing the financial burden on millions of students and their families.

This was the right investment to make for our future. Today, education, particularly higher education, is even more essential than ever. In 1980, the gap between the lifetime earnings of a college graduate and a high school graduate was 40 percent. In 2010, it was 74 percent. By 2025, it is projected to be 96 percent. Since at least the 1980s, we have not been producing a sufficient number of college-educated workers to meet the demand of a more sophisticated and challenging economy driven by global competition. Indeed, our country lags behind in college education, ranking 14 in international comparisons of college graduates. For young adults, ages 25 to 34, we rank 16.

This is no time to make financing a college education more expensive for middle class families. Yet, absent enacting this legislation, that is what will happen. According to an analysis by U.S. PIRG, allowing the interest rate to double could cost borrowers who take out the maximum $23,000 in subsidized student loans approximately $5,000 more over a 10-year repayment period.

The subsidized student loan program for undergraduates is highly targeted to low- and middle-income families. Approximately 37 percent of the dependent borrowers in this program come from families with annual incomes of less than $40,000. An additional 21.6 percent of students receiving subsidized students loans come from families with incomes between $40,000 and 60,000 per year. These students receive very little, if any, benefit from the Pell grant program but still have significant financial need. The subsidized student loan program is our main vehicle for addressing that need.

Tax loopholes and giveaways that let the biggest companies ship jobs overseas cost roughly $37 billion over ten years. Loopholes like this one should be ended, with those savings used to prevent an increase in college costs, which are already a crushing burden on families. Indeed, those savings are more than enough to extend the student loan interest rate at least through the next reauthorization of the Higher Education Act, expected in 2014. I would that my colleagues on both sides of the aisle will support helping millions of middle class families finance a college education over continuing to provide incentives for companies to take jobs and their investments overseas. In his State of the Union Address, President Obama called on Congress to prevent this doubling of student loan rates. As families continue to struggle with the rising cost of college and newly minted graduates face one of the toughest job markets since the Great Depression, it is vital that we protect middle class families and their children from higher student loan rates.

I urge my colleagues to join me in cosponsoring and pressing for passage of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2051

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

SECTION 1. INTEREST RATE EXTENSION.

Section 455(b)(7)(D) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)(D)) is amended—

(1) in the matter preceding clause (i), by striking ''and before July 1, 2012,''; and

(2) in clause (v), by striking ''and before July 1, 2012,''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 359—COMMENDING ALAN S. FRUMIN ON HIS SERVICE TO THE UNITED STATES SENATE

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 359

Whereas Alan S. Frumin, a native of New Rochelle, New York and graduate of Colgate University and Georgetown University Law Center, began his long career with the Congress in the House of Representatives precedents writing office in April of 1974;

Whereas Alan S. Frumin began work with the Secretary of the Senate's Office of the Senate Parliamentarian on January 1, 1977, serving under eight Majority Leaders;

Whereas Alan S. Frumin served the Senate as its Parliamentarian from 1987 to 1995 and from 2001 to 2012 and has been Parliamentarian Emeritus since 1997;

Whereas Alan S. Frumin revised the Senate's book on procedure, ''Riddick's Senate Procedure'' and is the only sitting Parliamentarian to have published a compilation of the body's work;

Whereas Alan S. Frumin has shown tremendous dedication to the Senate during his 35 years of service;

Whereas Alan S. Frumin has earned the respect and affection of the Senators, their staffs and all of his colleagues for his extensive knowledge of all matters relating to the Senate, his fairness and thoughtfulness;

Whereas Alan S. Frumin now retires from the Senate after 35 years to spend more time with his wife, Jill, and his daughter, Allie; Now, therefore, be it

Resolved, That the Senate expresses its appreciation to Alan S. Frumin and commends him for his lengthy, faithful and outstanding service to the Senate.

Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to Alan S. Frumin.

SENATE RESOLUTION 360—RAISING AWARENESS AND ENCOURAGING PREVENTION OF STALKING BY DESIGNATING JANUARY 2012 AS ''NATIONAL STALKING AWARENESS MONTH''

Ms. KLOBUCHAR (for herself, Mrs. HUTCHISON, Mr. LEAHY, Mr. ISAKSON, Mr. WHITEHOUSE, and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 360

Whereas 1 in 6, or 19,200,000, women in the United States have at some point during their lifetime experienced stalking victimization, during which they felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 3,400,000 persons in the United States reported that they had been victims of stalking, and 75 percent of those victims reported that they had been stalked by someone they knew;

Whereas 11 percent of victims reported having been stalked for more than 5 years, and 23 percent of victims reported having been stalked almost every day;

Whereas 1 in 4 victims reported that stalkers had used email, instant messaging, blogs, bulletin boards, Internet sites, chat rooms, or other forms of electronic monitoring against them, and 1 in 13 victims reported that stalkers had used electronic devices to monitor them;

Whereas stalking victims are forced to take drastic measures to protect themselves, including changing identity, relocating, changing jobs, and obtaining protection orders;

Whereas 1 in 7 victims reported having relocated in an effort to escape a stalker;

Whereas approximately 1 in 8 employed victims of stalking missed work because they feared for their safety or were taking steps to protect themselves, such as by seeking a restraining order;

Whereas less than 50 percent of victims reported stalking to police, and only 7 percent of victims contacted a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and under the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist stalking victims and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for increased availability of victim services across the United States, and such services must include programs tailored to meet the needs of stalking victims;

Whereas persons aged 18 to 24 experience the highest rates of stalking victimization, and rates of stalking among college students exceed the prevalence rates found in the general population;

Whereas as many as 75 percent of women in college who experience stalking-related behavior experience other forms of victimization, including sexual or physical victimization, or both;

Whereas there is a need for effective responses to stalking on campuses; and

Whereas the Senate finds that ''National Stalking Awareness Month'' provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2012 as ''National Stalking Awareness Month'';

(2) applauds the efforts of the many stalking victim service providers, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, college campuses and universities, and nonprofit organizations to increase awareness of stalking and the availability of services for stalking victims; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through ''National Stalking Awareness Month''.

SENATE RESOLUTION 361—CONGRATULATING THE UNIVERSITY OF ALABAMA CRIMSON TIDE FOOTBALL TEAM FOR WINNING THE 2011 BOWL CHAMPIONSHIP SERIES NATIONAL CHAMPIONSHIP

Mr. SHELBY (for himself and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 361

Whereas the University of Alabama Crimson Tide football team won the 2012 Allstate Bowl Championship Series (referred to in this preamble as ''BCS'') National Championship Game, defeating Louisiana State University by a score of 21–0 in the Mercedes-Benz Superdome in New Orleans on January 9, 2012;

Whereas this victory marks the second BCS title in the last 3 years and the 14th national championship in college football for the University of Alabama;

Whereas the victory by the University of Alabama was the first shutout in any BCS bowl game since the system was created in 1998 and the first shutout in the championship game since the 1992 Orange Bowl;

Whereas the 2012 BCS National Championship Game was the 59th postseason bowl appearance and the 33rd bowl victory for the University of Alabama, both of which extend existing NCAA records for the University of Alabama;

Whereas the victory by the University of Alabama marks the sixth consecutive BCS national championship for the Southeastern Conference and the third consecutive BCS national championship for the State of Alabama;

Whereas the University of Alabama gained 384 yards of total offense in the BCS National Championship Game, while holding the offense of Louisiana State University to 5 first downs and 92 total yards, the second lowest yards of total offense in BCS history;

Whereas A.J. McCarron completed 23 of 34 passes for a total of 234 yards without a turnover and was named offensive player of the game;

Whereas senior linebacker Courtney Upshaw recorded 7 tackles, including 1 sack, and was named defensive player of the game;

Whereas Trent Richardson, winner of the Doak Walker Award, finished with 20 carries for 96 yards and 107 all-purpose yards and scored the only touchdown of the game;

Whereas Jeremy Shelley successfully completed 5 field goal attempts, setting a BCS National Championship Game record and tying an NCAA bowl record;

Whereas in 2011, the defense of the University of Alabama led the nation in rushing defense, passing defense, scoring defense, and total defense;

Whereas 4 members of the Crimson Tide football team were recognized as first-team All Americans by the Associated Press;

Whereas the 2011 Crimson Tide senior class compiled a 48–6 record, tying a Southeastern Conference record for class victories;

Whereas the leadership of head coach Nick Saban, whose dedication and commitment to excellence instilled in his players a sense of

integrity, pride, sportsmanship, and perseverance, inspired both his team throughout the season and the Tuscaloosa community following the devastating losses in the April tornadoes;

Whereas President Robert Witt and Athletic Director Mal Moore have brought tremendous academic success and national recognition to the University of Alabama athletic department and the entire university; and

Whereas the players, coaches, and support staff of the University of Alabama football team showed tremendous determination throughout the season and brought great honor to the University of Alabama and the State of Alabama: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Alabama for winning the 2011 Bowl Championship Series National Championship;

(2) recognizes the achievements of all the players, coaches, and staff whose hard work, dedication, and persistence helped the Crimson Tide win a national championship; and

(3) requests the Secretary of the Senate to prepare an official copy of this resolution for presentation to—

(A) the President of the University of Alabama, Dr. Robert Witt;

(B) the Athletic Director of the University of Alabama, Mal Moore; and

(C) the Head Coach of the University of Alabama Crimson Tide football team, Nick Saban.

SENATE RESOLUTION 362—DESIGNATING THE MONTH OF FEBRUARY 2012 AS ''NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH''

Mr. CRAPO (for himself and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 362

Whereas, although dating violence, domestic violence, sexual violence, and stalking affect women regardless of age, teenage girls and young women are especially vulnerable;

Whereas, according to the National Intimate Partner and Sexual Violence survey recently conducted by the Centers for Disease Control and Prevention (referred to in this preamble as the ''CDC''), the majority of victimization starts early in life, as most victims of rape and intimate partner violence first experience such violence before age 24;

Whereas, according to the Liz Claiborne Inc. 2009 Parent/Teen Dating Violence Poll, approximately 1 in 3 adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a rate that far exceeds victimization rates for other types of violence affecting young people;

Whereas, according to the Youth Risk Behavior Surveillance System (referred to in this preamble as the ''YRBSS'') of the CDC, nearly 10 percent of high school students have been hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend during the past year;

Whereas, according to the American Journal of Public Health, more than 1 in 4 teenagers have been in a relationship where a partner is verbally abusive;

Whereas, according to a survey conducted by the YRBSS, almost 20 percent of teenage girls who were exposed to physical dating violence did not attend school on 1 or more occasions during the 30 days preceding the survey because the girls felt unsafe at school or on the way to or from school;

Whereas a violent relationship in adolescence can have serious ramifications for the victim, putting the victim at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas being physically or sexually abused makes teenage girls—

(1) up to 6 times more likely to become pregnant; and

(2) more than twice as likely to contract a sexually transmitted disease;

Whereas, according to a recent study published in the Archives of Pediatrics and Adolescent Medicine, more than half of teenagers and young adults treated at an inner-city emergency room reported having been a victim or perpetrator of dating violence;

Whereas nearly 3 in 4 ''tweens'', individuals who are between the ages of 11 and 14, report that dating relationships usually begin at age 14 or younger, and approximately 72 percent of students in eighth or ninth grade report dating;

Whereas 1 in 5 tweens report having a friend who is a victim of dating violence, and nearly half of tweens who are in relationships know a friend who is verbally abused;

Whereas more than 3 times as many tweens (20 percent) as parents of tweens (6 percent) admit that parents know little or nothing about the dating relationships of tweens;

Whereas, according to the Liz Claiborne Inc. 2009 Parent/Teen Dating Violence Poll, although 82 percent of parents are confident that they could recognize the signs that their child was experiencing dating abuse, a majority of parents, or 58 percent, could not correctly identify all the warning signs of dating abuse;

Whereas 74 percent of teenage boys and 66 percent of teenage girls say they have not had a conversation with a parent about dating abuse in the past year;

Whereas, according to a National Crime Prevention Council survey, 43 percent of middle and high school students reported experiencing cyberbullying during the past year;

Whereas 1 in 4 teens in a relationship report having been called names, harassed, or put down by a partner through the use of a cell phone, including through texting;

Whereas 3 in 10 young people have sexted, and 61 percent of young people who have sexted report being pressured to do so at least once;

Whereas, according to the Liz Claiborne Inc. 2010 College Dating Violence and Abuse Poll, 43 percent of college women who date report experiencing violent and abusive dating behavior;

Whereas 70 percent of college students who experienced relationship abuse failed to realize that they were in an abusive relationship at the time, and 60 percent of college students who were in an abusive relationship said that no one stepped in to help them;

Whereas the severity of violence among intimate partners has been shown to be greater in cases where a pattern of violence was established during adolescence;

Whereas primary prevention programs are a key part of addressing teen dating violence, and successful examples of such programs include education, community outreach, and social marketing campaigns that are culturally appropriate;

Whereas educating middle school students and the parents of those students about the importance of building healthy relationships and preventing teen dating violence is key to deterring dating abuse before it begins;

Whereas skilled assessment and intervention programs are also necessary for young victims and abusers; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Month will benefit schools, communities, and families regardless of socioeconomic status, race, or sex: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month'';

(2) supports communities that are empowering teenagers to develop healthier relationships throughout their lives; and

(3) calls upon the people of the United States, including young people, parents, schools, law enforcement officials, State and local officials, and interested groups to observe National Teen Dating Violence Awareness and Prevention Month with appropriate programs and activities that promote awareness and prevention of teen dating violence in their communities.

SENATE RESOLUTION 363—CONGRATULATING THE PITTSBURG STATE UNIVERSITY GORILLAS FOOTBALL TEAM FOR WINNING THE 2011 NCAA DIVISION II FOOTBALL CHAMPIONSHIP

Mr. MORAN (for himself and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 363

Whereas the Pittsburg State University Gorillas football team defeated the Wayne State University Warriors by a score of 35 to 21 to win the 2011 NCAA Division II Football Championship in Florence, Alabama on December 17, 2011;

Whereas Pittsburg State University has more all-time wins than any other NCAA Division II football program and this championship victory, the 4th in the history of the university, continues a long tradition of success;

Whereas the Pittsburg State University coaching staff, led by second-year Head Coach Tim Beck, the 2011 Liberty Mutual Coach of the Year Award winner for Division II, guided the Gorillas to a final regular season record of 13 wins and 1 loss;

Whereas the Gorillas benefitted from strong leadership in the championship game, including senior quarterback and Pittsburg, Kansas native Zac Dickey, who passed for 190 yards and rushed for 68 yards; and

Whereas the students, staff, alumni, and friends of Pittsburg State University, along with the city of Pittsburg, Kansas, deserve much credit for supporting the Gorillas football team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship; and

(2) recognizes the achievements of all the players, coaches, and support staff of the Pittsburg State University Gorillas football team.

SENATE RESOLUTION 364—RECOGNIZING THE GOALS OF NATIONAL CATHOLIC SCHOOLS WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF CATHOLIC SCHOOLS IN THE UNITED STATES

Mr. VITTER (for himself, Ms. LANDRIEU, and Mr. JOHANNS) submitted the following resolution; which was considered and agreed to:

S. RES. 364

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate more than 2,000,000 students and maintain a student-to-teacher ratio of 14 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 99 percent;

Whereas 97 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas, in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of National Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contributions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for their ongoing contributions to education, and for the vital role they play in promoting and ensuring a brighter, stronger future for the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1477. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

SA 1478. Mr. BROWN, of Ohio submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1479. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1480. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1481. Mr. BROWN, of Ohio (for himself and Mr. MERKLEY) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1482. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1483. Mr. LEAHY (for himself and Mr. CORNYN) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1484. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1485. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1486. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1487. Mr. PAUL proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1488. Mr. DEMINT (for himself and Mr. VITTER) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1489. Mrs. BOXER (for herself and Mr. ISAKSON) submitted an amendment intended to be proposed by her to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1490. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra.

SA 1491. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1492. Mr. TESTER (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1493. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1494. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, supra; which was ordered to lie on the table.

SA 1495. Mr. UDALL, of Colorado (for Mr. INOUYE) proposed an amendment to the resolution S. Res. 286, recognizing May 16, 2012, as Hereditary Angioedema Awareness Day and expressing the sense of the Senate that more research and treatments are needed for Hereditary Angioedema.

TEXT OF AMENDMENTS

SA 1477. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. __. MODIFICATION OF EXEMPTION.

(a) REMOVAL OF RESTRICTION.—Section 4(2) of the Securities Act of 1933 (15 U.S.C. 77d(2)) is amended by inserting before the period at the end the following: '', whether or not such transactions involve general solicitation or general advertising''.

(b) MODIFICATION OF RULES.—Not later than 90 days after the date of enactment of this Act, the Securities and Exchange Commission shall revise its rules issued in section 230.506 of title 17, Code of Federal Regulations, to provide that the prohibition against general solicitation or general advertising contained in section 230.502(c) of such title shall not apply to offers and sales of securities made pursuant to section 230.506, provided that all purchasers of the securities are accredited investors. Such rules shall require the issuer to take reasonable steps to verify that purchasers of the securities are accredited investors, using such methods as determined by the Commission.

SA 1478. Mr. BROWN of Ohio submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

On page 6, strike lines 12 through 15, and insert the following:

''(j) After any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress shall file a report of the transaction not later than 10 days following the day on which the subject transaction has been executed.''.

On page 9, line 17, strike ''30'' and insert ''10''.

SA 1479. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF PAY FREEZE FOR FEDERAL EMPLOYEES.

(a) IN GENERAL.—Section 147 of the Continuing Appropriations Act, 2011 (Public Law 111–242; 5 U.S.C. 5303 note) is amended—

(1) in subsection (b)(1), by striking ''December 31, 2012'' and inserting ''December 31, 2013''; and

(2) in subsection (c), by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

(b) CLARIFICATION THAT FREEZE APPLIES TO LEGISLATIVE BRANCH.—

(1) MEMBERS OF CONGRESS.—Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost of living adjustments for Members of Congress) during the period beginning on the first day of the first pay period beginning on or after February 1, 2013 and ending on December 31, 2013.

(2) LEGISLATIVE BRANCH EMPLOYEES.—

(A) DEFINITION.—In this paragraph, the term ''legislative branch employee'' means—

(i) an employee whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives; and

(ii) an employee of any agency established in the legislative branch.

(B) FREEZE.—Notwithstanding any other provision of law, no cost of living adjustment required by statute with respect to a legislative branch employee which (but for this subparagraph) would otherwise take effect during the period beginning on the date of enactment of this Act and ending on December 31, 2013 shall be made.

SA 1480. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—NO BUDGET, NO PAY

SECTION 201. SHORT TITLE.

This title may be cited as the ''No Budget, No Pay Act''.

SEC. 202. DEFINITION.

In this title, the term ''Member of Congress''—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

SEC. 203. TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

SEC. 204. NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section 205.

(b) NO RETROACTIVE PAY.—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section 205, at any time after the end of that period.

SEC. 205. DETERMINATIONS.

(a) SENATE.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section 203 and whether Senators may not be paid under that section;

(B) determine the period of days following each October 1 that Senators may not be paid under section 203; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Secretary of the Senate.

(b) HOUSE OF REPRESENTATIVES.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section 203 and whether Member of the House of Representatives may not be paid under that section;

(B) determine the period of days following each October 1 that Member of the House of Representatives may not be paid under section 203; and

(C) provide timely certification of the determinations under subparagraph (A) and (B) upon the request of the Chief Administrative Officer of the House of Representatives.

SEC. 206. EFFECTIVE DATE.

This title shall take effect on February 1, 2013.

SA 1481. Mr. BROWN of Ohio (for himself and Mr. MERKLEY) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. PUTTING THE PEOPLE'S INTERESTS FIRST ACT OF 2012.

(a) SHORT TITLE.—This section may be cited as the ''Putting the People's Interests First Act of 2012''.

(b) ELIMINATING FINANCIAL CONFLICTS OF INTEREST FOR MEMBERS OF THE SENATE.—A covered person shall be prohibited from holding and shall divest themselves of any covered transaction that is directly and reasonably foreseeably affected by the official actions of such covered person, to avoid any conflict of interest, or the appearance thereof. Any divestiture shall occur within a reasonable period of time.

(c) DEFINITIONS.—In this section:

(1) SECURITIES.—The term ''securities'' has the same meaning as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

(2) COVERED PERSON.—The term ''covered person'' means a Member, officer, or employee of the Senate, their spouse, and their dependents.

(3) COVERED TRANSACTION.—The term ''covered transaction'' means investment in securities in any company, any comparable economic interest acquired through synthetic means such as the use of derivatives, or short selling any publicly traded securities.

(4) SHORT SELLING.—The term ''short selling'' means entering into a transaction that has the effect of creating a net short position in a publicly traded company.

(d) EXCEPTION.—Nothing in this section shall preclude a covered person from investing in broad-based investments, such as diversified mutual funds and unit investment trusts, sector mutual funds, or employee benefit plans, even if a portion of the funds are invested in a security, so long as the covered person has no control over or knowledge of the management of the investment, other than information made available to the public by the mutual fund.

(e) TRUSTS.—

(1) IN GENERAL.—On a case-by-case basis, the Select Committee on Ethics may authorize a covered person to place their securities holdings in a qualified blind trust approved by the committee under section 102(f) of the Ethics in Government Act of 1978.

(2) BLIND TRUST.—A blind trust permitted under this subsection shall meet the criteria in section 102(f)(4)(B) of the Ethics in Government Act of 1978, unless an alternative arrangement is approved by the Select Committee on Ethics.

(f) APPLICATION.—This section does not apply to an individual employed by the Secretary of the Senate, Sergeant at Arms, the Architect of the Capitol, or the Capital Police.

SA 1482. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

On page 7, line 22, after ''Reform'' insert ''and the Committee on the Judiciary''.

SA 1483. Mr. LEAHY (for himself and Mr. CORNYN) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the end, add the following:

TITLE II—PUBLIC CORRUPTION PROSECUTION IMPROVEMENTS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Public Corruption Prosecution Improvements Act of 2012''.

SEC. 202. VENUE FOR FEDERAL OFFENSES.

(a) IN GENERAL.—The second undesignated paragraph of section 3237(a) of title 18, United States Code, is amended by adding before the period at the end the following: ''or in any district in which an act in furtherance of the offense is committed''.

(b) SECTION HEADING.—The heading for section 3237 of title 18, United States Code, is amended to read as follows:

''SEC. 3237. OFFENSE TAKING PLACE IN MORE THAN ONE DISTRICT.''.

(c) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 211 of title 18, United States Code, is amended so that the item relating to section 3237 reads as follows:

''Sec. 3237. Offense taking place in more than one district.''.

SEC. 203. THEFT OR BRIBERY CONCERNING PROGRAMS RECEIVING FEDERAL FINANCIAL ASSISTANCE.

Section 666(a) of title 18, United States Code, is amended—

(1) by striking ''10 years'' and inserting ''20 years'';

(2) by striking ''$5,000'' the second place and the third place it appears and inserting ''$1,000'';

(3) by striking ''anything of value'' each place it appears and inserting ''any thing or things of value''; and

(4) in paragraph (1)(B), by inserting after ''anything'' the following: ''or things''.

SEC. 204. PENALTY FOR SECTION 641 VIOLATIONS.

Section 641 of title 18, United States Code, is amended by striking ''ten years'' and inserting ''15 years''.

SEC. 205. BRIBERY AND GRAFT; CLARIFICATION OF DEFINITION OF ''OFFICIAL ACT''; CLARIFICATION OF THE CRIME OF ILLEGAL GRATUITIES.

(a) DEFINITION.—Section 201(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) by amending paragraph (3) to read as follows:

''(3) the term 'official act'—

''(A) means any act within the range of official duty, and any decision or action on any question, matter, cause, suit, proceeding, or controversy, which may at any time be pending, or which may by law be brought before any public official, in such public official's official capacity or in such official's place of trust or profit; and

''(B) may be a single act, more than 1 act, or a course of conduct; and''; and

(3) by adding at the end the following:

''(4) the term 'rule or regulation' means a Federal regulation or a rule of the House of Representatives or the Senate, including those rules and regulations governing the acceptance of gifts and campaign contributions.''.

(b) CLARIFICATION.—Section 201(c)(1) of title 18, United States Code, is amended to read as follows:

''(1) otherwise than as provided by law for the proper discharge of official duty, or by rule or regulation—

''(A) directly or indirectly gives, offers, or promises any thing or things of value to any public official, former public official, or person selected to be a public official for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official;

''(B) directly or indirectly, knowingly gives, offers, or promises any thing or things of value with an aggregate value of not less than $1000 to any public official, former public official, or person selected to be a public official for or because of the official's or person's official position;

''(C) being a public official, former public official, or person selected to be a public official, directly or indirectly, knowingly demands, seeks, receives, accepts, or agrees to receive or accept any thing or things of value with an aggregate value of not less than $1000 for or because of the official's or person's official position; or

''(D) being a public official, former public official, or person selected to be a public official, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept any thing or things of value for or because of any official act performed or to be performed by such official or person;''.

SEC. 206. AMENDMENT OF THE SENTENCING GUIDELINES RELATING TO CERTAIN CRIMES.

(a) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission forthwith shall review and, if appropriate, amend its guidelines and its policy statements applicable to persons convicted of an offense under section 201, 641, 1346A, or 666 of title 18, United States Code, in order to reflect the intent of Congress that such penalties meet the requirements in subsection (b) of this section.

(b) REQUIREMENTS.—In carrying out this subsection, the Commission shall—

(1) ensure that the sentencing guidelines and policy statements reflect Congress's intent that the guidelines and policy statements reflect the serious nature of the offenses described in paragraph (1), the incidence of such offenses, and the need for an effective deterrent and appropriate punishment to prevent such offenses;

(2) consider the extent to which the guidelines may or may not appropriately account for—

(A) the potential and actual harm to the public and the amount of any loss resulting from the offense;

(B) the level of sophistication and planning involved in the offense;

(C) whether the offense was committed for purposes of commercial advantage or private financial benefit;

(D) whether the defendant acted with intent to cause either physical or property harm in committing the offense;

(E) the extent to which the offense represented an abuse of trust by the offender and was committed in a manner that undermined public confidence in the Federal, State, or local government; and

(F) whether the violation was intended to or had the effect of creating a threat to public health or safety, injury to any person or even death;

(3) assure reasonable consistency with other relevant directives and with other sentencing guidelines;

(4) account for any additional aggravating or mitigating circumstances that might justify exceptions to the generally applicable sentencing ranges;

(5) make any necessary conforming changes to the sentencing guidelines; and

(6) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

SEC. 207. EXTENSION OF STATUTE OF LIMITATIONS FOR SERIOUS PUBLIC CORRUPTION OFFENSES.

(a) IN GENERAL.—Chapter 213 of title 18, United States Code, is amended by adding at the end the following:

''§ 3302. Corruption offenses

''Unless an indictment is returned or the information is filed against a person within 6 years after the commission of the offense, a person may not be prosecuted, tried, or punished for a violation of, or a conspiracy or an attempt to violate the offense in—

''(1) section 201 or 666;

''(2) section 1341 or 1343, when charged in conjunction with section 1346 and where the offense involves a scheme or artifice to deprive another of the intangible right of honest services of a public official;

''(3) section 1951, if the offense involves extortion under color of official right;

''(4) section 1952, to the extent that the unlawful activity involves bribery; or

''(5) section 1962, to the extent that the racketeering activity involves bribery chargeable under State law, involves a violation of section 201 or 666, section 1341 or 1343, when charged in conjunction with section 1346 and where the offense involves a scheme or artifice to deprive another of the intangible right of honest services of a public official, or section 1951, if the offense involves extortion under color of official right.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 213 of title 18, United States Code, is amended by adding at the end the following new item:

''3302. Corruption offenses.''.

(c) APPLICATION OF AMENDMENT.—The amendments made by this section shall not apply to any offense committed before the date of enactment of this Act.

SEC. 208. INCREASE OF MAXIMUM PENALTIES FOR CERTAIN PUBLIC CORRUPTION RELATED OFFENSES.

(a) SOLICITATION OF POLITICAL CONTRIBUTIONS.—Section 602(a)(4) of title 18, United States Code, is amended by striking ''3 years'' and inserting ''5 years''.

(b) PROMISE OF EMPLOYMENT FOR POLITICAL ACTIVITY.—Section 600 of title 18, United States Code, is amended by striking ''one year'' and inserting ''3 years''.

(c) DEPRIVATION OF EMPLOYMENT FOR POLITICAL ACTIVITY.—Section 601(a) of title 18, United States Code, is amended by striking ''one year'' and inserting ''3 years''.

(d) INTIMIDATION TO SECURE POLITICAL CONTRIBUTIONS.—Section 606 of title 18, United States Code, is amended by striking ''three years'' and inserting ''5 years''.

(e) SOLICITATION AND ACCEPTANCE OF CONTRIBUTIONS IN FEDERAL OFFICES.—Section 607(a)(2) of title 18, United States Code, is amended by striking ''3 years'' and inserting ''5 years''.

(f) COERCION OF POLITICAL ACTIVITY BY FEDERAL EMPLOYEES.—Section 610 of title 18, United States Code, is amended by striking ''three years'' and inserting ''5 years''.

SEC. 209. ADDITIONAL WIRETAP PREDICATES.

Section 2516(1)(c) of title 18, United States Code, is amended—

(1) by inserting ''section 641 (relating to embezzlement or theft of public money, property, or records), section 666 (relating to theft or bribery concerning programs receiving Federal funds),'' after ''section 224 (bribery in sporting contests),''; and

(2) by inserting ''section 1031 (relating to major fraud against the United States)'' after ''section 1014 (relating to loans and credit applications generally; renewals and discounts),''.

SEC. 210. EXPANDING VENUE FOR PERJURY AND OBSTRUCTION OF JUSTICE PROCEEDINGS.

(a) IN GENERAL.—Section 1512(i) of title 18, United States Code, is amended to read as follows:

''(i) A prosecution under section 1503, 1504, 1505, 1508, 1509, 1510, or this section may be brought in the district in which the conduct constituting the alleged offense occurred or in which the official proceeding (whether or not pending or about to be instituted) was intended to be affected.''.

(b) PERJURY.—

(1) IN GENERAL.—Chapter 79 of title 18, United States Code, is amended by adding at the end the following:

''§ 1624. Venue

''A prosecution under section 1621(1), 1622 (in regard to subornation of perjury under 1621(1)), or 1623 of this title may be brought in the district in which the oath, declaration, certificate, verification, or statement under penalty of perjury is made or in which a proceeding takes place in connection with the oath, declaration, certificate, verification, or statement.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 79 of title 18, United States Code, is amended by adding at the end the following:

''1624. Venue.''.

SEC. 211. PROHIBITION ON UNDISCLOSED SELF-DEALING BY PUBLIC OFFICIALS.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by inserting after section 1346 the following new section:

''§ 1346A. Undisclosed self-dealing by public officials

''(a) UNDISCLOSED SELF-DEALING BY PUBLIC OFFICIALS.—For purposes of this chapter, the term 'scheme or artifice to defraud' also includes a scheme or artifice by a public official to engage in undisclosed self-dealing.

''(b) DEFINITIONS.—As used in this section:

''(1) OFFICIAL ACT.—The term official act—

''(A) means any act within the range of official duty, and any decision or action on any question, matter, cause, suit, proceeding, or controversy, which may at any time be pending, or which may by law be brought before any public official, in such public official's official capacity or in such official's place of trust or profit; and

''(B) may be a single act, more than one act, or a course of conduct.

''(2) PUBLIC OFFICIAL.—The term 'public official' means an officer, employee, or elected or appointed representative, or person acting for or on behalf of the United States, a State, or a subdivision of a State, or any department, agency or branch of government thereof, in any official function, under or by authority of any such department, agency, or branch of government.

''(3) STATE.—The term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(4) UNDISCLOSED SELF-DEALING.—The term 'undisclosed self-dealing' means that—

''(A) a public official performs an official act for the purpose, in whole or in material part, of furthering or benefitting a financial interest, of which the public official has knowledge, of—

''(i) the public official;

''(ii) the spouse or minor child of a public official;

''(iii) a general business partner of the public official;

''(iv) a business or organization in which the public official is serving as an employee, officer, director, trustee, or general partner;

''(v) an individual, business, or organization with whom the public official is negotiating for, or has any arrangement concerning, prospective employment or financial compensation; or

''(vi) an individual, business, or organization from whom the public official has received any thing or things of value, otherwise than as provided by law for the proper discharge of official duty, or by rule or regulation; and

''(B) the public official knowingly falsifies, conceals, or covers up material information that is required to be disclosed by any Federal, State, or local statute, rule, regulation, or charter applicable to the public official, or the knowing failure of the public official to disclose material information in a manner that is required by any Federal, State, or local statute, rule, regulation, or charter applicable to the public official.

''(5) MATERIAL INFORMATION.—The term 'material information' means information—

''(A) regarding a financial interest of a person described in clauses (i) through (iv) paragraph (4)(A); and

''(B) regarding the association, connection, or dealings by a public official with an individual, business, or organization as described in clauses (iii) through (vi) of paragraph (4)(A).''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by inserting after the item relating to section 1346 the following new item:

''1346A. Undisclosed self-dealing by public officials.''.

(c) APPLICABILITY.—The amendments made by this section apply to acts engaged in on or after the date of the enactment of this Act.

SEC. 212. DISCLOSURE OF INFORMATION IN COMPLAINTS AGAINST JUDGES.

Section 360(a) of title 28, United States Code, is amended—

(1) in paragraph (2) by striking ''or'';

(2) in paragraph (3), by striking the period at the end, and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) such disclosure of information regarding a potential criminal offense is made to the Attorney General, a Federal, State, or local grand jury, or a Federal, State, or local law enforcement agency.''.

SEC. 213. CLARIFICATION OF EXEMPTION IN CERTAIN BRIBERY OFFENSES.

Section 666(c) of title 18, United States Code, is amended—

(1) by striking ''This section does not apply to''; and

(2) by inserting ''The term 'anything of value' that is corruptly solicited, demanded, accepted or agreed to be accepted in subsection (a)(1)(B) or corruptly given, offered, or agreed to be given in subsection (a)(2) shall not include,'' before ''bona fide salary''.

SEC. 214. CERTIFICATIONS REGARDING APPEALS BY UNITED STATES.

Section 3731 of title 18, United States Code, is amended by inserting after ''United States attorney'' the following: '', Deputy Attorney General, Assistant Attorney General, or the Attorney General''.

SA 1484. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. MEMBER CERTIFICATION.

Section 102(a) of the Ethics in Government Act of 1978 is amended by inserting at the end the following:

''(9)(A) A statement (as provided in subparagraph (B)) certifying that financial transactions included in the report filed pursuant to section 101 (d) and (e) were not made on the basis of non-public information.

''(B) The certification required by this paragraph is as follows: 'I hereby certify that the financial transactions reflected in this disclosure form were not made on the basis of material, non-public information.' ''.

SEC. 2. USE OF NONPUBLIC INFORMATION AND INSIDER TRADING BY CONGRESS AND FEDERAL EMPLOYEES.

A Member, officer, or employee of Congress, a Federal employee (as defined in section 2105), including the President, the Vice President, and an employee of the United States Postal Service or the Postal Regulatory Commission, and a judicial officer are not exempt from and is fully subject to the prohibitions arising under section 10(b) of the Securities Exchange Act of 1934 and Rule 10b–5 thereunder, including the insider trading prohibitions.

SA 1485. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

Strike section 6 and insert the following:

SEC. 6. PROMPT REPORTING OF FINANCIAL TRANSACTIONS.

(a) REPORTING REQUIREMENT.—Section 101 of the Ethics in Government Act of 1978 is amended by adding at the end the following subsection:

''(j) Not later than 30 days after any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress, a Federal employee (as defined in section 2105), including the President, the Vice President, and an employee of the United States Postal Service or the Postal Regulatory Commission, and a judicial officer shall file a report of the transaction.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to transactions occurring on or after the date that is 90 days after the date of enactment of this Act.

SA 1486. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. _____. PROHIBITION AGAINST A FEDERAL PROGRAM OF MORTGAGE PRINCIPAL REDUCTION.

Part 3 of subtitle A of the Federal Housing Enterprise Financial Safety and Soundness Act of 1992 (12 U.S.C. 4601 et seq.) is amended by adding at the end the following:

''SEC. 1357. NO FEDERAL BAILOUTS OF RECKLESS BORROWERS.

''It shall be unlawful for the Federal Government to reduce the principal of mortgage

loans that are held in mortgage-backed securities of the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

"SEC. 1358. STATES BEAR THEIR OWN COSTS.

''On or before the date that is 6 months after the date of enactment of this section, the Director shall develop a program that—

''(1) conforms to all existing pooling and servicing agreements of the enterprises on all outstanding mortgage-backed securities held by the enterprises;

''(2) allows for individual States to purchase whole loans out of mortgage-backed securities held by the enterprises for the purposes of reducing principal or performing other loan modifications, as determined appropriate by each individual State;

''(3) ensures that the Federal Government is paid at least par, or 100 cents on the dollar, for all whole loans sold out of mortgage-backed securities held by the enterprises to individual States for the purpose of performing loan modifications; and

''(4) ensures that the Federal Government is reimbursed by individual States for the entire cost of such program, including administrative costs, so that no cost is borne whatsoever by the Federal Government.''.

SA 1487. Mr. PAUL proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON EXECUTIVE BRANCH OFFICERS AND EMPLOYEES INVOLVEMENT IN MATTERS INVOLVING FINANCIAL INTEREST.

The Ethics in Government Act of 1978 (5 U.S.C. App) is amended by adding at the end the following:

"TITLE VI—GOVERNMENT-WIDE LIMITATION ON INVOLVEMENT IN MATTERS INVOLVING FINANCIAL INTEREST

"SEC. 601. LIMITATION ON INVOLVEMENT.

''(a) DEFINITIONS.—In this section—

''(1) the term 'Executive agency' has the meaning given that term in section 105 of title 5, United States Code;

''(2) the term 'equity interest' includes stock, a stock option, and any other ownership interest;

''(3) the term 'immediate family member' has the meaning given that term in section 115 of title 18, United States Code;

''(4) the term 'remuneration' includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship; and

''(5) the term 'significant financial interest', relating to an individual, means—

''(A) with regard to any publicly traded entity, that the sum of the fair market value of any remuneration received by the individual from the entity during the most recent 2-year period and the fair market value of any equity interest of the individual in the entity is more than $5,000; and

''(B) with regard to any entity that is not publically traded—

''(i) that the fair market value of any remuneration received by the individual from the entity during the most recent 2-year period is more than $5,000; or

''(ii) that the individual has an equity interest in the entity.

''(b) LIMITATION.—An individual may not hold a position as an officer or employee of an Executive agency in which the individual would have oversight, rule-making, loan, or grant-making authority—

''(1) over any entity in which the individual or the spouse or other immediate family member of the individual has a significant financial interest; or

''(2) the exercise of which could affect the intellectual property rights of the individual or the spouse or other immediate family member of the individual.''.

SA 1488. Mr. DEMINT (for himself, and Mr. VITTER) proposed an amendment to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF THE SENATE.

It is the sense of the Senate that the Senate should pass a joint resolution proposing an amendment to the Constitution that limits the number of terms a Member of Congress may serve.

SA 1489. Mrs. BOXER (for herself, and Mr. ISAKSON) submitted an amendment intended to be proposed by her to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 9. REQUIRING MORTGAGE DISCLOSURE.

Section 102(a)(4)(A) of the Ethics in Government Act of 1978 (5 U.S.C. App) is amended by inserting after ''spouse'' the following: '', except that this exception shall not apply to a reporting individual described in section 101(f)(9)''.

SA 1490. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. FORFEITURE OF CREDIT FOR SERVICE AS A MEMBER IF FORMER MEMBERS OF CONGRESS BECOME LOBBYISTS.

(a) DEFINITIONS.—In this section—

(1) the term ''creditable service'' means service that is creditable under chapter 83 or 84 of title 5, United States Code;

(2) the term ''lobbyist'' has the meaning given that term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602);

(3) the term ''Member of Congress'' has the meaning given that term in section 2106 of title 5, United States Code; and

(4) the term ''remuneration'' includes salary and any payment for services not otherwise identified as salary, such as consulting fees, honoraria, and paid authorship.

(b) FORFEITURE OF CREDIT FOR SERVICE.—Any service as a Member of Congress shall not be creditable service if the Member of Congress, after serving as a Member of Congress—

(1) becomes a registered lobbyist;

(2) accepts any remuneration from a company or other private entity that employs registered lobbyists; or

(3) accepts any remuneration from a company or other private entity that does business with the Federal Government.

SA 1491. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, line 7, strike ''a'' and insert ''each officer or employee as referred to in subsection (f), including each''.

On page 7, line 8 insert a comma after ''employee of Congress''.

At the end, insert the following:

"SEC. 11. PROMPT REPORTING AND PUBLIC FILING OF FINANCIAL TRANSACTIONS FOR EXECUTIVE BRANCH.

''Each agency or department of the Executive branch and each independent agency shall comply with the provisions of section 8 with respect to any of such agency, department or independent agency's officers and employees that are subject to the disclosure provisions under the Ethics in Government Act of 1978.''.

SA 1492. Mr. TESTER (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. _____. SMALL COMPANY CAPITAL FORMATION ACT OF 2012.

(a) SHORT TITLE.—This section may be cited as the ''Small Company Capital Formation Act of 2012''.

(b) AUTHORITY TO EXEMPT CERTAIN SECURITIES.—

(1) IN GENERAL.—Section 3(b) of the Securities Act of 1933 (15 U.S.C. 77c(b)) is amended—

(A) by striking ''(b) The Commission'' and inserting the following:

''(2) ADDITIONAL EXEMPTIONS.—

''(A) SMALL ISSUES EXEMPTIVE AUTHORITY.—The Commission''; and

(B) by adding at the end the following:

''(B) ADDITIONAL ISSUES.—The Commission shall by rule or regulation add a class of securities to the securities exempted pursuant to this section in accordance with the following terms and conditions:

''(i) The aggregate offering amount of all securities offered and sold within the prior 12-month period in reliance on the exemption added in accordance with this paragraph shall not exceed $50,000,000.

''(ii) The securities may be offered and sold publicly.

''(iii) The securities shall not be restricted securities within the meaning of the Federal securities laws and the regulations promulgated thereunder.

''(iv) The civil liability provision in section 12(a)(2) shall apply to any person offering or selling such securities.

''(v) The issuer may solicit interest in the offering prior to filing any offering statement, on such terms and conditions as the Commission may prescribe in the public interest or for the protection of investors.

''(vi) The Commission shall require the issuer to file audited financial statements with the Commission annually.

''(vii) Such other terms, conditions, or requirements as the Commission may determine necessary in the public interest and for the protection of investors, which may include—

''(I) a requirement that the issuer prepare and electronically file with the Commission and distribute to prospective investors an offering statement, and any related documents, in such form and with such content as prescribed by the Commission, including audited financial statements and a description of the issuer's business operations, its financial condition, its corporate governance principles, its use of investor funds, and other appropriate matters; and

''(II) disqualification provisions under which the exemption shall not be available to the issuer or its predecessors, affiliates, officers, directors, underwriters, or other related persons, which shall be substantially similar to the disqualification provisions contained in the regulations adopted in accordance with section 926 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 77d note).

''(C) LIMITATION.—Only the following types of securities may be exempted under a rule or regulation adopted pursuant to paragraph (2): equity securities, debt securities, and debt securities convertible or exchangeable to equity interests, including any guarantees of such securities.

''(D) PERIODIC DISCLOSURES.—Upon such terms and conditions as the Commission determines necessary in the public interest and for the protection of investors, the Commission by rule or regulation may require an issuer of a class of securities exempted under paragraph (2) to make available to investors and file with the Commission periodic disclosures regarding the issuer, its business operations, its financial condition, its corporate governance principles, its use of investor funds, and other appropriate matters, and also may provide for the suspension and termination of such a requirement with respect to that issuer.

''(E) ADJUSTMENT.—Not later than 2 years after the date of enactment of the Small Company Capital Formation Act of 2011 and every 2 years thereafter, the Commission shall review the offering amount limitation described in paragraph (2)(A) and shall increase such amount as the Commission determines appropriate. If the Commission determines not to increase such amount, it shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on its reasons for not increasing the amount.''.

(2) TREATMENT AS COVERED SECURITIES FOR PURPOSES OF NSMIA.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(A) in subparagraph (C), by striking ''; or'' at the end and inserting a semicolon; and

(B) by redesignating subparagraph (D) as subparagraph (E), and inserting after subparagraph (C) the following:

''(d) a rule or regulation adopted pursuant to section 3(b)(2) and such security is—

''(I) offered or sold on a national securities exchange; or

''(II) offered or sold to a qualified purchaser as defined by the Commission pursuant to paragraph (3) with respect to that purchase or sale.''.

(3) CONFORMING AMENDMENT.—Section 4(5) of the Securities Act of 1933 is amended by striking ''section 3(b)'' and inserting ''section 3(b)(1)''.

(c) STUDY ON THE IMPACT OF STATE BLUE SKY LAWS ON REGULATION A OFFERINGS.—Not later than 3 months after the date of enactment of this Act, the Comptroller General shall—

(1) conduct a study on the impact of State laws regulating securities offerings (commonly referred to as ''Blue Sky laws'') on offerings made under Regulation A (17 C.F.R. 230.251 et seq.); and

(A) transmit a report on the findings of the study to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SA 1493. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SEC. ____. DISCLOSURE OF POLITICAL INTELLIGENCE ACTIVITIES UNDER LOBBYING DISCLOSURE ACT.

(a) DEFINITIONS.—Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is amended—

(1) in paragraph (2)—

(A) by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(B) by inserting after ''lobbyists'' the following: ''or political intelligence consultants''; and

(2) by adding at the end the following new paragraphs:

''(17) POLITICAL INTELLIGENCE ACTIVITIES.—The term 'political intelligence activities' means political intelligence contacts and efforts in support of such contacts, including preparation and planning activities, research, and other background work that is intended, at the time it is performed, for use in contacts, and coordination with such contacts and efforts of others.

''(18) POLITICAL INTELLIGENCE CONTACT.—

''(A) DEFINITION.—The term 'political intelligence contact' means any oral or written communication (including an electronic communication) to or from a covered executive branch official or a covered legislative branch official, the information derived from which is intended for use in analyzing securities or commodities markets, or in informing investment decisions, and which is made on behalf of a client with regard to—

''(i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

''(ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government; or

''(iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license).

''(B) EXCEPTION.—The term 'political intelligence contact' does not include a communication that is made by or to a representative of the media if the purpose of the communication is gathering and disseminating news and information to the public.

''(19) POLITICAL INTELLIGENCE FIRM.—The term 'political intelligence firm' means a person or entity that has 1 or more employees who are political intelligence consultants to a client other than that person or entity.

''(20) POLITICAL INTELLIGENCE CONSULTANT.—The term 'political intelligence consultant' means any individual who is employed or retained by a client for financial or other compensation for services that include one or more political intelligence contacts.''.

(b) REGISTRATION REQUIREMENT.—Section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after ''whichever is earlier,'' the following: ''or a political intelligence consultant first makes a political intelligence contact,''; and

(ii) by inserting after ''such lobbyist'' each place that term appears the following: ''or consultant'';

(B) in paragraph (2), by inserting after ''lobbyists'' each place that term appears the following: ''or political intelligence consultants''; and

(C) in paragraph (3)(A)—

(i) by inserting after ''lobbying activities'' each place that term appears the following: ''and political intelligence activities''; and

(ii) in clause (i), by inserting after ''lobbying firm'' the following: ''or political intelligence firm'';

(2) in subsection (b)—

(A) in paragraph (3), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities'';

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting after ''lobbying activities'' the following: ''or political intelligence activities''; and

(ii) in subparagraph (C), by inserting after ''lobbying activity'' the following: ''or political intelligence activity'';

(C) in paragraph (5), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities'';

(D) in paragraph (6), by inserting after ''lobbyist'' each place that term appears the following: ''or political intelligence consultant''; and

(E) in the matter following paragraph (6), by inserting ''or political intelligence activities'' after ''such lobbying activities'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting after ''lobbying contacts'' the following: ''or political intelligence contacts''; and

(B) in paragraph (2)—

(i) by inserting after ''lobbying contact'' the following: ''or political intelligence contact''; and

(ii) by inserting after ''lobbying contacts'' the following: ''and political intelligence contacts''; and

(4) in subsection (d), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''.

(c) REPORTS BY REGISTERED POLITICAL INTELLIGENCE CONSULTANTS.—Section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is amended—

(1) in subsection (a), by inserting after ''lobbying activities'' the following: ''and political intelligence activities'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting after ''lobbying activities'' the following: ''or political intelligence activities'';

(ii) in subparagraph (A)—

(I) by inserting after ''lobbyist'' the following: ''or political intelligence consultant''; and

(II) by inserting after ''lobbying activities'' the following: ''or political intelligence activities'';

(iii) in subparagraph (B), by inserting after ''lobbyists'' the following: ''and political intelligence consultants''; and

(iv) in subparagraph (C), by inserting after ''lobbyists'' the following: ''or political intelligence consultants'';

(B) in paragraph (3)—

(i) by inserting after ''lobbying firm'' the following: ''or political intelligence firm''; and

(ii) by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(C) in paragraph (4), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(3) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or a political intelligence consultant'' after ''a lobbyist''.

(d) DISCLOSURE AND ENFORCEMENT.—Section 6(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amended—

(1) in paragraph (3)(A), by inserting after ''lobbying firms'' the following: '', political intelligence consultants, political intelligence firms,'';

(2) in paragraph (7), by striking ''or lobbying firm'' and inserting ''lobbying firm, political intelligence consultant, or political intelligence firm''; and

(3) in paragraph (8), by striking ''or lobbying firm'' and inserting ''lobbying firm, political intelligence consultant, or political intelligence firm''.

(e) RULES OF CONSTRUCTION.—Section 8(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1607(b)) is amended by striking ''or lobbying contacts'' and inserting ''lobbying contacts, political intelligence activities, or political intelligence contacts''.

(f) IDENTIFICATION OF CLIENTS AND COVERED OFFICIALS.—Section 14 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1609) is amended—

(1) in subsection (a)—

(A) in the heading, by inserting ''OR POLITICAL INTELLIGENCE'' after ''LOBBYING'';

(B) by inserting ''or political intelligence contact'' after ''lobbying contact'' each place that term appears; and

(C) in paragraph (2), by inserting ''or political intelligence activity, as the case may be'' after ''lobbying activity'';

(2) in subsection (b)—

(A) in the heading, by inserting ''OR POLITICAL INTELLIGENCE'' after ''LOBBYING'';

(B) by inserting ''or political intelligence contact'' after ''lobbying contact'' each place that term appears; and

(C) in paragraph (2), by inserting ''or political intelligence activity, as the case may be'' after ''lobbying activity''; and

(3) in subsection (c), by inserting ''or political intelligence contact'' after ''lobbying contact''.

(g) ANNUAL AUDITS AND REPORTS BY COMPTROLLER GENERAL.—Section 26 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1614) is amended—

(1) in subsection (a)—

(A) by inserting ''political intelligence firms, political intelligence consultants,'' after ''lobbying firms''; and

(B) by striking ''lobbying registrations'' and inserting ''registrations'';

(2) in subsection (b)(1)(A), by inserting ''political intelligence firms, political intelligence consultants,'' after ''lobbying firms''; and

(3) in subsection (c), by inserting ''or political intelligence consultant'' after ''a lobbyist''.

SA 1494. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1470 proposed by Mr. REID (for himself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. FRANKEN) to the bill S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, strike lines 6 through 9 and insert the following:

''(j) Not later than 30 days after any transaction required to be reported under section 102(a)(5)(B), a Member of Congress or officer or employee of Congress, executive branch employee, and any non-military individual appointed by the President shall file a report of the transaction.''.

At the end of the amendment, insert the following:

SEC. 10. EXECUTIVE BRANCH REPORTING.

Not later than 2 years after the date of enactment of this Act, the Office of Personnel Management shall establish a central reporting database that complies with the requirements of section 8 for all agencies and departments of the Executive branch and each independent agency.

SA 1495. Mr. UDALL of Colorado (for Mr. INOUYE) proposed an amendment to the resolution S. Res. 286, recognizing May 16, 2012, as Hereditary Angioedema Awareness Day and expressing the sense of the Senate that more research and treatments are needed for Hereditary Angioedema; as follows:

Beginning on page 3, strike line 8 and all that follows through line 18 on page 4 and insert the following: ''the public.''.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, February 7, 2012, at 2:30 p.m. in SDG–50 to conduct a hearing entitled ''The Promise of Accessible Technology: Challenges and Opportunities.''

For further information regarding this meeting, please contact the committee on (202) 228–3453.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 9, 2012, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on H.R. 1904, the Southeast Arizona Land Exchange and Conservation Act of 2011. The Committee will also receive testimony on the text of S. 409, the Southeast Arizona Land Exchange and Conservation Act of 2009, as reported by the Committee during the 111th Congress.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Jake_McCook@energy.senate.gov.

For further information, please contact David Brooks (202) 224–9863 or Jake McCook (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m., to conduct a committee hearing entitled ''Holding the CFPB Accountable: Review of First Semi-Annual Report.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Extenders and Tax Reform: Seeking Long-Term Solutions.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m.

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

SUBCOMMITTEE ON PRIVACY, TECHNOLOGY, AND THE LAW

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Privacy, Technology, and the Law, be authorized to meet during the session of the Senate on January 31, 2012, at 10 a.m., in room SD–266 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Video Privacy

Protection Act: Protecting Viewer Privacy in the 21st Century.''

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

HEREDITARY ANGIOEDEMA AWARENESS DAY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 286 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 286) recognizing May 16, 2012, as Hereditary Angioedema Awareness Day and expressing the sense of the Senate that more research and treatments are needed for hereditary angioedema.

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

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Inouye amendment which is at the desk be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table with no intervening action or debate, and any related statements be printed in the RECORD.

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

The amendment (No. 1495) was agreed to, as follows:

(Purpose: To strike provisions relating to increased research)

Beginning on page 3, strike line 8 and all that follows through line 18 on page 4 and insert the following: ''the public.''.

The resolution (S. Res. 286), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 286

Whereas Hereditary Angioedema (HAE) is a rare and potentially life-threatening genetic disease, affecting between 1 in 10,000 and 1 in 50,000 people, leading to patients being undiagnosed or misdiagnosed for many years;

Whereas HAE is characterized by symptoms including episodes of edema or swelling in various body parts including the hands, feet, gastrointestinal tract, face, and airway;

Whereas patients often experience swelling in the intestinal wall, causing bouts of excruciating abdominal pain, nausea, and vomiting, and swelling of the airway, which can lead to death by asphyxiation;

Whereas a defect in the gene that controls the C1-inhibitor blood protein causes production of either inadequate or non-functioning C1-inhibitor protein, leading to an inability to regulate complex biochemical interactions of blood-based systems involved in disease fighting, inflammatory response, and coagulation;

Whereas HAE is an autosomal dominant disease, and 50 percent of patients with the disease inherited the defective gene from a parent, while the other 50 percent developed a spontaneous mutation of the C1-inhibitor gene at conception;

Whereas HAE patients often experience their first HAE attack during childhood or adolescence, and continue to suffer from subsequent attacks for the duration of their lives;

Whereas HAE attacks can be triggered by infections, minor injuries or dental procedures, emotional or mental stress, and certain hormonal or blood medications;

Whereas the onset or duration of an HAE attack can negatively affect a person's physical, emotional, economic, educational, and social well-being due to activity limitations;

Whereas the annual cost for treatment per patient can exceed $500,000, causing a substantial economic burden;

Whereas there is a significant need for increased and normalized medical professional education regarding HAE; and

Whereas there is also a significant need for further research on HAE to improve diagnosis and treatment options for patients; Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes and celebrates May 16, 2012, as Hereditary Angioedema Awareness Day; and

(B) supports increased awareness of Hereditary Angioedema (HAE) by physicians and the public.

RESOLUTIONS SUBMITTED TODAY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 360, S. Res. 361, S. Res. 362, S. Res. 363, and S. Res. 364.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate will proceed to consider the resolutions en bloc.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any related statements be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 360

(Raising awareness and encouraging prevention of stalking by designating January 2012 as ''National Stalking Awareness Month'')

Whereas 1 in 6, or 19,200,000, women in the United States have at some point during their lifetime experienced stalking victimization, during which they felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 3,400,000 persons in the United States reported that they had been victims of stalking, and 75 percent of those victims reported that they had been stalked by someone they knew;

Whereas 11 percent of victims reported having been stalked for more than 5 years, and 23 percent of victims reported having been stalked almost every day;

Whereas 1 in 4 victims reported that stalkers had used email, instant messaging, blogs, bulletin boards, Internet sites, chat rooms, or other forms of electronic monitoring against them, and 1 in 13 victims reported that stalkers had used electronic devices to monitor them;

Whereas stalking victims are forced to take drastic measures to protect themselves, including changing identity, relocating, changing jobs, and obtaining protection orders;

Whereas 1 in 7 victims reported having relocated in an effort to escape a stalker;

Whereas approximately 1 in 8 employed victims of stalking missed work because they feared for their safety or were taking steps to protect themselves, such as by seeking a restraining order;

Whereas less than 50 percent of victims reported stalking to police, and only 7 percent of victims contacted a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and under the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist stalking victims and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for increased availability of victim services across the United States, and such services must include programs tailored to meet the needs of stalking victims;

Whereas persons aged 18 to 24 experience the highest rates of stalking victimization, and rates of stalking among college students exceed the prevalence rates found in the general population;

Whereas as many as 75 percent of women in college who experience stalking-related behavior experience other forms of victimization, including sexual or physical victimization, or both;

Whereas there is a need for effective responses to stalking on campuses; and

Whereas the Senate finds that ''National Stalking Awareness Month'' provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2012 as ''National Stalking Awareness Month'';

(2) applauds the efforts of the many stalking victim service providers, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, college campuses and universities, and nonprofit organizations to increase awareness of stalking and the availability of services for stalking victims; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through ''National Stalking Awareness Month''.

S. RES. 361

(Congratulating the University of Alabama Crimson Tide football team for winning the 2011 Bowl Championship Series National Championship)

Whereas the University of Alabama Crimson Tide football team won the 2012 Allstate Bowl Championship Series (referred to in this preamble as ''BCS'') National Championship Game, defeating Louisiana State

University by a score of 21–0 in the Mercedes-Benz Superdome in New Orleans on January 9, 2012;

Whereas this victory marks the second BCS title in the last 3 years and the 14th national championship in college football for the University of Alabama;

Whereas the victory by the University of Alabama was the first shutout in any BCS bowl game since the system was created in 1998 and the first shutout in the championship game since the 1992 Orange Bowl;

Whereas the 2012 BCS National Championship Game was the 59th postseason bowl appearance and the 33rd bowl victory for the University of Alabama, both of which extend existing NCAA records for the University of Alabama;

Whereas the victory by the University of Alabama marks the sixth consecutive BCS national championship for the Southeastern Conference and the third consecutive BCS national championship for the State of Alabama;

Whereas the University of Alabama gained 384 yards of total offense in the BCS National Championship Game, while holding the offense of Louisiana State University to 5 first downs and 92 total yards, the second lowest yards of total offense in BCS history;

Whereas A.J. McCarron completed 23 of 34 passes for a total of 234 yards without a turnover and was named offensive player of the game;

Whereas senior linebacker Courtney Upshaw recorded 7 tackles, including 1 sack, and was named defensive player of the game;

Whereas Trent Richardson, winner of the Doak Walker Award, finished with 20 carries for 96 yards and 107 all-purpose yards and scored the only touchdown of the game;

Whereas Jeremy Shelley successfully completed 5 field goal attempts, setting a BCS National Championship Game record and tying an NCAA bowl record;

Whereas in 2011, the defense of the University of Alabama led the nation in rushing defense, passing defense, scoring defense, and total defense;

Whereas 4 members of the Crimson Tide football team were recognized as first-team All Americans by the Associated Press;

Whereas the 2011 Crimson Tide senior class compiled a 48–6 record, tying a Southeastern Conference record for class victories;

Whereas the leadership of head coach Nick Saban, whose dedication and commitment to excellence instilled in his players a sense of integrity, pride, sportsmanship, and perseverance, inspired both his team throughout the season and the Tuscaloosa community following the devastating losses in the April tornadoes;

Whereas President Robert Witt and Athletic Director Mal Moore have brought tremendous academic success and national recognition to the University of Alabama athletic department and the entire university; and

Whereas the players, coaches, and support staff of the University of Alabama football team showed tremendous determination throughout the season and brought great honor to the University of Alabama and the State of Alabama: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Alabama for winning the 2011 Bowl Championship Series National Championship;

(2) recognizes the achievements of all the players, coaches, and staff whose hard work, dedication, and persistence helped the Crimson Tide win a national championship; and

(3) requests the Secretary of the Senate to prepare an official copy of this resolution for presentation to—

(A) the President of the University of Alabama, Dr. Robert Witt;

(B) the Athletic Director of the University of Alabama, Mal Moore; and

(C) the Head Coach of the University of Alabama Crimson Tide football team, Nick Saban.

S. RES. 362

(Designating the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month'')

Whereas, although dating violence, domestic violence, sexual violence, and stalking affect women regardless of age, teenage girls and young women are especially vulnerable;

Whereas, according to the National Intimate Partner and Sexual Violence survey recently conducted by the Centers for Disease Control and Prevention (referred to in this preamble as the ''CDC''), the majority of victimization starts early in life, as most victims of rape and intimate partner violence first experience such violence before age 24;

Whereas, according to the Liz Claiborne Inc. 2009 Parent/Teen Dating Violence Poll, approximately 1 in 3 adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a rate that far exceeds victimization rates for other types of violence affecting young people;

Whereas, according to the Youth Risk Behavior Surveillance System (referred to in this preamble as the ''YRBSS'') of the CDC, nearly 10 percent of high school students have been hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend during the past year;

Whereas, according to the American Journal of Public Health, more than 1 in 4 teenagers have been in a relationship where a partner is verbally abusive;

Whereas, according to a survey conducted by the YRBSS, almost 20 percent of teenage girls who were exposed to physical dating violence did not attend school on 1 or more occasions during the 30 days preceding the survey because the girls felt unsafe at school or on the way to or from school;

Whereas a violent relationship in adolescence can have serious ramifications for the victim, putting the victim at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas being physically or sexually abused makes teenage girls—

(1) up to 6 times more likely to become pregnant; and

(2) more than twice as likely to contract a sexually transmitted disease;

Whereas, according to a recent study published in the Archives of Pediatrics and Adolescent Medicine, more than half of teenagers and young adults treated at an inner-city emergency room reported having been a victim or perpetrator of dating violence;

Whereas nearly 3 in 4 ''tweens'', individuals who are between the ages of 11 and 14, report that dating relationships usually begin at age 14 or younger, and approximately 72 percent of students in eighth or ninth grade report dating;

Whereas 1 in 5 tweens report having a friend who is a victim of dating violence, and nearly half of tweens who are in relationships know a friend who is verbally abused;

Whereas more than 3 times as many tweens (20 percent) as parents of tweens (6 percent) admit that parents know little or nothing about the dating relationships of tweens;

Whereas, according to the Liz Claiborne Inc. 2009 Parent/Teen Dating Violence Poll, although 82 percent of parents are confident that they could recognize the signs that their child was experiencing dating abuse, a majority of parents, or 58 percent, could not correctly identify all the warning signs of dating abuse;

Whereas 74 percent of teenage boys and 66 percent of teenage girls say they have not had a conversation with a parent about dating abuse in the past year;

Whereas, according to a National Crime Prevention Council survey, 43 percent of middle and high school students reported experiencing cyberbullying during the past year;

Whereas 1 in 4 teens in a relationship report having been called names, harassed, or put down by a partner through the use of a cell phone, including through texting;

Whereas 3 in 10 young people have sexted, and 61 percent of young people who have sexted report being pressured to do so at least once;

Whereas, according to the Liz Claiborne Inc. 2010 College Dating Violence and Abuse Poll, 43 percent of college women who date report experiencing violent and abusive dating behavior;

Whereas 70 percent of college students who experienced relationship abuse failed to realize that they were in an abusive relationship at the time, and 60 percent of college students who were in an abusive relationship said that no one stepped in to help them;

Whereas the severity of violence among intimate partners has been shown to be greater in cases where a pattern of violence was established during adolescence;

Whereas primary prevention programs are a key part of addressing teen dating violence, and successful examples of such programs include education, community outreach, and social marketing campaigns that are culturally appropriate;

Whereas educating middle school students and the parents of those students about the importance of building healthy relationships and preventing teen dating violence is key to deterring dating abuse before it begins;

Whereas skilled assessment and intervention programs are also necessary for young victims and abusers; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Month will benefit schools, communities, and families regardless of socioeconomic status, race, or sex: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month'';

(2) supports communities that are empowering teenagers to develop healthier relationships throughout their lives; and

(3) calls upon the people of the United States, including young people, parents, schools, law enforcement officials, State and local officials, and interested groups to observe National Teen Dating Violence Awareness and Prevention Month with appropriate programs and activities that promote awareness and prevention of teen dating violence in their communities.

S. RES. 363

(Congratulating the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship)

Whereas the Pittsburg State University Gorillas football team defeated the Wayne State University Warriors by a score of 35 to 21 to win the 2011 NCAA Division II Football Championship in Florence, Alabama on December 17, 2011;

Whereas Pittsburg State University has more all-time wins than any other NCAA Division II football program and this championship victory, the 4th in the history of the university, continues a long tradition of success;

Whereas the Pittsburg State University coaching staff, led by second-year Head Coach Tim Beck, the 2011 Liberty Mutual Coach of the Year Award winner for Division II, guided the Gorillas to a final regular season record of 13 wins and 1 loss;

Whereas the Gorillas benefitted from strong leadership in the championship game, including senior quarterback and Pittsburg, Kansas native Zac Dickey, who passed for 190 yards and rushed for 68 yards; and

Whereas the students, staff, alumni, and friends of Pittsburg State University, along with the city of Pittsburg, Kansas, deserve much credit for supporting the Gorillas football team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship; and

(2) recognizes the achievements of all the players, coaches, and support staff of the Pittsburg State University Gorillas football team.

S. RES. 364

(Recognizing the goals of National Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States)

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate more than 2,000,000 students and maintain a student-to-teacher ratio of 14 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 99 percent;

Whereas 97 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas, in the 1972 pastoral message concerning Catholic education, the National Conference of Catholic Bishops stated, ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important not only to his solitary destiny, but also the destinies of the many communities in which he lives.'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of National Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contributions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commends Catholic schools, students, parents, and teachers across the United States for their ongoing contributions to education, and for the vital role they play in promoting and ensuring a brighter, stronger future for the United States.

ORDERS FOR WEDNESDAY, FEBRUARY 1, 2012

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate adjourn until 9:30 a.m., on Wednesday, February 1, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 2038, the Stop Trading on Congressional Knowledge Act.

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

PROGRAM

Mr. UDALL of Colorado. Mr. President, we hope to have votes in relation to amendments to the STOCK Act during Wednesday's session.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. UDALL of Colorado. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7 p.m., adjourned until Wednesday, February 1, 2012, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DENNIS L. VIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. TODD A. PLIMPTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CURTIS M. SCAPARROTTI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PATRICIA E. MCQUISTION

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JOHN F. KELLY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL EDWARD D. BANTA
COLONEL MATTHEW G. GLAVY
COLONEL WILLIAM F. MULLEN III
COLONEL GREGG P. OLSON
COLONEL JAMES S. O'MEARA
COLONEL ERIC M. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL STEVEN W. BUSBY
BRIGADIER GENERAL MICHAEL G. DANA
BRIGADIER GENERAL WILLIAM M. FAULKNER
BRIGADIER GENERAL WALTER L. MILLER, JR.
BRIGADIER GENERAL JOSEPH L. OSTERMAN
BRIGADIER GENERAL CHRISTOPHER S. OWENS
BRIGADIER GENERAL GREGG A. STURDEVANT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. BRUCE W. CLINGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOHN W. MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. PHILIP H. CULLOM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. CHARLES W. MARTOGLIO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. WILLIAM R. BURKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DEBORAH P. HAVEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JANET R. DONOVAN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ALLENA H. E. BURGE SMILEY
ROBIN L. CHOLOPISA
JEROME M. TECLAW

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LEON S. BARRINGER
DAVID EARL BOWLES
BETSAIDA H. GUZMAN
PAUL E. SMITH

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

MARK W. DUFF

To be major

RAMIL MANSOUROV
SHANDA R. MARSHALL
KEITH C. TANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KENNETH D. CARR
STEVEN L. OBRIEN
MARK P. ROWAN
SCOTT A. RUTHVEN
GREGORY S. STRINGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PATRICK MICHAEL CARPENTER
RICHARD M. CORNELL
KAY M. GEHRKE
LOUISE P. HARNISH
DAVID A. LESKO
ANTHONY J. PENA
ROBIN D. RICHARDSON
KEVIN N. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOSEPH J. ALBANO
STEVEN CHARLES CAMPMAN
BLAKE V. CHAMBERLAIN
WILLIAM HARRY DRIBBEN
LOUIE M. FEHL III
SHERI L. GLADISH
STEPHEN B. IRVIN
STEVEN M. KLEIN
OLIVER H. LOYD
FRANCES M. MCCABE
KEITH E. SCHLECHTE
RICHARD J. TIPTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL A. BATTLE
BENJAMIN M. BOWDEN
ROBERT KNOX COIT
JOHN PAUL DAVIS
MARK R. FITZGERALD
STEVEN F. GOODWILL
SUSAN DEANN LEHIGH
KIMBERLY A. LUDWIG
JOHN F. MCCARTHY
MICHAEL J. MCCORMICK
TERI J. MCGRATH
RACHEL L. MERCER
SIGURD R. PETERSON, JR.
RUSSELL K. PIPPIN
CARL L. REED II
DAVID W. TOOKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANN E. ALEXANDER
CLIFTON W. BAILEY
JOHN M. BEENE
JEFFREY S. BROWN
JENNIFER R. BURKE
CASEY M. CAMPBELL
JODY S. HARRISON
CLAYTON G. HICKS
DWIGHT L. JOHNSON
GRETCHEN B. JUNGERMANN
CARL A. LABELLA III
JOANNA SAENZ MCPHERSON
MASOUD MILANI
LEE E. ROUNDY
STEPHEN H. SPECK
JANICE TIMOTHEE
DAVID L. WELLS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRENDA K. AMES
PATRICIA ANN BENEDICT
BRIDGET ILEEN BROZYNA
SHARON W. COLAIZZI
JOLI G. GARCIA
EDWARD G. GRUBER
SHERRY F. HEMBY
DEBORAH A. HODGE
PATRICK H. JOHNSON
VANESSA L. MATTOX
ANN G. MCCUNE
NANCY MIKULIN
MARY J. NACHREINER
VALARIE JEAN OLYNIEC
BARBARA A. PERSONS
DEBORAH L. SALTMARSH
VINCETTA L. TSOURIS
JOSEPH A. WENSZELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JAVIER A. ABREU
LENA M. ARVIDSON
HONG V. BAKER
ROBERT K. BOGART
ERIC L. CATHEY
SARA A. DIXON
ROBIN E. FONTENOT
MARTIN F. GIACOBBI
TAMMY KNAPP HEISEY
ANDRE A. HENRIQUES
JOHN W. HULTQUIST
PHILIP S. JUNGHANS
LARRY K. LONG
DAVID L. MAPES
JOSEPH A. MUHLBAUER
BASEEMAH S. NAJEEULLAH
ALBERT L. OUELLETTE
THADDEUS H. PHILLIPS III
LAWRENCE E. ROTH
RUBEN S. SAGUN, JR.
DANIEL A. SAVETT
KIRK B. STETSON
DONALD TYLER, JR.
DAWN M. WAGNER
MARK A. WEISKIRCHER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CARL P. BHEND
ERIC D. BROWN
NATHANIEL B. CALDON
HYE Y. CHOE
ARCHIE COOK, JR.
SARRA E. CUSHEN
MICHAEL L. EINHORN
ANGELA R. FITZPATRICK
SUZANA M. GJEKAJ
BENJAMIN D. HALL
AARON BENJAMIN HARDING
MICHAEL S. HOGE
EIRLEEN Y. HYUN
CHRISTOPHER R. JORDAN
ROBERT B. KIM
JEREMY B. LAKE
STEPHEN P. LAMBERT
GARY S. MAYNE
ROBERT K. MENSAH
JAMES P. MURPHY
DIOSDADO S. PANGILINAN
STEPHEN S. POTTER
RUTH S. ROJAS
CHRISTOPHER S. SCHMIDT
SCOTT T. SEAGO
JOSHUA T. SMITH
HEATHER M. TELLEZ
ADAM J. VERRETT
DEMITRI VILLARREAL
THOMAS K. WEBER
CHRISTOPHER M. WOLBERT
ALLYSON M. YAMAKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BROADUS Z. ATKINS
THOMAS J. CANTILINA
THATCHER R. CARDON
DAVID S. COCKRUM
PHILLIP J. COVER, SR.
DANA K. CRESSLER
DAVID V. EASTHAM
RAYMOND FANG
MICHAEL A. FORGIONE
MELETIOS J. FOTINOS
JEFFREY J. FREELAND
CARL A. FREEMAN
JUAN GARZA
BARRY J. GREER
JOHN D. HALLGREN
SCOTT A. HARTWICH
MICHAEL J. HIGGINS
FRANCIS T. HOLLAND
JANE L. HOLTZCLAW
WILLIAM C. HOOK
LIDIA S. ILCUS
MICHAEL D. JACOBSON
BENJAMIN C. KAM, JR.
JAY D. KERECMAN
THOMAS J. KNOLMAYER
MARK W. KOLASA
BRADLEY A. LLOYD
CHERYL L. LOWRY
KAIWOOD MA
MICHAEL L. MARTIN
WALTER M. MATTHEWS
KURT D. MENTZER
PATRICK B. MONAHAN
RICHARD L. MOONEY
SUSAN O. MORAN
PAIGE L. NEIFERT
JOHN Y. OH
MARK D. PACKER
DAWN E. PEREDO
JAMES A. PHALEN
KIMBERLY D. PIETSZAK
LAURA L. PLACE
PAUL W. PLOCEK
MICHAEL F. RICHARDS
SCOTT A. RIISE
JESSICA T. SERVEY
JON R. SHERECK
DARLENE P. SMALLMAN
DANIEL T. SMITH
JOHN J. STEELE III
MICHAEL D. STEVENS
ERIC A. SUESCUN
JOHN M. TOKISH
GEOFFREY D. TOWERS
CHARLES A. TUJO
ROSCOE O. VAN CAMP
BRIAN A. VROON
CHARLES N. WEBB
KYLE J. WELD
LINDY W. WINTER
MATTHEW P. WONNACOTT
KENNETH C. Y. YU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEVEN J. ACEVEDO
TRACY M. ALDERSON
ANTOIN M. ALEXANDER
CARL D. ALLRED
FLORIN D. ANDRECA
JONATHAN L. ARNHOLT
LEE S. ASTLE
NICOLE M. BALLINGER
SHANE B. BANKS
ERIC W. BARNES
RICHARD J. BARNETT
JOHN P. BARON
BRIAN S. BERKE
DOMINGO R. BICALDO
BRADLEY J. BOETIG
JONATHAN N. BOWMAN
KAREN E. BOWMAN
MICHELLE R. BROWN
GLENN D. BURNS
ROBERTO D. CALDERON
CHRISTINE L. CAMPBELL
KEN J. CARPENTER
ELIZABETH A. CASSTEVENS
NATHAN D. CECAVA
RAYMOND J. CLYDESDALE
BRETT D. COONS
AMY A. COSTELLO
ROBERT M. CROMER
JOHN M. CROWE
RICHARD L. DAGROSA
PAUL L. DANDREA
STEVEN W. DAVIS
PAUL T. DEFLORIO
IAN CROMWELL B. DIAZ
TIMOTHY J. DUNCAN
AN T. DUONG
SPRING R. ELLEMBERGER
STEPHANIE L. ERICKSON
JASON H. EVES
GEOFFREY L. EWING
SHANNON D. FABER
DELANO S. FABRO, JR.
ERIC M. FLAKE
HEIDI L. GADDEY
NORA E. GERSON
SANJAY A. GOGATE
STEVEN M. GORE
DAVID D. GOVER
TODD R. GREBNER
RICHARD T. GRECO
KELLIE A. GRIFFITH
STUART R. GROSS
ALAN D. GUHLKE
MARK A. GUNST
CHARLES J. HAGGERTY
AUDREY M. HALL
TAYLOR S. HAN
MARTIN J. HARSSEMA
MARSHALL T. HAYES
KEVIN D. HETTINGER
AQUILLA L. HIGHSMITH TYLER
JOSHUA A. HODGE
STEFANIE K. HORNE
STEVEN J. HOSPODAR
DAVID T. HSIEH
JULIA C. JACKSON
THEODORE J. JERDEE
MICHAEL P. KENNEY
TINA R. KINSLEY
ROBYN T. KRAMER
KIMBERLY D. KUMER
LEE M. KUXHAUS
ROSELIA I. LABBE
DANIEL L. LAMAR
JASON W. LANE
WAYNE A. LATACK
PETER A. LEARN
CHRISTOPHER T. LEBRUN
JEFFREY D. LEWIS
ROBERT J. LOVE
BRANT J. LUTSI
SHELLY D. MARTIN
STEPHEN C. MATURO
PATRICK E. MCCLESKEY
MARIEFRANCE M. MCINTEE
MARSHA D. MITCHUM
JEFFREY W. MOLLOY
JOSHUA C. MORGANSTEIN
WILLIAM B. NEWMAN
SHAWNN D. NICHOLS
JON J. OPRY
LUIS B. OTERO
VASUDHA ARUNA PANDAY
PATRICIA A. PANKEY
ANGELA M. PANSERA
JACQUELINE J. PERCY
TRENT VAN PHAN
ERIC V. PLOTT

PAVEENA POSANG
JENNIFER R. RATCLIFF
BEN C. ROBINSON
CRAIG A. ROHAN
BENJAMIN G. ROMICK
PAOLO G. RONCALLO
TIMOTHY M. ROWLAND
GREENE D. ROYSTER IV
CYNTHIA A. RUTHERFORD
TANJA R. SCHERM
ERICH W. SCHROEDER
ERIK R. SCHWALIER
CATHERINE T. D. SHOFF
MEGAN M. SHUTTS KARJOLA
KAMAL D. SINGH
KSHAMATA SKEETE
KRISTEN A. SOLTISTYLER
BARTON C. STAAT
ADAM M. STARR
EVELYN L. STENDER
DUSTIN E. STEVENSON
LOYAL R. STIERLEN
JAMES E. STORMO
TEDDY J. SU
DANIEL L. TARBOX
STEPHEN J. TITUS
LUAN C. TRAN
KARA M. VANDEKIEFT
JEFFREY D. WATSON
NGOZI U. WEXLER
DOUGLAS W. WHITE
KEVIN M. WHITE
CHRISTOPHER D. WILLIAMS
WENDI E. WOHLTMANN
TORY W. WOODARD
HEATHER L. YUN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CARA A. AGHAJANIAN
JASON W. ARNOLD
DAVID MICHAEL ASHLEY
JEFFERY S. BARNETT
MICHELLE N. BARRETT
PHILIP ANTHONY BASSO, JR.
DOUGLAS L. BATSON
ELIZABETH ANN BEECHER
MICHAEL ALAN BOUTET
ROLANDRIAS BRADFORD
JEFFREY E. BRETT
PATRICIA A. BREWER
ANTHONY P. BRUSCA
RICHARD L. BURCHFIELD
BRENT A. CALDWELL
HEATHER F. CAPELLA
MICHELLE L. CARPENTER
AUGUSTO CASADO
RICHARD M. CASTO
STEPHEN G. CHAFE
STEPHEN W. CHAPPEL
ROBERT W. CLAUDE
JODI ANN CLAYTON
KENNETH C. COON
KENNETH R. COUNCIL, JR.
DEBORAH K. CRICKLIN
SCOTT DAVID CROGG
CHRISTOPHER E. CRONCE
STEPHEN R. DAVIDSON
WENDY R. DEEMER
LAWRENCE R. DEIST
STEPHEN G. DERANIAN
MARK M. DERESKY
JAMES D. DIGNAN
MARC C. DIPAOLO
RONALD A. DOLLESIN
ANDREA P. DUNBAR
DERIN S. DURHAM
JAMES W. EDWARDS
THOMAS K. ELMORE
MICHEL C. ESCUDIE
TIMOTHY J. EVELEIGH
PAUL R. FAST
DAMON S. FELTMAN
ROGELIO B. FIGUEROA
CARLOS A. FLORES
JANICE E. FLOWERS
PATTI L. FRISBIE
KENT B. FURMAN
ERIC R. GERDES
MICHAEL J. GIGER
KARL E. GOERKE
BRUCE G. GOOTEE
JAMES R. GRAY III
RICHARD O. GRAYSON
PATRICIA ANNE GRIFFIN
AUDRA R. GRINER
BRIAN C. GUTHRIE
MARK ALLEN HALE
KENNETH E. HALL
JEFFREY FRANCIS HANCOCK
CHRISTINA M. HANDLEY
JOHN M. HANLON
WILLIAM F. HARDIE
PAUL C. HARPER
JOHN G. HAYES, JR.
PATRICK WILLIAM HAYES
ROBIN LYNN HEIKKINEN
JON P. HEILEMAN
REID M. HENLEY
MICHAEL F. HERNANDEZ
KENNETH M. HERSTINE
DEAN A. HICKS
STEPHEN M. HIGGINS
DAMION HILL
DOUGLAS R. HILL
STEPHEN K. HORNISH
BERT L. HUBERT
HAROLD R. HUGHES II
WILLIAM E. HUTCHISON, JR.
WALTER L. JABLOW
CONSTANCE L. JENKINS
RICHARD A. JENKINS
AMY E. JOHNSON
DAVID E. JOHNSON
JENNIE R. JOHNSON
MARY D. JOHNSON
ROBERT M. KALTEIS
HAROLD T. KAPLAN
MICHAEL A. KENNEDY
MARTY Z. KHAN
THOMAS P. KLINGENSMITH
PAUL E. KNAPP
JAMES D. KOVAC
JEFFREY S. KOZAK
DWAIN F. KUEHL
KIMBERLY D. LAMMERTIN
CHRISTINE E. LANE
LORI ANN LARGEN
MARK S. LARSON
JAMES A. LAWSON, JR.
BARBARA Y. Y. LEE
DAVID L. LEEDOM
BRENDAN N. LUDDEN
KENNETH M. LUTE
MARY ANN LUTZ
KELLY R. MAIORANA
MICHAEL W. MANION
ROBERT A. MANTZ
JOHN L. MARTINO, JR.
JOSEPH S. MATCHETTE
MICHAEL TODD MATHEIS
JAMES MCANDREW
KELVIN D. MCELROY
SCOTT L. MCLAUGHLIN
CHARLES A. MENZA
PAUL S. MEYER
EDWARD JOHN MILLER
MICHAEL G. MILLER
LOUIS M. MONTGOMERY
JEFFREY J. MOORE
PHILIP E. MORGAN
ROBERT B. MOYLE
THEODORE W. MUNCHMEYER
ANDREW M. NISBET
ERICH C. NOVAK
DANIEL E. OCONNELL III
WILLIAM DONALD OHARA III
GINA M. OLIVER
JOHN M. OLSON
TYLER D. OTTEN
ROBERT P. PALMER
PERRY V. PANOS
ADRIENNE PEDERSON
WALLACE A. PENNINGTON
STEFANIE C. PERKOWSKI
ROBERT J. PETERSON
DEBORAH A. PHARRIS
JONATHAN M. PHILEBAUM
WILLIAM D. PHILLIPS, JR.
JEFFREY JAMES PICKARD
CHARLES D. PLANER
JACQUELINE M. POWELL
PAMELA J. POWERS
CASSANDRA PURYEAR
MARC K. RATHMANN
KEVIN C. RILEY
DONALD CALVIN ROBISON
DARRYL E. ROGERS
MARK J. RUCKH
EDWARD J. RYAN
PATRICK S. RYAN
ROBERT J. RYSAVY II
JUDITH ANN SAULEY
STACEY L. SCARISBRICK
CAROL A. SCHIMMOLLER
BARRY G. SCHRIMSHER
DENNIS L. SEYMOUR
LARY C. SHORT
RUSTY E. SHUGHART
GERRY A. SIGNORELLI
BRIAN D. SILKEY
CHRISTOPHER R. SIMPSON
DAVID H. SMITH
DAVID W. SMITH
MICHAEL DAVID SMITH
THOMAS K. SMITH, JR.
BRYAN D. SPALLA
ANN M. STEFANEK
RONALD P. STEFANIK
LORI J. STENDER
FRANK W. STEPONGZI
MAX J. STITZER
DOUGLAS N. STRAWBRIDGE
ROGER P. SURO
ERIK D. SUTCLIFFE
JAMES S. TAGG
JAMES A. TRAVIS
WESLEY D. TRUE, JR.
DENNIS J. TUTHILL
DENSON H. TUTWILER
BENJAMIN T. VORHEES
CHRISTINA DESIREE VOYLES
EDWIN P. WAGNON III
GREGORY J. WEBSTER
ROBERT S. WEICHERT
WILLIAM W. WHITTENBERGER, JR.
LAUREL A. A. WIEGAND
PAUL R. WIETBROCK
PATRICK T. WILLIAMS
GEORGE M. WILSON
MARK FLOYD WILSON
DANIEL T. WOLF
DONALD F. WREN
PATRICIA L. YORK
CURTIS J. ZABLOCKI
MICHAEL A. ZACCARDO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MUDASIR A. ABRO
SCOTT H. ADKISSON
DIANA ALAME
BROOKE E. ALBRIGHT
KEVIN D. ALFORD
KENTON L. ANDERSON
NATHAN S. ANDERSON
APRIL M. ARSENEAU
PETER A. BALDWIN
SCOTT D. BARNES
JEFFREY G. BELISLE
STEPHANIE A. BERNZOTT
HALTON W. BEUMER
CHAD R. BIGONY
KEVIN A. BLACKNEY
CHAD RICHARD BOWSER
LINDA U. BRADSHAW
LEAH G. BRAR
JUSTIN M. BREMER
JASON A. BROCKER
SHANNON M. BRODERSEN
SCOTT L. BROTHERTON
KIMBERLY K. BROUGHTON
KAREN E. BRUNER
ALLISON R. BUEL
MARK T. BURBRIDGE
OMAR L. CABAN
LYNSEY M. CALDWELL
JOHN A. CALIFANO
CHRISTOPHER R. CALVERT
DAVID R. CARLSEN
JUSTIN E. CARRICABURU
SHAWN S. CARTER
ANYA J. CHANDLER
J. FOSTER CHAPMAN
MATTHEW V. CHAUVIERE
SHIHSHIANG CHENG
JOONE H. CHOI
REBECCA A. CHRISTI
HANNAH K. CHUNG
PETER CHUNG
CHERYLL A. CLARK
RICHARD A. CLARK
MARIA K. COGANOW
JEAN M. COVIELLO MALLE
BRADLEY C. COWLEY
JASON W. CROMAR
JUSTIN A. CROP
ARISTIDES I. CRUZ, JR.
RAETASHA S. DABNEY
KRISTIN JOY DANIEL
CHRISTOPHER K. DAVID
BRETT W. DAVIES
BRIAN M. DAVIS
RYAN E. DAVIS
PHILIP M. DEMOLA
EMANUEL DIAZALONSO
PHILIP TAYLOR DOOLEY
BENJAMIN C. DUDLEY
DELL P. DUNN
ELIZABETH A. DWYER
STEPHEN B. EDSTROM
OLIVER L. EDWARDS
DEREK J. ELLINGSON
MELISSA R. ELLIS YARIAN
ANTHONY C. ESCHLIMAN
JULIA B. ESKUCHEN
PATRICIA L. EVANS
ERIN E. EZZELL
NATHAN P. FALK
ABIGAIL T. FEATHERS
ANNA FELDMAN
BRENT A. FELDT
MARY F. FINN
BRENDAN M. FITZPATRICK
BRIGITTE ANNE FLANAGAN
AVEN W. FORD
JOSHUA S. FOWLER
THERESA M. FREEMAN
ELIZABETH M. GAIDA
AMY D. GARCIA
JOSEPH A. GARCIA
KATHRYN K. GARNER
TODD M. GARRETT
KATHRYN T. GATTONE
STARRINA A. GIANELLONI
KACEY C. GIBSON
SARAH R. GLICK
KEVIN J. GOIST
EDUARDO L. GONZALEZ
STEVEN P. GRADNEY
DAVID B. GRAHAM
MATTHEW D. GRAHAM
THOMAS C. GRANA, JR.
AARON D. GRANT
KEVIN D. GROVES
JODIE K. HAMER
JOSHUA A. HAMILTON
JARRETT HAMMER
HEATHER M. HANCOCK
ANGELA K. HANSEN
ABBY L. HARRIS
WILLIAM B. HARRIS
JEREMY S. HARWOOD
MICHAEL A. HEALEY
SCOTT A. HELLER

BRANDON C. HEMPHILL
TARA I. HERRINGTON
ANDREA L. HICKMAN
ERICA M. HILL
PAIGE M. HIXSON
CLINT HOANGQUOCGIA
JOSEPH K. HOBBS
CHRISTEEN L. HODGE
JONI K. HODGSON
JUSTIN R. HOLLON
JASON D. HOSKINS
CHARLES T. HOWARD
JENNIFER L. HUDSON
GREGORY L. HUNDEMER
ANDREA W. JOHNSON
LESLEE B. KANE
MUHANNAD KASSAWAT
REBECCA K. KEMMET
JASON W. KEMPENICH
NATHAN M. KIM
JOHN M. KITSTEINER
CHRISTY T. KLEINKE
KEITH W. KRAMER
GEOFFREY N. KREDICH
STEPHEN A. KUJANSUU
JULIE E. KUNKEL
PAMELA B. LANDSTEINER
DAVID B. LEARY
WILLIAM B. LEASURE
TOBY F. LEES
MEGAN K. LEHR
TYLER T. LEIGH
SHERRY L. LEVIO
JOHN LICHTENBERGER III
ALAN J. LICUP
FREDILYN M. LIPATA
CARRIE ANN RENEE LITKE
KEVIN C. LOH
PAMELA M. LOVELAND
KRISTIN LUCY
NICHOLAS SCOTT LUDWIG
RICHARD K. LUGER
BRANDY ERIN RANSOM LYBECK
MARK E. LYTLE
MICHAEL D. MACK
JOSEPH K. MADDRY
MICHAEL HOWARD MADSEN
SEAN C. MALIN
CHRISTOPHER T. MANETTA
KATHERINE A. MANSALIS
SEAN N. MARTIN
CHRISTOPHER T. MARTINEZ
JASON C. MCCARTHY
CURTIS R. MCDONALD
CATHERINE H. MCHUGH
ROGER J. MCMURRAY
BRYANT R. MCNEILL
ADAM W. MEIER
ALEXANDER J. MENZE
MICHAEL J. MEQUIO
JASON D. MERRELL
GREGORY L. MESA
DANIEL S. MICSUNESCU
KIMBERLY A. MILFORD
ROBERT J. MILLER
BRENT R. MITTELSTAEDT
MEISAM H. MOGHBELLI
MICHELLE A. MONRO
TIMOTHY J. MOONEY, JR.
ELIZABETH A. MORGAN
CHRISTINA N. MORRIS
JAMES E. MOSES
CHARLES E. MOUNT III
BRYCE A. NATTIER
DAVID M. NAVEL
ANJELI K. NAYAR
HOLLY A. NELSON
THIENNGA P. NGUYEN
LISA M. NICHOLSON
SAMUEL S. NOKURI
UZOAMAKA O. NWOYE
THAD F. OCAMPO
ROBERT J. OCHSNER
CRYSTAL M. PALMATIER
SONJA I. PARISEK
JEREMY D. PARKER
MICHAEL F. PARSONS
DANIEL I. PASCUCCI
KRISTINA A. PAULANTONIO
CHELSEA B. PAYNE
MELISSA L. PENNY
GABRIEL C. PEPPER
CHRISTOPHER A. PERRO
AARON H. PETERSEN
NELSON A. PICHARDO
MATTHEW A. PIEPER
ELIZABETH S. PIETRALCZYK
ERIC R. PITTMAN
SHEA M. PRIBYL
MITCHELL J. PROU
EUNICE I. PYUN
FLORENCE V. QUINATA
MATTHEW H. RAMAGE
CRAIG M. RANDALL
CYNTHIA D. REED
ERIK M. REITE
JOSEPH L. RENO
JOSEPH S. A. RESTIVO
JACOB F. RIIS
ELIZABETH A. RINI
SIMON A. RITCHIE
ANDREW Y. ROBINSON
JOCELYN A. ROBINSON
OSCAR L. SANDERS
IN KYUNG KIM SANTIAGO
ELIZABETH G. SARNOSKI
VINCENT SAVATH
JONATHON W. SCHWAKE
WILLIAM HOGUE SCOTT, JR.
WILLIAM A. SCROGGS III
MUHAMMAD A. SHEIKH
LAUREEN H. SHEYPUK
ROGER Y. SHIH
MONICA M. SICKLER
CHRISTY R. SINE
RAMAN P. SINGH
JAMES F. SMALL
CLIFF R. SMITH
SHANNA R. SNOW
DAWN B. SPELMAN OJEDA
MATTHEW E. SPIGEL
ARIC D. STEINMANN
BENJAMIN M. STERMOLE
MICHELLE M. STODDARD
RYAN C. STONER
ASHLEY ANN S. STORMS
RORY P. STUART
SARAH M. SUNG
TEDMOND C. W. SZETO
CHARLENE E. TALLEY
JULIE K. TERRY
ANDREW J. THOMPSON
ADAM D. TIBBLE
RUSSELL C. TONTZ III
JOHN WILLIAM TUEPKER
CHARLA C. TULLY
JOSHUA A. TYLER
ERIC R. VAILLANT
AARON N. VANZANTEN
STEPHEN E. VARGA
VICTOR M. VARGAS
SARAH D. VAUGHN
AUDEY L. VEACH
UYEN P. VIETJE
KRISTOPHER M. WAGNERPORTER
CHRISTOPHER J. WAGUESPACK
ADAM R. WALKER
JOANNA L. I. WALKER
JASON A. WAUGH
ROBERT S. WEATHERWAX
LELAND H. WEBB
MATTHEW D. WEIRATH
BREA E. WHITEHAIR
MATTHEW E. WICK
JESSE M. WICKHAM
MEGAN R. WILLIAMS KHMELEV
RYAN J. WILLIAMS
WINNIFRED M. WONG
CHARLES T. WOODHAM
LINDA M. YINKEY
CHRISTINA M. ZIMMERMAN
THOMAS C. ZIOLKOWSKI
SHAUNA C. ZORICH

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

JUDITH M. DICKERT

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

HAZEL P. HAYNES

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

LARISSA G. COON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STEFANIE D. LAST
TIMOTHY R. TOLBERT

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOSEPH T. NORA
WILLIAM D. O'CONNELL

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARK J. CAPPONE
STEVEN S. HANSON
THOMAS H. WOMBLE
CHARLES D. ZIMMERMAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

LANCE D. CLAWSON

To be major

THOMAS C. JOHNSON
STEVEN A. KHALIL
CHRISTOPHER L. ROZELLE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARK N. BROWN
JAMES R. MATHEWS
KEVIN P. SHEEHY
JOHN M. STEWART
BRIAN C. TRAPANI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

SCOTT T. AYERS
JAMES A. BARKEI
ROBERT M. BLACKMON
JENNIFER A. BREWER
WILLIAM E. BROWN
CHRISTOPHER B. BURGESS
MATTHEW A. CALARCO
LAURA J. CALESE
REBECCA K. CONNALLY
JOSE A. CORA
RYAN B. DOWDY
DAVID H. DRAKE
JOSEPH M. FAIRFIELD
WADE N. FAULKNER
TOSHENE C. FLETCHER
GRACE M. W. GALLAGHER
SHAWN W. GORDON
JOSEPH J. JANKUNIS
TONYA L. JANKUNIS
DEMARIS J. JOHANEK
FANSU KU
KELLY L. MCGOVERN
SEAN C. MCMAHON
WALTER E. NARRAMORE
TERRANCE J. ONEILL, JR.
JOSEPH N. ORENSTEIN
PATRICK D. PFLAUM
STEVEN M. RANIERI
RUNO C. RICHARDSON
MARK A. RIES
JAVIER E. RIVERAROSARIO
JEREMY W. ROBINSON
LESLIE A. ROWLEY
WILLIAM J. SCHAEFER
DANIEL J. SENNOTT
TYESHA L. SMITH
ERIC K. STAFFORD
WILLIAM M. STEPHENS
ANGELA D. TUCKER
LANCE B. TURLINGTON
KAY K. WAKATAKE
RANA D. WIGGINS
AMBER J. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

RAYMOND R. ADAMS III
DAVID A. AMAMOO
SCOTT A. BACALJA
TREVOR I. BARNA
JESSICA L. BOSSI
PAUL R. BOUCHARD
SARAH M. BRENNAN-DEJESUS
SHAWN C. BUTLER
CARLOS A. CALDERON
CHRISTOPHER A. CALLICOTT
JOHN K. CHOIKE
STEPHANIE R. COOPER
BRADLEY M. COWAN
DANIEL W. DALRYMPLE
JACQUELINE J. DEGAINE
JASON M. DELOSSANTOS
REBECCA N. DIMURO
CAMERON R. EDLEFSEN
EMILEE O. ELBERT
TRAVIS W. ELMS
BRETT A. FARMER
JESSICA M. FARRELL
ASHDEN FEIN
JONATHAN E. FIELDS
CHRISTOPHER S. GLASCOTT
JULIE A. GLASCOTT
LAURA A. GRACE
MATTHEW T. GRADY
JESSE T. GREENE
JONATHAN M. GROSS
CARAANN M. HAMAGUCHI
FRANCES M. HAMEL
DESIREE K. HELMICK
HEATHER A. HERBERT
STEPHEN M. HERNANDEZ
CHAD E. HIGHFILL
HECTOR J. HIGUERA
JOON K. HONG
RYAN A. HOWARD
KEVIN M. HYNES
THOMAS P. HYNES
BUNDHIT INTACHAI
JACLYN C. JAHNKE
ELLIOTT G. JOHNSON
PETER G. JUETTEN
NATALIE J. KARELIS
GERARD M. KENNA

ADAM W. KERSEY
RYAN K. KERWIN
CHRISTOPHER M. KESSINGER
WILLIAM C. KNOTT, JR.
KEVIN D. KORNEGAY
FRANK E. KOSTIK, JR.
STEPHEN E. LATINO
RYAN W. LEARY
KEVIN M. LEY
PAUL J. LLOYD
AARON L. LYKLING
JOSEPH T. MARCEE
DANIEL L. MAZZONE
EDWARD B. MCDONALD
CHAD M. MCFARLAND
DALE C. MCFEATTERS
WILLIAM M. NICHOLSON
DAVID M. ODEA
JENNIFER A. PARKER
MEGHAN M. POIRIER
AARON S. RALPH
JOSHUA T. RANDOLPH
JOHN D. RIESENBERG
MICHAEL A. RIZZOTTI
JESS B. ROBERTS
JILL B. RODRIGUEZ
JEFFREY H. ROHRBACH
MICHAEL E. SCHAUSS
YOLANDA A. SCHILLINGER
JEREMY S. SCHOLTES
JOSEPH W. SHAHA
TODD W. SIMPSON
TRAVIS P. SOMMER
LAWRENCE H. STEELE
WILLIAM J. STEPHENS
NEIL K. STEPHENSON
WILLIAM N. SUDDETH
JOHN K. SUEHIRO
SARAH C. SYKES
ANDRES VAZQUEZ, JR.
WENER VIEUX
AMY E. WALTERS
STEPHEN P. WATKINS
GLEN E. WOODSTUFF
MADELINE F. YANFORD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

STEPHEN K. AITON
LAWRENCE A. ANYANWU
GREGORY S. APPLEGATE
DARRELL W. AUBREY
DAVID W. BANIAN
ROBERT L. BARRIE, JR.
GREGORY G. BOYD
PAUL K. BROOKS
JOHNNY R. BROUGHTON
MICHAEL L. BROWN
EDWARD J. BURKE IV
DOUGLAS R. CAMPBELL
JOHN R. CAVEDO, JR.
STEPHEN T. CHENG
TOM L. CLADY
WILLIE D. COLEMAN
MARK D. COLLINS
ANDREW C. COOPER
ANTHONY M. COSTON
SHANNON C. COX
HARRY R. CULCLASURE
JOY L. CURRIERA
JOSEPH G. DALESSIO
ANDREW M. DANWIN
BILLY J. DAVIS
JAMES E. DAVIS
CHRISTOPHER L. DAY
STEVEN S. DEBUSK
JAMES T. DELLOLIO
ROBERT J. DIXON, JR.
ERNEST L. DUNLAP, JR.
THOMAS J. EDWARDS, JR.
JOHN M. EGGERT
MARIA P. E. P. EOFF
MICHAEL D. EVANS
STEVEN W. FLETCHER, JR.
JOHN W. FRANCIS
WILLIAM S. GALBRAITH
OMUSO D. GEORGE
IRAJ GHARAGOUZLOO
DAVID V. GILLUM
MOISES M. GUTIERREZ
DARYL P. HARGER
MICHAEL J. HARLAN
MORRIS J. HATCHER
KEVIN G. HEBL
GREGORY R. HOLMES
RICHARD J. HORNSTEIN
PAUL D. HOWARD
NATHAN B. HUNSINGER, JR.
LIECHESTER D. JONES
CRAIG W. JORGENSON
STEPHEN E. KENT
IAN B. KLINKHAMMER
PETER J. LANE
ROBERT A. LAW III
STEPHEN B. LOCKRIDGE
JEFFREY A. MADISON
WILLIAM L. MARKS II
ERIC D. MARTIN
JOHNNEY K. MATTHEWS
DONALD M. MAYER
DARIEL D. MAYFIELD
JOHN V. MCCOY
ALONZO B. MCGHEE
FRITZGERALD F. MCNAIR
JAMES F. MCNULTY, JR.
MICHELLE D. MITCHELL
SANDRA S. MUCHOW
JOSE L. MUNIZ
RANDY MURRAY
RANDAL W. NELSON
COREY A. NEW
GREGORY D. PETERSON
SAMUEL L. PETERSON
KEVIN M. POWERS
MATTHEW F. RASMUSSEN
JOHN T. REIM, JR.
JENNIFER A. REINKOBER
DANIEL K. RICKLEFF
WILLIE RIOS III
RICHARD A. RIVERA
WILLIAM M. ROBARE
DAVID G. ROGERS
PAUL G. SCHLIMM
LOREN P. SCHRINER
TIMOTHY A. STAROSTANKO
MARY B. TAYLOR
MARC D. THORESON
JACK L. USREY
MARVIN G. VANNATTER, JR.
JOHN M. VANNOY
ALFREDO M. VERSOZA
ROBERT L. WHITE
RALPH E. WILLIAMS
TERRY M. WILSON, JR.
DAVID L. WOOD
SIDNEY C. ZEMP IV
D006326
D004409
D005059

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JAMES H. ADAMS III
KEITH W. ANTHONY
MARIO A. ARZENO
ANTONIO E. BANCHS
EDMUND J. BARRETT
JAMES B. BOTTERS
ROBERT D. BRADFORD III
JOHN R. BRAY
MICHELE H. BREDENKAMP
DAVID D. BRENNER
NICHOEL E. BROOKS
ENRIQUE N. CAMACHO-CERVANTES
CARLA J. CAMPBELL
CASIMIR C. CAREY III
TONY K. CHO
FRANK S. CLARK III
PATRICIA S. COLLINS
GREGORY J. CONTI
STEVEN L. CREIGHTON
CHRISTOPHER G. CROSS, JR.
TONY B. CURTIS
KENNETH L. CYPHER
PHILLIP J. DEPPERT
MARK J. DERBER
GLENN K. DICKENSON
KENNETH W. DOBBERTIN
PETER J. DON
TROY L. DOUGLAS
SCOTT C. DULLEA
RODNEY DUNCAN
JENNIE M. EASTERLY
ROBERT L. EDMONSON II
WILLIAM L. EDWARDS
CHRISTOPHER L. EUBANK
SONYA L. FINLEY
PAUL A. FISCHER
BRIAN P. FOLEY
BRIAN R. FOSTER
FRANCIS V. FRAZIER IV
JONATHAN E. FREEMAN
MARK C. GAGNON
DANIEL R. GREEN
TINA R. HARTLEY
MARK A. HASEMAN
BRENT H. HASHIMOTO
THOMAS A. HAYS
TIMOTHY J. HIGGINS
DAVID J. HORAN
KELSO W. HORST, JR.
MARK J. HOVATTER
DAVID P. JEWELL
SEAN A. KEENAN
PATRICK L. KERR
CHRISTOPHER W. KIRKMAN
JEFFREY A. KLEIN
ROBERT M. KLEIN
KELLY T. KNITTER
BERNARD F. KOELSCH
LINDA A. KOTULAN
SEUNG J. LEE
STEPHEN A. LETCHER
RODNEY L. LIGHTFOOT
BRANDEE S. LOCKARD
NICOLAS J. LOVELACE
IAN B. B. LYLES
PATRICK B. MACKIN
NORA R. MARCOS
MICHAEL A. MARTI
MELINDA M. MATE
DOUGLAS M. MATTY
DAVID W. MAY
SAM R. MCADOO
SHANNON J. MCCOY
JEFFREY A. MCDOUGALL
WILLIAM M. MCLAGAN
GREGORY C. MEYER, JR.
THOMAS H. MEYER
DAVID B. MILLNER
JAMES M. MINNICH
VICTORIA L. MIRALDA
DWIGHT R. MORGAN
MICHAEL C. MORTON
TERRENCE L. MURRILL
MICHAEL S. MUSSO
SCOTT T. NESTLER
ANDREW A. OLSON
ROBERT E. PADDOCK, JR.
TIMOTHY J. PARKER
JAMES C. PARKS III
JAMES D. PATTERSON
DAVID W. PENDALL
LAROY PEYTON
JOHN J. PUGLIESE
DANIEL P. RAY
PAUL B. RILEY
ANTHONY T. ROPER
JAMES C. ROYSE
SAM W. RUSS III
MICHELLE A. SCHMIDT
PAUL J. SCHMITT
MARK R. SCHONBERG
KURT A. SCHOSEK
ANTHONY SEBO
ALLEN D. SHREFFLER
JAMES D. SISEMORE
SCOTT A. SMITH
DANIEL E. SOLLER
CHRISTOPHER C. STENMAN
CLEOPHUS THOMAS, JR.
PETER J. TRAGAKIS
SEENA C. TUCKER
ROBERT W. TURK
WILLIAM TURMEL, JR.
JUAN K. ULLOA
CRAIG S. UNRATH
MARK T. VANDEHEI
ROBERT A. WAGNER
VINCENT M. WALLACE
JOHN A. WASKO
MICHAEL D. WEISZ
MICHAEL E. WERTZ
PATRICK M. WHITE
KEVIN R. WILKINSON
SAMUEL E. WILLIAMS
D002233
D010532
D001104
D006581
D010124
G001305
G001034

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOSSLYN L. ABERLE
JAYSON A. ALTIERI
PETER B. ANDRYSIAK, JR.
RICHARD E. ANGLE
ROBERT P. ASHE
DAVID G. ATHEY
ROBERT T. AULT
DAVID C. BEACHMAN
MILFORD H. BEAGLE, JR.
PETER N. BENCHOFF
CHRISTOPHER M. BENSON
MICHAEL K. BENTLEY
KEVIN L. BERRY
WILLIAM R. BLACK
WILLIAM W. BLACKWELL
THOMAS D. BOCCARDI
DAVID R. BOLDUC
MARK E. BOROWSKI
CHRISTOPHER BOYLE
JIMMY M. BRADFORD
GREGORY J. BRADY
TREVOR J. BREDENKAMP
JOHN W. BRENNAN, JR.
JAMES D. BROWN
ROBERT B. BROWN
DEAN A. BURBRIDGE
WILLIAM J. BUTLER
ROBERT C. CAMPBELL
KEITH A. CASEY
KENNETH D. CHASE
MARK W. CHILDS
WILLIAM CHLEBOWSKI
JON J. CHYTKA
JOHN G. CLEMENT
RICHARD R. COFFMAN
ANDREW COLE, JR.
KIMBERLY M. COLLOTON
ALEXANDER CONYERS
BRIAN C. COOK
DANIEL J. CORMIER
MIGUEL A. CORREA
CHARLES D. COSTANZA
DANIEL D. DEADRICH
FRANCISCO B. DECARVALHO
BRYAN E. DENNY
LEE R. DESJARDINS
KIRK C. DORR
BRAD C. DOSTAL
MARTIN DOWNIE
CARTER N. DUCKETT
FREDRICK C. DUMMAR
JANELL E. EICKHOFF
MICHAEL J. FARRELL
PAUL W. FELLINGER
TIMOTHY P. FISCHER
COLLIN J. FORTIER

DONALD R. FRANKLIN
JAMES J. GALLIVAN
VICTOR G. GARCIA, JR.
BRIAN W. GIBSON
JOSEPH P. GLEICHENHAUS
RAUL E. GONZALEZ
WENDY F. GRAHAM
BRYAN S. GREEN
JOEL D. HAMILTON
AMY E. HANNAH
RICHARD L. HANSEN
KENNETH J. HARVEY
DAVID E. HEATH
KEVIN T. HENDERSON
ANDREW M. HERBST
BRYAN P. HERNANDEZ
MICHAEL J. HERTZENDORF
JOHNNY L. HESTER
MICHAEL J. HESTER
RICHARD D. HEYWARD
DONN H. HILL
DAVID M. HODNE
JONATHAN E. HOWERTON
CURTIS B. HUDSON, JR.
MICHAIL S. HUERTER
WILLIAM M. HUFF
JAMES P. ISENHOWER III
SCOTT A. JACKSON
KEVIN L. JACOBI
BARRY G. JONES
ZANE H. JONES
TIMOTHY M. KARCHER
TODD A. KEMPTON
CHRISTOPHER K. KENNEDY
SHAWN E. KLAWUNDER
DANIEL C. KOPROWSKI
PAUL K. KREIS
TIMOTHY C. LADOUCEUR
CHRISTOPHER C. LANEVE
RYAN J. LAPORTE
MICHAEL J. LAWSON
JOHN W. LEFFERS
CAMERON A. LEIKER
MATTHEW R. LEWIS
WILLIAM C. LINDNER
DAVID P. MAUSER
MATTHEW W. MCFARLANE
BRIAN J. MCHUGH
ROBERT G. MCNEIL, JR.
PAUL A. MELE
ROBERT L. MENIST, JR.
JEFFREY M. METZGER
BRIAN M. MICHELSON
PETER G. MINALGA
THOMAS G. MOORE
MICHAEL J. MUSIOL
JODY L. NELSON
THOMAS NGUYEN
RUMI NIELSONGREEN
DAVID M. OBERLANDER
JOHN A. OGRADY
JEFFREY T. ONEAL
EDWARD J. ONEILL IV
BRENT M. PARKER
GUY B. PARMETER
BRYAN E. PATRIDGE
RICHARD T. PATTERSON
JAMES P. PAYNE
BRIAN L. PEARL
BRIAN S. PETIT
RICHARD A. PRATT
ANDREW D. PRESTON
SHAWN T. PRICKETT
CHRISTOPHER R. RAMSEY
MARK D. RASCHKE
FRED L. REEVES, JR.
ROBERT A. REYNOLDS
GORDON A. RICHARDSON
CHRISTOPHER N. RIGA
JULIUS A. RIGOLE
ADAM L. ROCKE
HEATH C. ROSCOE
STEPHEN C. SEARS
ANDREW D. SEXTON
THOMAS A. SHOFFNER
ALAN J. SHUMATE
GREGORY F. SIERRA
HOLLY C. SILKMAN
DOUGLAS A. SIMS II
STEPHEN G. SMITH
MARK E. SOLOMONS
KARA L. SOULES
EVERETT S. P. SPAIN
GEORGE W. STERLING, JR.
DAVID F. STEWART
SCOT N. STOREY
SHAWN A. STROUD
PATRICK T. SULLIVAN
TIMOTHY P. SULLIVAN
GEORGE K. THIEBES
GARRY L. THOMPSON
JOSE M. THOMPSON
THOMAS J. TICKNER
RICHARD F. TIMMONS II
SHAUN E. TOOKE
VINCENT H. TORZA
JOHN A. VERMEESCH
JOEL B. VOWELL
PATRICK M. WALSH
TODD E. WALSH
MICHAEL E. WAWRZYNIAK
ANDREW J. WEATHERSTONE
STEPHEN A. WERTZ
RANDALL D. WICKMAN
CHRISTOPHER W. WILBECK
TODD P. WILSON
DOUGLAS W. WINTON
DONALD C. WOLFE, JR.
ERIC W. ZEEMAN
WILLIAM H. ZEMP
TODD M. ZOLLINGER
D002143

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JORGE M. RUANO-ROSSIL

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CRAIG J. SHELL

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

WILLIAM J. WRIGHTINGTON

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEFFREY S. LACORTE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RUSSELL B. CROMLEY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER P. DOUGLAS
SHAWN A. HARRIS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RICHARD CANEDO
MATTHEW C. FRAZIER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRIAN T. THOMPSON

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARK A. MITCHELL

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JUAN M. ORTIZ, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRIAN J. CORRIS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KEVIN R. WILLIAMS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTOPHER J. COX

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LEONARD R. DOMITROVITS
ROBERT A. PETERSEN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JERRY R. COPLEY
JAMES R. TOWNEY

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ROBERT F. EMMINGER
MICHAEL G. MARCHAND

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER J. ALBRIGHT
DANIEL W. ANNUNZIATA
JAMES R. INGLIS
CHRISTOPHER M. OSMUN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

WINSTON D. BOYD II
RAYMOND J. MITCHELL
PERRY L. SMITH, JR.
MOSES A. THOMAS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

STUART M. BARKER
M. S. MURPHY
CURTIS J. SMITH
BRYAN E. STOTTS
GREGORY E. WRUBLUSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LADANIEL DAYZIE
JAMES E. FOX, JR.
CHRISTOPHER W. SCHARF
CHRISTOPHER D. THOMPSON
MICHAEL J. ULSES
AGILEO J. YLANAN, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

EDUARDO A. ABISELLAN
JAMES H. ADAMS III
MARCUS B. ANNIBALE
MICHAEL P. ANTONIO
JOHN ARMELLINO, JR.
ERIC E. AUSTIN
BRAD S. BARTELT
JASON A. BEAUDOIN
GRADY A. BELYEU, JR.
WILLIAM C. BENTLEY III
MARLIN C. BENTON, JR.
BRENT W. BIEN
RUSSELL A. BLAUW
JOHN A. BOLT
MICHAEL J. BORGSCHULTE
BRETT A. BOURNE
MATTHEW C. BOYKIN
ROBERT C. BOYLES
BRIAN E. BUFTON
WAYNE M. BUNKER
DAVID W. BUSSEL
MAX W. CAIN II
DONALD C. CHIPMAN
JOHN P. CHRISTOPHER
PHILIP A. COLBORN
MATTHEW S. COOK
KIRK F. CORDOVA
ANDREW L. CRABB
SCOTT S. CREED
VANCE L. CRYER
OSSEN J. DHAITI
PETER J. DILLON
CHRISTOPHER G. DIXON
DOUGLAS G. DOUDS
CHARLES DOWLING
JON D. DUKE
ERIC J. ELDRED
JOHN W. EVANS, JR.
TODD R. FINLEY
DAVID C. FORREST
PHILLIP N. FRIETZE
RICHARD F. FUERST
CHRISTOPHER D. GIDEONS
STEVEN R. GIRARD
THOMAS J. GORDON IV
REGINALD L. HAIRSTON
SCOTT V. HALLSTROM

DOUGLAS A. HAWKINS
ANTHONY M. HENDERSON
JAMES R. HENSIEN
THOMAS K. HOBBS
JEFFREY P. HOGAN
KELLY P. HOULGATE
MARC C. HOWELL
KEVIN M. HUDSON
JAMES T. IULO
PRESTON W. JONES
STEVEN P. KAEGEBEIN
DANIEL R. KAISER
KENNETH R. KASSNER
MICHAEL J. KENNEDY
BRIAN J. KING
LAWRENCE M. LANDON
PETER N. LEE
SCOTT D. LEONARD
JAMES C. LEWIS
MICHAEL J. LINDEMANN, JR.
DANIEL E. LONGWELL
DOUGLAS J. MACINTYRE
MICHAEL A. MANNING
DAMIEN M. MARSH
SEAN M. MCBRIDE
WILLIAM F. MCCOLLOUGH
KATHERINE M. MCDONALD
CHARLES A. MCLEAN II
MELANIE A. MERCAN
JOSEPH F. MONROE
SAMUEL P. MOWERY
ANDREW J. MOYER
JOHN J. MURPHY III
CHRISTOPHER B. NASH
DAVID NATHANSON
WILLIAM J. NEMETH
SETH L. OCLOO, JR.
DAVID L. ODOM
MICHAEL H. OPPENHEIM
MARK T. PALMER
PHILIP M. PASTINO
PAUL T. PATRICK
FRITZ W. PFEIFFER
JAMES E. QUINN
JOSEPH N. RAFTERY
JOHN A. RAHE, JR.
MINTER B. RALSTON IV
MATTHEW G. RAU
ANDREW M. REGAN
DESMOND A. REID, JR.
WILLIAM H. REINHART
PAUL M. RIEGERT
DANIEL B. ROBINSON
PAUL A. ROSENBLOOM
PETER S. RUBIN
ROBERT P. SALASKO
SEAN M. SALENE
THOMAS B. SAVAGE
ERIC W. SCHAEFER
ROBERTA L. SHEA
MATTHEW M. SIEBER
JEFFREY C. SMITHERMAN
ROBERT J. SMULLEN
KEVIN J. STEWART
BENJAMIN P. STINSON
CRAIG H. STREETER
DAVID A. SUGGS
CHRISTOPHER A. TAVUCHIS
WILLIAM J. TRUAX, JR.
MICHELLE L. TRUSSO
DANNY J. VERDA
JOHN E. WALKER
TYE R. WALLACE
HUGH R. WARE
BENJAMIN T. WATSON
AARON S. WELLS
CHRISTOPHER J. WILLIAMS
BRIAN N. WOLFORD
CALVERT L. WORTH, JR.
CHRISTIAN F. WORTMAN
TYLER J. ZAGURSKI
WILLIAM E. ZAMAGNI, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

OMAR A. ADAME
AGUR S. ADAMS
BRIAN A. ADAMS
ROBERT M. ADAMS
MICHAEL M. AHLSTROM
CLINT W. ALANIS
SARAH M. ALCAIDE
ANDREW J. ALISSANDRATOS
JUSTIN D. AMTHOR
MARY C. ANDERLONIS
BELINDA L. ANDERSON
JASON L. ANDERSON
LARS D. ANDERSON
NATHAN W. ANDERSON
ANTONY J. ANDRIOUS
CHARLES E. ANKLAM III
WELLINGTON C. AQUINO
ROBERT C. ARBEGAST
PHILLIP T. ASH
JONATHAN C. ASHMORE
MICHELLE B. AVILA
BRADLEE J. AVOTS
AARON M. AWTRY
DAVID J. BACHTA
DAVID T. BAILEY
STEPHEN C. BAIR
GLENN P. BAKER
RYAN M. BAKER
MARK V. BALFANTZ
MICHAEL J. BALICH
JOHN R. BALLENGER
ANTHONY P. BARILETTI
CHRISTINE D. BARILETTI
JOSEPH N. BARKER
JOSEPHUS E. BARNES
JONATHAN F. BARR
PAUL R. BARRON
MATTHEW D. BARTELS
ROBERT I. BASKINS
BENJAMIN K. BAYLESS
SCOTT E. BEATTY
ELDON W. BECK
MATTHEW J. BECK
DAVID BEERE
RICHARD A. BEHRMANN
BEAU B. BELL
KEVIN L. BELL
THOMAS E. BELLAMY
JUSTIN M. BELLMAN
ERIN K. BERARD
JAMES R. BERARD
MICHAEL D. BERRY
MATTHEW P. BEUCHERT
JOHN T. BIDWELL
JOHN L. BINSTOCK
BENJAMIN L. BLANTON
MICHAEL A. BLEJSKI
STEPHEN J. BOADA
CHRISTOPHER F. BOKSANSKE
JEB BOLEN
THOMAS E. BOLEN, JR.
JOHN R. BOUTIN
TIMOTHY J. BOVE
ERIK A. BOYCE
ANNE M. BRADEN
BARRET F. BRADSTREET
RICHARD J. BRIDGETT
JOSHUA A. BRINDEL
JOSHUA H. BRINGHURST
MARC W. BRINNEMAN
CHAD C. BROOKS
LAWRENCE G. BROOKS
ANDREW P. BROUGHTON
BRANDON D. BROWN
CHRISTOPHER J. BROWN
DAVID L. BROWN
ERIC A. BROWN
IAN T. BROWN
NEIL H. BRUBECK
WILLIAM L. BRYSON, JR.
SCOTT S. BUCHANAN
CHRISTOPHER L. BUCK
JOHN E. BUIS
MARC L. BULLOCK
ADAM W. BURCH
THOMAS J. BURKE
BRADLEY A. BYERS
CORY T. CALLISON
JOHN F. CAMPBELL
KATHLEEN E. CAMPBELL
JARRAD S. CAOLA
SEAN S. CARANO
ANDREW L. CARCICH
THOMAS W. CAREY
CLARK D. CARPENTER
WAYNE A. CARR, JR.
BRYCE W. CARTER
SHAWN R. CASH
CHRISTOPHER J. CELUSTA
GREGORY R. CHAPMAN
ROCKY L. CHECCA
COLIN M. CHISHOLM
ALLAN S. CHIU
ROBERT M. CHRISTAFORE, JR.
LONNIE S. CHRISTIAN, JR.
ERIC S. CHRISTOPHE
MICHAEL P. CICCHI
JOHN P. CIMINA
JASON M. CLARK
KEVIN L. CLARK
MICHAEL E. CLARK
VANESSA M. CLARK
RICHARD M. CLONINGER
THOMAS E. COGAN IV
RYAN B. COHEN
JASON M. CONDON
JUSTIN J. CONDON
MICHAEL T. CONTE
JONATHAN R. COOK
AUDIE T. COOPER
DIONISIO G. COOPER
DAVID N. CORKILL
CARRIE E. CORNELIUS
MARCUS P. CORNELIUS
CHRISTOPHER M. COWEN
MICHAEL C. CRAGHOLM
KEVIN S. CROCKETT
ADAM P. CROMWELL
PAUL L. CROOM II
CHARLES E. CROWNOVER
RYAN K. CURRY
NELS C. DAHLGARD
DAVID M. DALBY
JOHN A. DALBY
CASEY R. DALTON
ROBERT G. DANIELS
DANA M. DARNELL
CHRISTOPHER B. DAVIDSON
CHRISTOPHER M. DAVIS
CLAY E. DAVIS
JEREMIAH J. DAVIS
GREGORY R. DAY
JEFFREY G. DEAN
PHILLIP A. DEEBLE
MICHAEL A. DEJESSO
WILLIAM E. DELEAL II
JAMES J. DELIA II
CASEY G. DEMUNCK
RYAN B. DENNIS
STEPHEN E. DETRINIS
CHRISTOPHER J. DETTLE
SETH E. DEWEY
PHILLIP D. DIBELLA
PAUL J. DIMAGGIO
ALAN C. DINSDALE
JOHN D. DIRK
DAVID R. DIXON, JR.
TRONG M. DO
RYAN P. DONAHUE
MICHAEL J. DONALDSON
BRIAN J. DONLON
THOMAS L. DONOHOO IV
ALEXANDER G. DOUVAS
MATTHEW A. DOWDEN
THADDEUS V. DRAKE, JR.
JOHN D. DRAPER
DAVID J. DREIER
JOHN S. DUNN
SIMON J. DURSO
ROBERT E. ECKERT, JR.
ANTONIO M. EDWARDS
MATTHEW J. EGAN
JEFFREY P. EGGERS
ALEXANDER J. ELLIS
JOSEPH C. ELSEROAD
TODD F. ESLINGER
HAROLD J. EVERHART
NATASHA M. EVERLY
CHRISTOPHER M. EYRE
ROBERT A. FAIRLEY
JOHN D. FAIRMAN
ZIAD N. FAKHOURY
TIMOTHY J. FARAG
SCOTT C. FARRAR
THOMAS C. FARRINGTON II
ALEXANDER FARSAAD
AARON M. FAUST
TREVOR J. FELTER
BENJAMIN J. FIALA
PAUL D. FISCHER
NATHAN A. FLEISCHAKER
GEORGE E. FLEMING
GREGORY K. FLETCHER
RAYMOND P. FOERSTER
CHRISTOPHER A. FORMAN
PATRICK J. FORREST
CHRISTOPHER J. FORSYTHE
SCOTT T. FORTNER
LUCAS S. FRANK
GEOFFREY J. FRANKS
TYLER A. FREEBURG
DUNCAN A. FRENCH
JONATHON T. FRERICHS
BENJAMIN M. FRIEDRICK
JOEL D. FRITTS
JOHN H. FRUSHOUR III
DAVID I. FULLER, JR.
ADAM V. GABLE
KENDRICK L. GAINES
TIMOTHY K. GALLAGHER, JR.
ROBERT L. GAMBRELL III
TIMMOTHY B. GARRISON
ROSENDO GARZA, JR.
ADAM C. GEITNER
ALEXANDRA V. GERBRACHT
ROBERT P. GERBRACHT
BRIAN D. GERSCHUTZ
ROBERT A. GIBSON
AARON J. GLOVER
ANDREA L. GOEMAN
CARLOS M. GOETZ
MATTHEW M. GOLDENSTEIN
JULIO C. GONZALEZ, JR.
JASON R. GOODALE
ALEXANDER E. GOODNO
RYAN R. GORDINIER
GEORGE R. GORDY IV
BRIAN P. GRAY
GERGORY A. GRAYSON
JEROME C. GRECO
ROGER M. GREENWOOD
MITCHELL B. GREY
AMELIA J. GRIFFITH
JUSTIN C. GRISSOM
ROBERT M. GROCEMAN
CLARKE P. GROEFSEMA
CHRISTOPHER R. GROMADSKI
ROBERT R. GRUBER
BENJAMIN F. GUARDENIER
ARTURO GUZMAN, JR.
CASEY M. HAGER
PATRICK M. HAINES, JR.
KYLE D. HAIRE
MATTHEW L. HALEY
MATHISON G. HALL
PATRICK R. HALL
ANDREW J. HAMILTON
BRIAN R. HANRAHAN
JONATHAN T. HANSEN
JAY D. HANSON
TERRY D. HARPER III
JERRY M. HARRE
JASON T. HARRIS
KRISTOFER S. HARRIS
RYAN N. HARSHMAN
CHARLES N. HART
MARYKITT B. HAUGEN
BENJAMIN J. HAWTHORNE
ADAM A. HECHT
ALEX D. HEDMAN
KATHERINE A. HEGG
JEREMY A. HELFRICH
SEAN M. HENNESSY

CHRISTINA R. HENRY
BRIAN J. HENSARLING
CARLTON L. HENSLEY
ERIC J. HENZLER
BENJAMIN R. HEREDIA
KEVIN R. HERRMANN
BRIAN L. HILL
DAVID A. HILL
DAVID R. HILL
MATTHEW H. HILTON
BENJAMIN J. HINZ
DANIEL J. HIPOL
JOHN J. HOFFNER
EDWARD V. HOLTON
EDWARD A. HOLTZ
JEFFREY L. HORNE
HARRY H. HORNING II
HENRY J. HORTENSTINE
BROCK A. HOUGHTON
JUSTIN A. HOWE
JUSTIN W. HUBER
MICHAEL J. HUCK
TIMOTHY G. HUDSON
JAMES R. HUEFNER
ERIC T. HUGG
JIMMIE D. HUGHES, JR.
KEVIN M. HUGHES
STEVEN R. HULS
RYAN M. HUNT
NICHOLAS A. HURNDON
ROBERT P. HURST
JAMES HUTCHINS
JONATHAN A. HUTCHISON
BRIAN P. HUYSMAN
STEVEN L. INGLE
JOSEPH F. IRWIN
DANIEL P. JAKAB
RICHARD A. JENNINGS
SVEN JENSEN
CLARENCE E. JERNIGAN III
RUSSELL V. JOHNSON IV
RYAN A. JOHNSON
TROY A. JOHNSON
BRENTON L. JONES
JOSHUA J. JONES
ROBERT L. JONES
ROBERT M. JONES, JR.
TITO M. JONES
JOHNNY J. JOURNEY
DANIEL W. KAISER
CHRISTOPHER L. KANNADY
ANDREW R. KANO
DENNIS W. KATOLIN
THOMAS M. KEECH
ERIN C. KELLOGG
MICHAEL R. KEMPF
CHRISTOPHER J. KENNEDY
MEGHAN A. KENNERLY
JAMES G. KING
ZAFFRENARD L. KING
CALLEEN T. KINNEY
ERIC D. KITT
KURTIS C. KJOBECH
SCOT G. KLEINMAN
JASON M. KLERK
THOMAS D. KLINE
DAVID L. KLINGENSMITH
BRADFORD L. KLUSMANN
CORY B. KNOX
CHRISTINA A. KNUTSON
JOEL P. KNUTSON
JONATHAN P. KOCHERSBERGER
TIMOTHY J. KOCHMAN
DOUGLAS J. KOHLSTEDT
WALKER C. KOURY
MARK A. KOVAL
MATTHEW T. KRALOVEC
FREDERICK C. KRAMER
KEVIN D. KRATZER
AARON R. KRUKOW
GERALD A. KRUSE III
CHRISTOPHER C. KUEHNE
SASHA J. KUHLOW
TIMOTHY J. KUHN
CHRISTOPHER J. KUPKA
JOHN D. LABIT
ARLEIGH B. LACEFIELD
KEVIN J. LAFRENIER
ANDREW T. LAKE
CHRISTOPHER P. LANUM
BRIAN D. LAPOINTE
BLANCA E. LARA
ERIC H. LARSEN
CHRISTOPHER E. LARSON
CHRISTOPHER L. LATIMER
NATHANIEL T. LAUTERBACH
BRIAN E. LAWSON
CHRISTOPHER B. LAWSON
JOHN D. LAWTON
DEVAUNT Z. LECLAIRE
HO K. LEE
JEFFERY T. LEE
RICHARD H. LEE
BRETT W. LEFFLER
ZACHARY J. LEHMAN
ROE S. LEMONS
MATHEW K. LESNOWICZ
MARSHALL J. LEWIS
MICHAEL A. LIGUORI
JAMES R. LINDLER
MICHAEL S. LINHARES
HAROLD E. LLOYD III
PAUL D. LOBALBO
THOMAS F. LOCKWOOD
CLARENCE E. LOOMIS, JR.
JEFFERY D. LOOP
WILLIAM A. LORD, JR.
ALEXANDER LUGOVELAZQUEZ
TRACY A. MAESE
LEE S. MAHLSTEDE, JR.
THOMAS J. MANNINO
MICHAEL W. MANOCCHIO
BROCK A. MANTZ
RYAN A. MAPLE
DOUGLAS H. MARCH
DUSTIN J. MAREMA
PAMELA K. MARSHALL
ALBERT M. MARTEL
ARMANDO J. MARTINEZ
DANNY MARTINEZ
ALEXANDER A. MARTINI
ALEKSANDR D. MARTINNIMS
WILLIAM J. MATKINS
ROBERT F. MAY
TIMOTHY W. MAYER
BRIAN F. MAZZOLA
ALLEN R. MCBROOM
NATHANIEL A. MCCLUNG
JAMESON B. MCGEE
MATTHEW J. MCGIRR
JESSE A. MCKEEMAN
JUSTIN D. MCKINNEY
MICHAEL W. MCNEIL
DAVID P. MEADOWS
JORDAN A. MEADS
CHRISTOPHER J. MELLON
ANDREW R. MERKEL
DAVID A. MERLES
CHRISTOPHER C. MEYER
BENJAMIN M. MIDDENDORF
WILLIAM F. MILES
JUSTIN T. MILLER
JANINE M. MILLS
AARON E. MILROY
KRISTY N. MILTON
RODNEY K. MIMS
RAYMOND J. MIRENDA
MARK D. MIRRA
MICHAEL K. MISHOE, JR.
ERIC D. MITCHELL
LEON M. MITCHELL
NICHOLAS J. MOLDER
ROBERT B. MONDAY
JOSE L. MONTALVAN
JOSEPH R. MONTEDORO
WILSON M. MOORE
MARK D. MORGAN
TODD E. MOULDER
AMANDA F. MOWRY
MICHAEL C. MROSZCZAK
THEODORE J. MUGNIER
STEVE L. MUHA
ERIC M. MUICH
JESSICA J. MULDER
NICHOLAS A. MURCHISON
FELICIA S. MURPHY
GILBERT E. MURRAY
PATRICK H. MURRAY
CORBIN M. MURTAUGH
DANIEL R. MYERS
DAVID B. MYERS
RICKY A. NAIL
CHARLES C. NASH
CHRISTOPHER C. NEAL
ROBERT E. NEEDHAM
DAVID L. NEELY
RICHARD P. NEIKIRK
JEREMY S. NELSON
FREDERIC R. NEUBERT
BERNADETTE M. NEWMAN
SAMSON C. NEWSOME II
PAUL J. NICHOLAS
LE E. NOLAN
CHRISTOPHER L. NOLF
JASON J. NOLLETTE
ERIC R. NORTHAM, SR.
DANIEL F. OBRIEN
MICHAEL J. OBRIEN
EDWARD J. OCONNELL IV
BRIAN J. ODAY
MICHAEL J. OGINSKY
MARCUS T. OHLENFORST
BRIAN M. OLMSTEAD
RUDYARD S. OLMSTEAD
JAKE A. OLSON
ERIC J. OLSSON
JASON M. ONEIL
KELLI A. ONEIL
CHRISTIAN A. ORTIZ
MICHELLE L. OVER
LUKE G. PARKER
ALEXIS L. PASCHEDAG
MATTHEW R. PASQUALI
MICHAEL P. PAVIS
MATTHEW R. PEARSON
STEVEN R. PEDERSON
BRIAN A. PELL
JASON P. PELLERIN
CLAYTON R. PENTON
JONI W. PEPIN
MICHAEL A. PERKINS
MICHAEL T. PERROTTET
BETHANY S. PETERSON
CHRISTOPHER L. PHILLIPS
LYNWOOD K. PHILLIPS, JR.
EDUARDO J. PINALES
DENNIS D. PINCUMBE
JESSE R. PITZRICK
ROBERT A. PLAGMANN
JESSE D. PLETTS
MICHAEL E. PLUCINSKI
WILLIAM G. POLANIA
JEFFREY A. POLSON
SHANELLE A. PORTER
DAVID M. POST
BENJAMIN N. PRESTON
ROBERT R. PRICE
MICHAEL M. PROCTOR
BRIAN D. PSOLKA
LANCE T. PUGSLEY
CHANCE D. PUMA
CLARK T. PURCELL
ERIK C. QUIST
LAWRENCE A. RAINEY, JR.
DONALD D. RANSOM, JR.
JASON B. RAPER
SCOTT F. RAPIN
STEPHEN M. RAY
BRIAN T. REAL
PATRICK Z. REDDICK
NATHANIEL P. REDMAN
TERRANCE J. REESE
MICHAEL J. REGNER
BERT J. REININK
ROBERT G. REINOEHL
JASON T. REITZ
PAUL E. REYES III
CHRISTOPHER B. RHINEHART
ANDREW D. RICE
BRENT W. RICHARDSON
MATTHEW E. RICHARDSON
JOSEPH W. RIVERA
PAUL M. RIVERA
JOHN L. ROACH
MATTHEW G. ROBERTS
MATTHEW J. ROBERTS
SARA F. ROBERTS
MASTIN M. ROBESON, JR.
JEREMY J. ROBIN
DANIEL J. ROBINSON
JOSHUA D. ROGERSON
ALFREDO T. ROMERO II
ERIN M. ROSA
JOSHUA R. ROSALES
CURTIS N. ROSE
MICHAEL W. ROSEN
MARK J. ROSENTHAL
MATTHEW A. ROSS
JAMES F. ROUCHON
JASON RUBIN
NATHAN P. RUGE
HEATH E. RUPPERT
DAVID T. RUSSELL
JOHN W. RUSSELL
SEAN H. RYBURN
DARYL T. SABOURIN
ADAM R. SACCHETTI
MICHAEL R. SANDSTROM
FRANK A. SAVARESE
JOHN A. SAX
MARK L. SAYE
BENJAMIN A. SCHELLMAN
ERICH C. SCHLOEGL
KEVIN H. SCHULTZ
BRIAN W. SCHWEERS
ADAM J. SCOTT
MICHAEL A. SCOTT
DAVID B. SELMO
ARUN SHANKAR
GRADY O. SHARP
JAMES J. SHEASLEY
KEVIN D. SHEPHERD
KEVIN M. SHIELS
CHRISTOPHER D. SHORE
TODD N. SHUCK
FRANK SIERRA
ADELE M. SIMMONS
JOHN H. SIMMONS
STEPHEN C. SIMS II
GARY S. SLATER
CALVIN R. SMALLWOOD
DAVID S. SMITH, JR.
MARK L. SMITH
MATTHEW D. SMITH
WILLIAM H. SMITH
WILLIE J. SMITH, JR.
MICHAEL SMYCZYNSKI
EDWARD M. SOLIS
ISMAEL SOTO
WILLIAM R. SOUCIE
JAMES W. SPARKS, JR.
TIMOTHY R. SPARKS
JOSHUA A. SPERLING
JOHN M. SPOHRER
JOHN K. STANDEN
CHRISTOPHER J. STARK
CHRISTOPHER B. STEBBINGS
JEFFREY D. STEELE
JOSEPH P. STEINFELS
WILLIAM STEINKE
LISA D. STEINMETZ
PAUL W. STEKETEE
KEVIN J. STEPP
BRANDON M. STIBB
MATTHEW A. STIGER
NATHAN J. STORM
ADRIENNE M. STRZELCZYK
RAFE L. STUCKEY
JEFFREY I. STUDEBAKER
ROBERTO SUAREZ
CLIFFORD C. SUTCLIFFE
JOSEPH A. SWEAT
DEREK L. SWENNINGSEN
SCOTT W. SYMONS
DARREN S. SZERDY
MARK A. TACQUARD, JR.
DURAND S. TANNER
ERIC C. TAUSCH
MATTHEW G. TAVERNIER
ERIC J. TAYLOR
TODD J. TEDESCHI

ERIC P. TEE
ANDREW E. TERRELL
JEFFREY M. TEW
BJORN E. THOREEN
ALAN B. THORNHILL
RYAN J. THRESHER
CLARENCE W. TINNEY
JACOB J. TOMLIN
BERT S. TOMPKINS, JR.
JAVIER TORRES
GREGORY J. TRAVERS II
PAUL D. TREMBLAY
ANTHONY C. TRIVISO
JAMES A. TROTTER
CHAD E. TROYER
DAVID P. TUMANJAN
BRANDON H. TURNER
THOMAS B. TURNER
CHARLES C. TYLER
ANIEMA G. UTUK
VINCENT S. VALDES
MICHAEL L. VALENTI
SIMON P. VANBOENING
JOHN E. VAQUERANO
JAIR VARGAS
BRIAN J. VOGEL
BRUCE W. VOGELGESANG
ROCKY VROMAN
KATHRYN E. WAGNER
BRENDAN M. WALSH
WILLIAM J. WARKENTIN
CHRISTOPHER J. WARNAGIRIS
MICHAEL S. WASHAM
MICHAEL C. WAUGH
DANIEL A. WEBER
JOSEPH H. WELCH
JAYSON M. WELIHAN
BRYAN C. WELLES
BRIAN K. WELSH
KARL C. WETHE
JOHN P. WHEATCROFT
CHARLES G. WHEELER III
ELISHAMA M. WHEELER
RANDALL D. WHITE
RYAN D. WHITTY
DAVID S. WILLIAMS
ROBERT E. WILLIAMSON
ALEXANDER R. WILSCHKE
RODNEY G. WILSON
TRAVIS J. WISNIEWSKI
STEWART L. WITTEL, JR.
MICHAEL R. WOODARD
JAMES M. WOULFE
PAUL M. WRIGHT
SHANA R. WRIGHT
JOSEPH O. WYDEVEN
MARCUS K. YASUMATSU
CHARLES W. YEAGER IV
JOLEEN M. YOUNG
WYNNDEE M. YOUNG
BRYAN W. YOUNGERS
DAVID Z. ZARTMAN
CHRISTINA F. ZIMMERMAN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ARLINGTON A. FINCH, JR.
BENNY B. JONES
ALAN T. KRAUS
KEVIN M. TSCHERCH

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

TIMOTHY T. RYBINSKI

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN D. WILSHUSEN

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

WILLIS E. EVERETT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JAMES T. GILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be commander

CHRISTOPHER A. MARTINO

EXTENSIONS OF REMARKS

RECOGNIZING MARK WASSERMAN AND THE HOUSES FOR CHANGE PROGRAM

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. HASTINGS of Florida. Mr. Speaker, Houses for Change is an innovative new campaign garnering support for the fight against homelessness. This new program is quickly becoming a popular way to help communities across the country support the less fortunate. The program's founder, Mark Wasserman, recently visited Capitol Hill to share his ideas with Members of Congress and their staff. I would like to recognize Mr. Wasserman's dedication and thank him for working to improve his community.

Looking for a way to help the homeless, Mark came up with the Houses for Change program. This innovative program allows children to use their imagination and creativity to support homeless people. The children decorate pre-ordered boxes so that they look like small homes, and then they take their homes around the community to collect loose change. On a selected date, the children and parents bring the boxes back to Houses for Change, and all of the proceeds go directly to a charity selected by the participants. Similar to the Jewish tradition of the tzedakah box, this unique method allows all of the money raised to go directly towards helping the homeless.

Mark's original idea was extremely successful in Palm Beach County, Florida. As a result, the program is now being launched nationwide. With the help of Family Promise, Houses for Change is quickly being adopted by schools, church congregations, and homeless organizations across the country. Additionally, organizations such as the YMCA and United Way are going to begin using this program to help youth get involved in this meaningful community service project. Due to his hard work and dedication, Mark's original idea is now a national effort to help the less fortunate members of our society.

Mr. Speaker, people like Mark Wasserman are a shining example of those selfless individuals who have committed their life to helping their communities become a better place. I am so proud that the Houses for Change program started in South Florida, and I hope that the program continues to thrive across the nation.

BUFFALO SOLDIERS IN THE NATIONAL PARKS STUDY ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 2012

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 1022, ''Buffalo Soldiers in the National Parks Study Act.'' This bill directs the Secretary of the Interior to study alternatives for the commemoration and interpretation of the role of the Buffalo Soldiers in the early years of the national parks.

America's national parks are a treasure of nature's magnificent wonders—84 million acres of the most stunning landscapes anyone has ever seen. The story of the national parks is the story of people from every conceivable background who were willing to devote themselves to saving a portion of the land they loved. Among them were Buffalo Soldiers.

Our country began the arduous task of rebuilding itself after a brutal civil war. In this war former slaves fought in Union regiments to pursue the ultimate goal to end slavery. These Black soldiers were later used in 1866, when Congress created six segregated regiments that ultimately became four black regiments that later became known as the original Buffalo Soldiers. Because of prevailing attitudes following the Civil War, these soldiers could only serve west of the Mississippi River. Their main charge was to protect settlers as they moved west and to support building the infrastructure needed for new settlements to flourish.

Buffalo Soldiers conducted campaigns against American Indian tribes on a western frontier that extended from Montana in the northwest to Texas, New Mexico, and Arizona in the southwest. They engaged in several clashes against such great Indian Chiefs as Victorio, Geronimo, and Nana.

''Buffalo Soldiers'' was the name given the black cavalrymen by the Plains Indians. Reason for the name is uncertain. One view is that the Indians saw a resemblance between the black man's hair and the mane of a buffalo. Another view is that when a buffalo was wounded or cornered, it fought ferociously, displaying unusual stamina and courage. This was the same fighting spirit Indians saw in combat with black cavalrymen. Since Indians held the buffalo in such high regard, it was felt that the name was not given in contempt.

Those Buffalo Soldiers not only fought in conflicts along the western frontier, but they were indispensible in the treacherous and desolate trails of the Wild West. They helped protect and build up our new country as it expanded west. They built roads. They protected new territories where they escorted settlers, cattle herds, and railroad crews, while battling Mexican revolutionaries, outlaws, rustlers and hostile Native American tribes. The Buffalo Soldiers were the protectors of the western frontier.

Buffalo Soldiers played a central role in protecting national parks—Yosemite, Sequoia and Kings Canyon National Parks. They were, in fact, our national parks' first ''guardians.'' These Soldiers kept the park free from poachers and from the ranchers whose grazing sheep destroyed the parks' natural habitats. They built roads, including the first wagon road into the Giant Forest of Sequoia.

At a time when most of the country would not recognize their humanity, these brave patriots stood up to fight and protect a country that was just as much theirs as any other American. And I think it is fitting and symbolic that at a time when our Nation was rebuilding itself after being torn apart, it was former slaves and children of former slaves—Buffalo Soldiers—that rebuilt and protected our new and expanding country.

As our country progresses, there will continue to be sites of historic and cultural significance that need to be added to the national park system. Commemorating and interpreting the role of the Buffalo Soldiers in the early years of the national parks will ensure the historical contributions of the Buffalo Soldiers will always be remembered. Celebrating the role of Buffalo Soldiers serves to interpret, articulate, collect, display and preserve historical artifacts, documents, and other historical memorabilia relating to these brave men.

It is America's mandate to acknowledge and reflect America's diverse stories. The story of Buffalo Soldiers is an underrepresented cultural theme in our national parks. Commemorating Buffalo Soldiers in the history of the nation's national parks is a step in the right direction. It reflects our cultural heritage and ensures their stories are told for our children and grandchildren to enjoy throughout posterity.

At this time I would also like to take a moment to thank a special Legislative Fellow in my office, Byron McKie. He has been working diligently to enhance the opportunities of children through STEM education.

IN MEMORY OF JAMES I. THACKER

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to James I. Thacker, a dedicated public servant and brave member of the Pike County Sheriff's Department in Pikeville, Kentucky. His passing is a great loss and he will be deeply missed in Pike County.

For law enforcement officers and other first responders, a routine assignment can become dangerous at any moment. On Monday, January 23rd, James was serving papers at the end of his shift, when a vehicle crossed the center line on U.S. 460 and hit him head on. His comrades rushed to his aid, just the same as he had done so many times before for them.

James will always be remembered for his service to Pike County, both for his time as a Deputy Sheriff and his faithful years as a Constable. He served with compassion, loyalty and the utmost integrity. James' comrades highly respected him, and described him as someone who treated others as he wanted to be treated. He was an excellent officer and was always prepared to answer the call of duty.

James was a loving husband, a father of four, a grandfather and a former road foreman. His loss will be felt across the county

and his legacy will carry on in the hearts and lives of those who love him.

Let us remember that everyday our law enforcement officers are putting their lives on the line and that a routine day is never routine. On behalf of my wife Cynthia and myself, I want to extend our deepest heartfelt sympathies to the Thacker family.

Mr. Speaker, I ask my colleagues to join me in honoring a brave, public servant for the people of Pike County, Kentucky, the late James Thacker.

IN HONOR OF JOANNE B. ''JOEY'' LASNIK

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. FARR. Mr. Speaker, I rise today to honor Joanne B. ''Joey'' Lasnik, who passed away January 4, 2012. Lasnik was a longtime community activist, volunteer, leader, daughter, grandmother, and friend.

Lasnik was an active member of the Monterey County Commission on the Status of Women, the Monterey County Overall Economic Development Commission, the Monterey County Democratic Women's Club, a leader on the National and local level of the Girl Scouts, the Salinas branch of NAACP, and the American Association of University Women, she served on the committee for the Fort Ord Task Force, and the advisory Board of KHDC. In 1981 Joanne was the first woman ever to be named foreman of the Monterey County Grand Jury. Joey proudly served four terms on the Hartnell College Board of Trustees.

Joey always strived to enhance the status of women and seniors throughout her professional life as the Executive Director of the Volunteer Center for Salinas, Executive Director of the Alliance on Aging, a Board member of the Salinas Senior Center, and Executive Director of Meals on Wheels of Salinas Valley. She was instrumental in developing the vision to build a one-step state of the art Senior Center in Salinas. Joey had a talent for grant writing, passion for education, and beliefs in fairness and equality. She helped to train others to continue and expand on her work. She is considered an important mentor to many women.

Joanne had many tremendous accomplishments from her Bachelors in Education for the University of Wisconsin at Madison, Masters in Science from Purdue University, to all of her volunteer work, helping to organize women's shelters and partaking in numerous community groups. In addition, she was an accomplished needle-pointer, seamstress, and creative cook, but most of all she was a proud parent to Leslie, Jay, Mark, her daughter in law and beloved grandchildren as well as her ''adopted'' sons from Japan she hosted for over 10 years.

Mr. Speaker, I know I speak for the whole House in mourning the passing of this dedicated and loving woman. Her life was a gift to her community, a shining example to be emulated by those who she inspired to continue her work.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mrs. MALONEY. Mr. Speaker, on January 23, I missed rollcall votes Number 5 and 6. Had I been present, I would have voted ''yea'' on rollcall vote 5, providing for consideration of the bill (H.R. 3115), the Permanent Electronic Duck Stamp Act of 2011, and ''yea'' on rollcall vote 6, providing for the consideration of the bill (H.R. 1141), the Rota Cultural and Natural Resources Study Act.

A TRIBUTE TO ONOREVOLE ALESSANDRO PAGANO

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Alessandro Pagano. Mr. Pagano, a member of the Italian National Parliament, has worked extensively to strengthen Italian American relations.

As a member of the Italian Parliament, Mr. Pagano works tirelessly to improve the fields of health, education, and budget. He has served as Regional Minister of Health, Regional Minister for Budget and Finance, Regional Councilor for Cultural Heritage, and Regional Minister for Education.

As the Regional Minister of Health, Mr. Pagano has served under various committees in an effort to improve both Italian healthcare systems and improve quality of life for the Italian people.

With his extensive educational background in both economics and banking, Mr. Pagano has impressively increased revenues without raising taxes and recovered financial resources of over one billion Euros per year, earning a positive rating with the international rating agency Fitch.

Mr. Pagano also has as history of teaching. He holds two degrees earned with honors in both banking and economics from the University of Messina, and has dedicated well over a decade of his life to teaching in higher education. He continues to serve as a member of the Scientific Committee of the weekly tax legislation, titled ''The Taxes.''

Under his position of Regional Minister for Education, Mr. Pagano has begun multi-million Euro programs to help keep Sicilian schools safe.

In his continued efforts to preserve cultural heritage, Mr. Pagano was appointed as Regional Minister for Cultural Heritage, and has begun projects to renovate and restore priceless buildings and cultural artifacts.

Mr. Pagano's long and impressive career showcases his commitment to a better society, his profession, and his community. Mr. Speaker, I ask that you, and my other distinguished colleagues join me in thanking Alessandro Pagano for his work and his continued service to both Italy and the United States of America.

REVENUE ESTIMATE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. HASTINGS of Florida. Mr. Speaker, on January 30, 2012, the Joint Committee on Taxation produced a revenue estimate for a bill that I introduced today. The Joint Committee estimates that my bill, which amends the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil, would save hardworking American taxpayers an average of $1.3 billion per year.

I revise and extend my remarks today to include that revenue estimate for the RECORD.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON TAXATION,
Washington, DC, Jan 30, 2012.

Hon. ALCEE L. HASTINGS,
House of Representatives,
Washington, DC.

DEAR MR. HASTINGS: This letter is in response to your request, dated January 26, 2012, for a revenue estimate of a proposal that would disallow the deductibility of amounts paid or incurred by a responsible party relating to the discharge of oil.

Your proposal would amend Internal Revenue Code (the ''Code'') section 162 by disallowing the ability to deduct expenses incurred as a consequence of the discharge of oil into navigable waters, other than an incident caused by an act of God or an act of war. For definitional purposes, any term used in the proposal that is also used in the Oil Pollution Act of 1990 is to have the same meaning as in the Oil Pollution Act of 1990. Based on our discussion with Ian Wolf McCormick of your staff, we have assumed that the tax base includes direct and indirect clean up costs, compensatory and punitive damages, associated legal fees, and other amounts associated with the discharge and paid by responsible parties. In addition, any casualty losses associated with the responsible party's own property incurred as a result of the oil spill are not included in the tax base nor are any of the responsible party's voluntary mitigation payments.

Your proposal would be effective for returns of tax the extended due date of which is after the date of enactment (regardless of whether any extension had been requested). For purposes of the revenue estimate, we have assumed a date of enactment of April 1, 2012.

As incidents resulting in the discharge of oil of sizeable proportions do not occur with a frequency that creates a pattern that can be modeled, this estimate is primarily based on known discharges of oil that have occurred as of this date.

Fiscal years, millions of dollars—						
2012	2013	2014	2015	2016	2012–16	2012–22
2,224	1,385	1,679	1,139	303	6,729	6,792

Note: Details do not add to totals due to rounding.

I hope this information is helpful to you. If we can be of further assistance in this matter, please let me know.

Sincerely,

THOMAS A. BARTHOLD.

IN HONOR OF DR. RAMA KHALSA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the career of Dr. Rama Khalsa, who retired as the Director of Health Services of Santa Cruz County in the state of California. Not only was she a leader in the field of health services, but also in mental health. During her thirty-five years of service in the health care field, Rama was an advocate for reducing the costs and improving the quality of health services for low-income and uninsured residents of the county.

Her career began in 1976 as a Juvenile Court Psychologist in the San Bernardino County Probation Department, and then segued into mental health which has been her career. She has won numerous awards, participated in many research projects, has been awarded honors and doctorate degree, but is most proud of her accomplishments in the field of community access to mental health services.

She was a founder and first Chair of the Health Safety Net Clinic Coalition of Santa Cruz County, promoted the potential of Health Information Technology in the last decade, and was a key leader in the development of the local children's health coverage program for Santa Cruz, Monterey, and Merced Counties.

During my tenure in the California State Legislature we worked together on the revision of the California Mental Health Master Plan Act to upgrade services and make mental health treatment more accessible in our state.

Rama has been an active member of the Board of Directors of Central Coast Alliance for Health, served on various committees, and has given her time for the Health Services Agency, Health Improvement Partnership Council, Safety Net Clinic Coalition, Health Information Technology, and Santa Cruz Health Information Exchange.

After thirty-five years of public service, Rama hopes to spend more time painting, traveling, volunteering, enjoying classical and Celtic music and spending more time with her two children, Siri and Dayal, in her retirement. She also plans to continue with health advocacy, grant writing and policy work.

Mr. Speaker, I know I speak for the whole House and the entire mental health community in California as I commend Rama Khalsa for all she has done and all she will undoubtedly continue to do. I extend my most sincere thanks and warmest wishes for her success and much happiness in her retirement. We are all blessed by her public service.

CELEBRATING EDITH COLEMAN'S 95TH BIRTHDAY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and honor that I congratulate Mrs. Mary Edith Brown Coleman on a momentous milestone, her 95th birthday, which will be on February 13, 2012. Edith will be celebrating this milestone with family and friends on Saturday, February 11, 2012. Throughout the past 72 years, Edith's presence in Northwest Indiana has allowed her the opportunity to touch the lives of countless people.

Edith Brown was born on February 13, 1917 in Muskogee, Oklahoma. She was one of four children born to Luther Albert Brown and Dora Rozolia Draper Brown. Having gone on to live in Kansas City, Kansas and Chicago, Illinois, Edith finally relocated to Gary, Indiana in 1940. Quite the accomplished student, Edith completed her Bachelor of Science and Master of Science degrees in education at Indiana University in Bloomington. From there, she decided to go into the teaching profession. As a teacher at Frederick Douglass Elementary School in Gary for over 27 years, Edith was able to enrich the lives of so many young people in the Gary community. For her commitment to the youth of Northwest Indiana, she is worthy of the highest praise.

Equally as impressive, Edith has always been seen as the foundation of her family. She and her husband, the late William Henry Coleman, were blessed with the births of two wonderful children: Norma Louise Coleman and Merle Jean Coleman. Edith's family, as well as those whose lives she has touched, admire her for devoting unselfish love, time, dedication, guidance, and spirit to her family, her students, and her friends.

As well as being dearly loved and respected by her family, her students, and her community, Edith is also well known for her involvement with her church, the First Church of God in Gary, and several other organizations. For years, Edith has been a distinguished member of the American Association of University Women, the Women's Association of the Northwest Indiana Symphony Society, the Red Hat Society, and the Sigma Gamma Rho Sorority. Since her arrival in Northwest Indiana, Edith has always been known as a goodhearted woman who is always willing to help the people in her community. For her selflessness, she is to be commended and admired.

Mr. Speaker, Mary Edith Brown Coleman has always given her time and efforts selflessly to the youth and the community in Northwest Indiana throughout her illustrious life. She has taught every member of her family and extended family the true meaning of service to others. I respectfully ask that you and my other distinguished colleagues join me in wishing Edith a very happy 95th birthday.

HONORING ST. COLUMBKILLE ELEMENTARY SCHOOL

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to recognize the outstanding results achieved by St. Columbkille Elementary School, Dubuque, Iowa by being named a 2011 No Child Left Behind-Blue Ribbon School.

The program honors elementary, middle and high schools that are superior academically or that demonstrate dramatic gains in student achievement to high levels.

St. Columbkille Elementary is one of only seven schools out of 1,633 in Iowa and one of 304 schools out of 132,656 nationwide to achieve Blue Ribbon status this year. Less than 1 percent of schools nationwide were chosen for the award. This is a true credit to the staff and teachers who continually challenge students to want more and be better.

Mr. Speaker, I am extremely proud of the accomplishments of St. Columbkille Elementary School and its Principal, Barb Roling. Earning this award shows strength and persistence and I am proud to serve these fine students in Congress.

MR. PATRICK J. SOLANO

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. BARLETTA. Mr. Speaker, I rise today to honor Patrick J. Solano, the 2012 Community Leadership Award recipient at Leadership Wilkes-Barre. Mr. Solano has a long history of dedicated service to the Commonwealth of Pennsylvania and his country.

Pat Solano was a member of the United States Air Force during World War II. While in the military, he was lauded many times for his exemplary service, which included more than 20 combat missions. His military awards include a Group Presidential Citation, the Air Force Medal with two oak leaf clusters, and the European Combat Theatre Medal with two bronze stars.

After retiring from military service, Pat Solano dedicated himself to serving the great commonwealth in which he was born. He held many positions in state government, including serving as senior counselor to Governor Tom Ridge and Governor Mark Schweiker. Even today, at age 85, Pat Solano continues to serve as a counselor and advisor to many of Pennsylvania's legislators.

In addition to his work as a philanthropist and his role as a decorated war veteran, family has always come first for Mr. Solano. He and his wife Marie have six daughters and 11 grandchildren. He and his family have lived for years in Hughestown, Pennsylvania.

Mr. Speaker, it is fitting that Leadership Wilkes-Barre honors a man who has donated so much of his time and effort to furthering the success of the Commonwealth. I am certain that his efforts will not end here. The work of Patrick J. Solano has ensured the continued success of Pennsylvania, and it is my pleasure to acknowledge all of his efforts here today.

INTRODUCING THE NARROWING EXCEPTIONS FOR WITHHOLDING TAXES ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. STARK. Mr. Speaker, I rise today to introduce the Narrowing Exceptions for Withholding Taxes Act. This legislation will close a loophole in existing tax law that allows certain self-employed individuals to avoid paying their fair share of Medicare payroll taxes.

Medicare is financed in part by a payroll tax paid by employers and employees. The total tax is 2.9 percent split between workers and employers. Self-employed individuals pay the full 2.9 percent themselves.

Under current law, the S corporation structure allows certain self-employed individuals a way to avoid paying full Medicare taxes. Income received as compensation for services to that S corporation will be subject to the Medicare payroll tax, but any income classified as a distribution of profits will be exempt. This loophole in our tax law encourages income manipulation. These individuals pay themselves a nominal income for their services to the S corporation and classify most of their income as profits and dividends, to avoid paying the 2.9 percent payroll tax.

The House Democrats first tried to close this loophole in December 2009 with H.R. 4213, the American Jobs and Closing Tax Loopholes Act. That bill passed the House, but did not pass the Senate. At the time, the Joint Committee on Taxation scored this provision as raising $11.2 billion in revenue over ten years.

The IRS does not have the resources to audit all 4 million S corporations to ensure that there is no underreporting of income. The Treasury Inspector General for Tax Administration, the Joint Committee on Taxation and the GAO have all highlighted the systematic underreporting of income. The GAO estimated that pass-through organizations underpaid $15 billion in 2001, with a median payroll tax underpayment of $20,127.

Teachers, firefighters, and nurses can't structure their income to avoid payroll taxes. This is a strategy for lawyers, lobbyists, and investment managers. This legislation would close this loophole by targeting the individuals most likely to take advantage of this loophole. These are professional service businesses built on the reputation and skill of three or fewer employees in the field of health, law, lobbying, engineering, architecture, accounting, investment advice or management, or brokerage services. Under this provision, all of the profits someone gets from an S-corporation they own would be subject to the payroll tax. These shareholders will no longer be able to underreport wage income to exclude the rest of their earnings from the payroll tax.

Former House Speaker Newt Gingrich took advantage of this loophole. When he filed his 2010 taxes, he reported earnings from his two S Corporations of just $444,327 in income but $2.4 million in profits and dividends. This nearly $3 million was just earnings in the same year from the same two organizations. However, by choosing to report only $444,327 as wage income, the Wall Street Journal estimated that Mr. Gingrich saved himself $69,000 in Medicare payroll taxes. His $2.4 million in profits and dividends was exempt from the 2.9 percent payroll taxes due to a flaw in our tax laws.

This legislation would put our workers on an even playing field. Self-employed individuals would no longer have the option to avoid the taxes with the creative use of a pass-through entity. Just like those individuals who work in an ordinary partnership or sole-proprietorship, or work for a larger institution, every taxpayer would pay his or her fair share toward the Medicare trust fund.

HONORING THE AMERICAN BUREAU OF SHIPPING ON THEIR 150TH ANNIVERSARY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to recognize the American Bureau of Shipping for their 150 years at the forefront of setting the standard of excellence in marine and offshore classification in the United States and around the world.

From its world headquarters in Houston, Texas, the American Bureau of Shipping, or ABS, manages the third largest class society on the globe, with a classed fleet of over 10,000 commercial vessels, in more than 150 offices in 70 countries.

From the time it was first chartered in the State of New York in 1862 as the American Shipmasters' Association, ABS has been committed to the maritime industry and deeply involved in its technical development and the improvement of its safety standards.

Born out of a need for industry self-regulation, ABS published its first technical standards, Rules for Survey and Classing Wooden Vessels, in 1870. When the era of wooden ships gave way to iron, ABS established standards for these structures, and later for steel vessels.

ABS was officially recognized by the U.S. Government in the Merchant Marine Act of 1920, requiring that in work involving a classification organization, every governmental agency in the United States would turn to ABS.

ABS has continued its tradition of leading the classification and maritime safety industry through the 20th and 21st centuries by being the first society to publish rules for the construction and classing of offshore drilling units, submersibles, and aluminum vessels, as well as the first society to classify small-waterplane-area twin hull (or SWATH) vessels, floating production storage and offloading (or FPSOs) vessels.

I congratulate ABS, its Board of Directors, and its hard-working employees for their commitment to the Houston community and for 150 more years of success as the world leader in maritime classification and safety.

CONGRESS SALUTES AMERICAN HERO AND PURPLE HEART RECIPIENT CHARLES HENRY KLINGELHOEFER

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. POSEY. Mr. Speaker, I rise today to bring to my colleagues' attention to the Posthumous Purple Heart Ceremony of WW I Veteran Mr. Charles Henry Klingelhoefer born April 16, 1876 in Baltimore, Maryland, taking place in Brevard County, Florida, He is survived by his niece Ms. Diane Roberts Vess of Melbourne. More specifically, on February 6, 2012, the United States Coast Guard will honor the memory of the brave men who served on the United States Coast Guard Cutter *Tampa*. Mr. Klingelhoefer, one of five brothers, was assigned to the United States Coast Guard Cutter *Tampa*, and served as a Warrant Carpenter.

The Purple Heart was presented in honor of those who received fatal wounds in the sinking of the United States Coast Guard Cutter *Tampa* at 8:45 p.m. on September 26, 1918—the largest known loss of life by any U.S. naval combat unit during World War I. Under the command of Captain Charles Satterlee, the *Tampa* served as a convoy escort protecting ships carrying critical Allied war material in European waters. The officers and crew earned the praise of the commander of the United States Naval Forces based at Gibraltar for the ship's wartime operational effectiveness.

On that fateful evening, having just completed another successful escort mission from Gibraltar to the United Kingdom, the *Tampa* departed the convoy and proceeded toward the port of Milford Haven, Wales. A short time later, the shock of an explosion was felt by several of those remaining in the convoy. U.S. destroyers and British patrol craft conducted a three day search of the *Tampa*'s last known position, but found only two unidentified bodies and a small amount of wreckage identified as belonging to the *Tampa*. German records suggest that the *Tampa* was sunk by U-Boat 91 because it had reported sinking an American warship fitting the *Tampa*'s description at that time and date.

One hundred-fifteen people, including 111 Coast Guardsmen and four Navy men, perished that evening. The distinguished record of the officers and crew of the *Tampa* is most heartily commended and is in keeping with the highest traditions of the United States Coast Guard.

Mr. Charles Henry Klingelhoefer and the crew of the *Tampa* laid their lives on the altar of freedom for the benefit our nation and our way of life. On behalf of the United States Congress I would like to express my sincere appreciation for the sacrifices endured by Mr. Charles Henry Klingelhoefer and the crew of the United States Coast Guard Cutter *Tampa*.

PERSONAL EXPLANATION

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. NEUGEBAUER. Mr. Speaker, due to an unforeseen delay, I was unable to vote on rollcall votes 906 and 907 during the 1st session of the 112th Congress. Had I been present, I would have voted the following way on H.R. 1633: rollcall No. 906, Amendment by Mr. RUSH— "no"; rollcall No. 907, Amendment by Mrs. CHRISTENSEN—"no."

HONORING THE ROCK BRIDGE HIGH SCHOOL CHEERLEADERS

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rock Bridge High School varsity cheerleaders on its state championship.

On October 1, 2011, the squad of 25 young women placed first in the 5A Super Large division at the Missouri Cheerleading Coaches Association's state competition. It was the first time the squad has won a state cheerleading championship. These young women and their coaches should be commended for all their hard work and dedication.

I ask that you join me in recognizing the tremendous effort of the Rock Bridge High School's varsity cheerleaders and congratulating them on a job well done!

HONORING GRAPEVINE SENIOR OFFICER WARREN ORR

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. MARCHANT. Mr. Speaker, it is with great pride that I recognize retiring Grapevine Senior Officer Warren Orr for his 24 years of service as a police officer.

Senior Officer Orr began his law enforcement career with the Bonham, Texas Police Department. He served as a Bonham police officer from December 1987 to November 1994.

In November 1994, Senior Officer Orr joined the Grapevine Police Department where he continued his career until he retired in January 2012. During his tenure at the Grapevine Police Department, Senior Officer Orr served as a patrol officer, motorcycle officer and detective. In addition to his normal duties, Senior Officer Orr served as a hostage negotiator for many years and obtained a Master of Peace Officer certification from the Texas Commission on Law Enforcement Standards and Education. While assigned as a motorcycle officer, Senior Officer Orr received extensive training in crash reconstruction and became one of only three hundred worldwide members of the International Network of Collision Reconstructionists.

Senior Officer Orr and his wife, Grapevine Police Department Senior Officer Darcey Sutton, own a ranch in east Texas. Senior Officer Orr plans to spend his retirement raising cattle and shoeing horses, a trade he learned from his father and has passed on to his son, Bruce Orr. Bruce is a junior in the honors program at Tarleton State University.

I am very proud of the Grapevine Police Department, and I am honored to recognize Senior Officer Orr for his contribution to the community. Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Warren Orr for his service as a police officer.

IN COMMEMORATION OF CORPORAL KEVIN REINHARD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. PALLONE. Mr. Speaker, I rise today to commemorate the life of Marine Corporal Kevin J. Reinhard of Colonia, New Jersey. On January 19, 2012, Corporal Reinhard was on a helicopter mission in the southern Afghanistan province of Helmand, Afghanistan, when his aircraft went down, killing the Corporal and five of his fellow Marines. He was 25 years old. Corporal Reinhard's valiant and heroic actions during his deployment in Afghanistan are truly worthy of this body's recognition.

Marine Corporal Kevin Reinhard is remembered as a loving son who was committed to his family and friends. A resident of the Colonia section of Woodbridge, New Jersey, Corporal Reinhard is a proud alumnus of St. Joseph's High School in Metuchen, New Jersey. He attended Ramapo College and later transferred to Middlesex County College in Edison, New Jersey where he majored in Criminal Science. In the spring of 2008, he admirably enlisted in the United States Marine Corps and was stationed in Hawaii. He soon rose to the rank of Corporal and proudly served as a Crew Chief, flying on a Sikorsky Sea Stallion with HMEI 363, also known as the "Lucky Red Lions." In January 2012, Corporal Reinhard was serving his second deployment in Afghanistan when his helicopter crashed, tragically taking his life and the lives of five other Marines. Corporal Reinhard leaves behind his mother, Kathleen Rose, his father, James, sister, Kathleen Marie, as well as his paternal grandparents, James and Mary Ann Reinhard. He is pre-deceased by his maternal grandparents, John and Veronica Gerrity of Colonia. Corporal Reinhard was an outstanding individual who proudly embodied the motto of the United States Marine Corps.

Mr. Speaker, once again, please join me in commemorating the life of Corporal Kevin J. Reinhard, an American hero who courageously served his country. His legacy has served as an inspiration to us all and he will truly be missed.

PERSONAL EXPLANATION

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. LOEBSACK. Mr. Speaker, on January 25, 2012, I was not present for two recorded votes because I was in my district highlighting the importance of manufacturing to rebuilding Iowa's economy and supporting good-paying Iowa jobs.

If I had been present, I would have voted "yea" on rollcall 10 and "yea" on rollcall 11.

In addition, on the occasion of her resignation from the House of Representatives, I would also like to honor Congresswoman Giffords' service to our country and her constituents. I had the honor of sitting next to Congresswoman Giffords on the House Armed Services Committee. Her dedication to our troops and to her constituents will be missed.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 26, 1995, when the last attempt at a balanced budget amendment passed the House by a bipartisan vote of 300–132, the national debt was $4,801,405,175,294.28.

Today, it is $15,295,052,578,718.01. We've added $10,493,647,403,423.73 to our debt in 16 years. This is $10 trillion in debt our Nation, our economy, and our children could have avoided with a balanced budget amendment.

LILLY LEDBETTER FAIR PAY ACT ANNIVERSARY

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Ms. WASSERMAN SCHULTZ. Mr. Speaker, this weekend we celebrated an important anniversary in our nation's history.

Three years ago, only nine days after taking the oath of office, President Barack Obama signed the Lilly Ledbetter Fair Pay Act into law. It was the first bill he signed into law as President, solidifying this Administration's commitment to women's equality.

I met Lilly Ledbetter during a Judiciary Committee hearing in 2007. She told us then how after working at her company for more than twenty years, she learned of the long-standing pay discrimination against her based on gender. Unfortunately, this type of workplace discrimination occurs all too frequently across our country. Women still make just three-quarters of a man's salary for the same work. Fortunately, for women all across the country, Lilly Ledbetter found out about the discrimination carried out against her and took action.

As a result of her courage and strength, President Obama and the Democratic-led Congress passed this important piece of legislation that protects women and addresses a critical aspect of the wage gap in our country.

The Lilly Ledbetter Fair Pay Act closes numerous loopholes and clarifies that an employee is discriminated against each and every time she receives an unfair paycheck. It also makes modest, common-sense reforms that hold employers accountable for their actions.

But our fight is not over. We have a long way to go until women reach true wage equality, which is why we must support legislation like the Paycheck Fairness Act, which builds on previous efforts and continues to address wage disparities.

Lilly's story is proof that progress can be made on this front, and just as importantly, she is a testament to how one person can create a lasting legacy of change.

Today, we celebrate Lily Ledbetter's courage by commemorating the anniversary of this essential legislation becoming law, and by remembering that in America, one person can make a difference.

CONGRATULATING NDSU BISON ON WINNING 2011 FCS CHAMPIONSHIP

HON. RICK BERG

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. BERG. Mr. Speaker, today I want to congratulate the North Dakota State Bison on an incredible football season that led to winning the 2011 FCS championship.

More than 10,000 Bison fans cheered on NDSU in Frisco, Texas, where the Bison capped off a 14–1 season and defeated the Sam Houston Bearkats in the championship game 17–6 on January 7, 2012.

The Bison, Coach Craig Bohl and his staff worked hard this season, and their determination resulted in NDSU's 9th football championship, and the first at the Division I level.

These student athletes represent NDSU's commitment to both academic and athletic excellence. Their character and perseverance truly exemplify the North Dakota spirit, and they have made our state proud. These young men will be remembered for a lifetime. Their efforts brought our state closer together, and we celebrate their athletic and academic successes.

Congratulations to the Bison players, coaches, NDSU staff, and Bison fans everywhere on an excellent season. You've made North Dakota proud!

Thank you, and Go Bison!

HONORING THE ARTESIA-CERRITOS LIONS CLUB 65TH ANNIVERSARY

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize and congratulate the Artesia-Cerritos Lions Club for their 65th anniversary. This is a remarkable milestone that deserves our recognition and praise.

For 65 years, the Artesia-Cerritos Lions Club has maintained the reputation of being a keystone in local communities due to their steadfast response of donations and services to residents in need. The Lions Club has been at the forefront of health and safety, offering their services to local public safety fairs and Relay for Life events. They have also organized support efforts for the needy by arranging food and toy drives. In addition, the Lions Club has been vital in building the morale and closeness of the community by hosting the Miss Artesia Royal Court Contest, the Miss Cerritos Scholarship Contest, Flag Day events, and annual Easter Egg Hunts.

The Artesia-Cerritos Lions Club has provided life changing services and opportunities for youth of Artesia and Cerritos. The Lions Club has provided eyeglasses for children in the ABC Unified School District, sponsored the annual track meet for all of the elementary schools in the school district, and have hosted a student speaker contest for local high schools. In addition, The Lions Club has been a sponsor of the Cerritos High School Leos Club, a youth volunteer group, which has inspired young people to assume leadership roles by giving them a chance to learn, grow, and serve by participating in community service projects.

The Artesia-Cerritos Lions Club, driven by their motto ''We Serve'', has been a model for organizing and empowering volunteers in Artesia and Cerritos to serve their community. The contributions and achievements of the Lions Club members are far too many to count, but the enrichment and sense of community they have created is something to be acknowledged. For that reason, I would like to recognize the Artesia-Cerritos Lions Club for 65 years of honorable deeds and good work.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the Central Valley Flood Protection Board as they celebrate their 100th Anniversary. It is a great pleasure to recognize the Board's long standing dedication to flood protection projects and flood management in the Central Valley. As Board members, staff and agency partners gather to celebrate this milestone, I ask all my colleagues to join me in honoring the key role the organization plays in protecting millions of Californians from a potentially devastating flood.

The Central Valley Flood Protection Board was created by the California Legislature in 1911. The Board's role is to serve as a liaison between the State of California, local residents, property owners, cities and counties, and the United States government. The Board works closely with the Army Corps of Engineers to ensure that the Central Valley receives the highest level of flood protection possible, while addressing a number of financial, environmental, and engineering challenges.

Over the last century, the Board has maintained a wide variety of Central Valley flood protection systems and infrastructure along the Sacramento and San Joaquin Rivers, and their tributaries. This encompasses 1,600 miles of levees, 107 million acres of land, and 1,300 miles of designated floodways. The Congressional District that I represent is home to the City of Sacramento, which sits at the confluence of the American and Sacramento Rivers. It is without doubt that the Board's investment decisions have helped improve the safety for each of us that call Sacramento home.

In 2007, the California Legislature and the governor signed legislation that changed the name of the Central Valley Flood Protection and expanded the Board's responsibilities and authorities. The Board remains responsible to the citizens of California to ensure that the flood management system within the Central Valley meets the ever-mounting challenges of the 21st Century. This includes working with the Corps of Engineers on vegetation management and the California Department of Water Resources on a new Central Valley Flood Protection Plan.

The Board is led by Chair Benjamin Carter, who serves alongside Jane Dolan, Teri Rice, Francis ''Butch'' Hodgkins, Emma Suarez, John Brown and Michael Villines. The Board's Executive Officer is Jay Punia.

Mr. Speaker, I am honored to pay tribute to the Central Valley Flood Protection Board and their continuous commitment to providing the Central Valley with ever-improving levels of flood protection. The Board has contributed immensely to the safety and vitality of California's Central Valley. As Board members and staff gather to celebrate their 100th anniversary, I ask all my colleagues to join me in honoring their outstanding work in providing flood protection for the residents of the Central Valley.

SISTERS OF LORETTO CELEBRATE 200TH JUBILEE YEAR

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. REYES. Mr. Speaker, I rise today in recognition of a truly American story of faith and service, a tradition that has served, educated, and upheld true values in my district of El Paso, Texas. During this Catholic Schools Week, I would like to congratulate the Sisters of Loretto celebrating their 200th Jubilee Year this April.

On April 25, 1812, three frontier women, Sisters Mary Rhodes, Nancy Havern and Christina Stuart, with the help of their Catholic pastor, the Rev. Charles Nerinckx, came together to found the Sisters of Loretto at the Foot of the Cross, on Hardin's Creek in central Kentucky, marking the beginning of a uniquely American community of faith and service. Motivated by faith and charity, they were soon joined by many others, taking as their purpose the instruction of girls and young women of every faith and economic means, even welcoming enslaved persons.

The Sisters of Loretto expanded the work of education westward, first by steamboat to Missouri and Louisiana, and then by wagon train to New Mexico, by mail-coach to Colorado, and by train to Texas, Arizona, and California, ultimately contributing to American education in more than 40 states. In the 20th century, they reached out to girls in Asia, South America, and Central America. Their members now serve throughout the United States, as well as in Europe, Guatemala, Bolivia, Nicaragua, Uganda, Ghana, and Pakistan.

In their 200 years of work, the Sisters of Loretto and their colleagues have founded

nearly 300 schools in the United States. The first Texas site of the Sisters of Loretto was established by Mother Praxedes in 1879 in El Paso County, and has educated thousands of El Paso and Juarez students through St. Joseph's Academy, Sacred Heart, St. Ignatius, Guardian Angel, Holy Family, Assumption, St. Mary's, St. Patrick's, Cathedral School, St. Joseph's School, and Loretto Academy.

Mr. Speaker, I want to thank all of the educators and administrators who continue this important legacy. Having reached nearly one million people, the Loretto Community of Sisters continues to educate and foster values of faith, justice, community, and respect in students at Loretto Academy, to teach adult education and GED classes, to work as chaplains at Nazareth Hall Nursing Center, and to run a homeless center for women at the Villa Maria Shelter.

MR. JOHN DELEO

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge John ''Jack'' DeLeo on his being named ''UNICAN of the Year'' by the Scranton Chapter of UNICO National.

Jack DeLeo was born in Scranton on December 8, 1947, to Angelo and Irene DeLeo. Jack graduated from West Scranton High School and entered the United States Army. He served his country in Vietnam from 1967 to 1968 with the 1st Battalion, 8th Artillery, 25th Infantry Division, rising to the rank of sergeant. Jack's business career began in sales in the pressure-sensitive labeling industry. After several years, Jack was elevated to general manager of Scranton Label, Inc., until 1992, and is now the company's vice president.

An active member of St. Lucy's Church, West Scranton, Jack is a member of the Holy Name Society and has served as its vice president since 1992. Jack is also active in many community activities and events in the region. He serves the City of Scranton as a member of the Board of Directors on the Parks and Recreation Authority, where he has worked diligently to clean and enhance the beauty and the awareness of Nay Aug Park. He is a member of the Board of Directors of the American Red Cross, Scranton Chapter, where he chairs the Blood Services Committee and several blood drives throughout the year. Jack serves on the Advisory Board of the Salvation Army in Scranton and the Tripps Park Girls Pony League, and he was an assistant coach from 2000 to 2004. Jack served as president of the Columbus Day Association of Lackawanna County in 2002, and is now on its Board of Directors. He was the force in the creation of the Paul Bordi Memorial Scholarship Fund, which serves high school seniors throughout Lackawanna County.

He is an active member of the Scranton Chapter of UNICO National, the largest chapter in the country. He has been extremely active in chapter causes and chaired many fundraising events. He served as president in 2007–08 and presently serves as the chairman of the Board of Directors. Jack has always had a passion for the care and well-being of United States veterans. He helped create the UNICO Veteran's Assistance Community (UVAC) Fund. He is now chairman of this fund, which accepts donations from individuals and donates to area veterans wounded in recent years.

He and his wife, Patty, have been married for 21 years and are the proud parents of two daughters: Brittany, a sophomore at Scranton Prep, and Tia, a fifth-grade student at All Saints Academy in Scranton.

UNICO was founded on October 10, 1922, in Waterbury, Connecticut. A group of 15 men, led by Dr. Anthony P. Vastola, came together to create an Italian-American service organization to engage in charitable works, support higher education, and perform patriotic deeds. The name ''UNICO'' was selected as best representing the nature and the character of this fledging organization. The name is the Italian word for ''unique, one of a kind.'' The founders believed that UNICO would be the only one of its kind because it placed service to the community before and above fraternity. In later years, UNICO became an acronym that stands for ''Unity, Neighborliness, Integrity, Charity, and Opportunity.''

Mr. Speaker, Jack DeLeo espouses the values of community that Dr. Vastola dreamed of when he helped found UNICO. Mr. DeLeo's steadfast dedication to his Italian-American heritage, community, and country is what makes organizations like UNICO a pillar in our community. I ask my colleagues to join me in recognizing and congratulating John ''Jack'' DeLeo for being named ''UNICAN of the Year'' by the Scranton Chapter of UNICO National.

RECOGNIZING THE TENAHA TIGERS FOR WINNING THE TEXAS 1A DIVISION II FOOTBALL CHAMPIONSHIP

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. GOHMERT. Mr. Speaker, it is with enormous pride that I recognize and congratulate the Tenaha Tigers on an amazing 2011 football season in which they captured the Texas State Class 1A Division II Football Championship. These ferocious Tenaha Tigers have reached the pinnacle of success in Texas football for the second time in the last 15 years, having achieved that great title back in 1998.

A series of victories in which the Tigers crushed their opponents led them into the playoffs, where they demonstrated just how powerful they were as a team, playing as one well-tuned machine. The final game saw the Tenaha Tigers ultimately defeat the Munday Moguls 52–28. Although both Munday and Tenaha showed why they were in the finals during the first half, the Tigers pulled ahead in the second half scoring 21 points with little response from the Moguls.

The Tigers strong offensive and defensive lines dominated other teams exhibiting the result of grueling strength and endurance programs that showed how driven the Tigers were individually to excel. Clearly a team does not get to such a level of excellence without a coaching staff that knows its players, what they can accomplish and just how far they can be pushed.

The proof of their preparation and drive to be the best can be found in a number of statistics including the fact that the Tigers consistently maintained a 37.6 point lead over their opponents. Additionally, the defensive line often refused to allow its opposition to score a single touchdown.

There is no doubt that each of the individual players, coaches, and supporting personnel involved with the success of the Tigers will benefit from having witnessed the level of success that is achieved when each individual gives all they have while working together with such dedication and passion.

This tribute goes out to all of the athletic staff including Athletic Director/Head Football Coach Terry Ward and his Assistant Coaches Ian White, Mike Barber, Kevin Cates, Scott Tyner, Todd Bodden and Antonio Holmes.

The team members achieving this memorable accomplishment included T.J. Thomas, Reginald Davis, Demon Horton, Vincent Walton, Edgar Flores, Jacoby Ivy, Shaquille Mitchell, J.R. Hill, Octavius Griffith, Chavis Gregory, Keontas Davis, Damarcus Perry, Jaquarius Williams, Cobe Carraway, Seth Wyatt, Brady Tovar, Assuntay Cleaver, Jose Campos, Marqevius Reed, Alex Horton, JaKelvin Cooper, Izikel Flores, Damiem Reese, DeAaron Roland, Derek Jones, LaDarren Cooks, Edgar Pineda, Cody Richardson, Aaron Harris, Leon Aguilar, Donald Smith, Dustin Davis, and Tim Hafford.

No football team ever becomes a champion without unwavering support, and that is exactly what the Tigers had from the Tenaha Independent School District staff and the entire community. That is why congratulations go to all who contributed in any way to the success of the Tigers in for the 2011 season. May God continue to bless all of their efforts both in school and as they one day finish high school and use that same drive and determination to make this country even stronger. Congratulations go to the State Champion Tenaha Tigers, as their legacy is now recorded in the CONGRESSIONAL RECORD that will endure as long as there is a United States of America.

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Talon M. Falconer for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Talon has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

IN HONOR OF LISA MANTARRO MOORE

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. CARDOZA. Mr. Speaker, I rise today to honor Lisa Mantarro Moore for being honored by the Ceres Chamber of Commerce with its Citizen of the Year Lifetime Achievement Award. Lisa, also a valued member of my staff, has long been a tireless advocate for the city of Ceres, California, and its surrounding communities, and I am honored to pay tribute to her achievement today.

A lifelong resident of Ceres, Lisa's public service career began when she was elected as a student body officer at Ceres High School. After graduating from the California State University, Stanislaus, Lisa started her career with the U.S. House of Representatives as an aide to Congressman Gary Condit. For the past twenty years, she has served the constituents of California's 18th Congressional District as a Field Representative and a District Director, and currently, as my Deputy Chief of Staff. Lisa's leadership and skill have truly made a difference in the lives of those she has helped.

Lisa has long been a leader in the Ceres community. From 2001 to 2005, Lisa served the city as a councilmember as well as Vice Mayor. She has also served as an officer on the Ceres Street Faire Committee for the past ten years. In addition, she worked to form the Ceres Youth Commission, helped lead campaigns for passage of school bonds in Measures J and U as well as the Measure H half-cent sales tax for public safety. Further, she serves on the board at the Ceres Whitmore Mansion and on the Sam Vaughn and Mae Hensley Junior High School Site Councils.

In addition to her leadership in Ceres, Lisa is also a strong advocate for women. She is a longtime member of Soroptimist International of Ceres, which serves to better the lives of women and girls both locally and around the world. She was also instrumental in the development of the Stanislaus County Family Justice Center and serves on its Board of Directors.

It is my great privilege to honor Lisa Mantarro Moore on being recognized as the Ceres Chamber of Commerce's Citizen of the Year Lifetime Achievement Award recipient. She is certainly most deserving of this high acknowledgement. Her dedication to the city of Ceres and her passion for public service has truly made a difference in bettering her community. It is a true pleasure to have her on my staff and as my personal friend. Please join me in recognizing her work and her lifelong achievements.

HONORING THE DISTINGUISHED SERVICE OF GENERAL PETER CHIARELLI

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. INSLEE. Mr. Speaker, I rise to honor General Peter W. Chiarelli, who is retiring today as Vice Chief of Staff of the U.S Army, a position he has held with distinction since 2008. General Chiarelli's retirement is hard-earned and well-deserved, coming after 40 years of brave service to his country. He enlisted in 1972 as a 2nd lieutenant of armor, served two combat tours in Iraq, and eventually became the second-highest-ranking general at the Pentagon. We are indebted to the service of General Chiarelli, and I am proud to say that he is a native Washingtonian.

General Chiarelli was born in Seattle, Washington and graduated with a bachelor's degree in political science from Seattle University, where he was a Distinguished Military Graduate of Seattle University's Army ROTC program. He received his masters from the University of Washington, and also led several different units at Fort Lewis, in Washington state. In addition to his service at Fort Lewis, General Chiarelli served as commander of the First Calvary Division at Fort Hood, Texas, as Director of Operations, Readiness and Mobilization at U.S. Army Headquarters, and led the Multi-National Corps in Iraq.

Beyond simply acknowledging his service and expressing the gratitude of myself and my constituents, I would also like to acknowledge the General's longstanding advocacy on behalf of behavioral health issues in the Army. At a time when many of our young men and women are returning from service abroad suffering from post-traumatic stress disorder, traumatic brain injury, and other issues related to their service, General Chiarelli has called attention to the obligation we have to provide these heroes with the care they need and deserve.

General Chiarelli, even in your retirement, myself, my colleagues, and my constituents remain inspired by your unwavering commitment to this nation, which will long serve as a shining example of the spirit of service and sacrifice that future generations will aspire to equal.

IN MEMORY OF LYMAN L. HUBBARD, SR.

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the life of an American hero from Springfield, Illinois.

Lyman L. Hubbard, Sr. passed away on January 12, 2012 at the age of 85. One of the Tuskegee Airmen, Mr. Hubbard graduated as a command pilot from Tuskegee Army Air Base during World War II, and he dedicated his life to serving our great nation. Known as a strong leader, Mr. Hubbard flew in multiple combat tours in Southeast Asia and earned numerous U.S. and foreign military decorations. Upon retiring in 1970, Mr. Hubbard had flown nearly 7000 hours over a more than 20 year career in the Air Force.

Mr. Hubbard was also dedicated to the history of his community and his nation, as shown in 2005, when he saved from potential destruction one of the first African-American orphanages in the nation, the Lincoln Colored Home in Springfield.

I want to extend my condolences, and those of my colleagues in this House, to the family and friends of Lyman Hubbard, Sr., a patriot and true hero who will be missed by all who knew him.

IN HONOR OF CONGRESSMAN GLENN THOMPSON IN RECOGNITION OF HIS DISTINGUISHED EAGLE SCOUT AWARD

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. SESSIONS. Mr. Speaker, last night, Congressman GLENN "GT" THOMPSON was honored by the Boy Scouts of America with the Distinguished Eagle Scout Award. This award is the highest honor the Boy Scouts bestow, and is awarded to a deserving Eagle Scout for distinguished service in his profession and to his community for a period of at least 25 years after attaining the level of Eagle Scout.

A lifelong resident of North Central Pennsylvania, Congressman THOMPSON earned his Eagle Scout in May of 1977 from Boy Scout Troop 52 in Walker Township, Pennsylvania. Since then, Congressman THOMPSON has served his community as a volunteer fireman, member of the Bald Eagle Area School District Board of Education, and in 2008 was elected to serve his constituents as their voice in the U.S. House of Representatives.

I was proud to be with GLENN last night to help those closest to him honor his achievements. GLENN embodies the virtues of public service, duty to country and moral integrity that serve as the pillars of Scouting.

Therefore, today I wish to recognize Congressman GLENN THOMPSON and thank him for his service to his community and our country.

A TRIBUTE TO RAUF RAIF DENKTAŞ

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute to Rauf Raif Denktaş, the Turkish Cypriot leader who formerly served as the Vice President of the Republic of Cyprus and President of the Turkish Republic of Northern Cyprus. Mr. Denktaş passed away on January 13, 2012.

Mr. Denktaş had a career of service to Turkish Cypriots that spanned six decades. As far back as 1958, he attended the United Nations General Assembly as a representative of Turkish Cypriots. In 1960, Cyprus won independence from Britain and an impassioned debate and conflict over the future of that island has continued to this day. Cyprus has been divided since 1974. Mr. Denktaş was elected President of the Turkish Federated State of Cyprus in 1976 and was reelected in 1981. He was subsequently elected President of the Turkish Republic of Northern Cyprus on four separate occasions between 1985 and 2000, and served through April 25, 2005. He was also a prolific writer and photographer, and his works have been publicly displayed.

Mr. Denktaş was a colorful, effective leader and spokesman for Turkish Cypriots. Despite

the tensions that have existed on the island of Cyprus for decades, the two sides have maintained a largely peaceful existence. Let us hope that a peaceful, prosperous, long-term solution can be found for the future of Cyprus.

INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1986 TO DISALLOW A DEDUCTION FOR AMOUNTS PAID OR INCURRED BY A RESPONSIBLE PARTY RELATING TO A DISCHARGE OF OIL

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. HASTINGS of Florida. Mr. Speaker, today Exxon announced annual earnings of $41.1 billion, a 35 percent increase from the previous year. Recently, ConocoPhillips announced $12.4 billion profits for 2011. Chevron's earnings for the year also rose 41 percent to $26.9 billion. These enormous figures indicate that these global corporations no longer need charity from the United States government. For this reason, I rise today to introduce a bill that has been needed at least since the Exxon Valdez spilled 750,000 barrels of oil into Prince William Sound. My bill closes a loophole that permits these big oil companies to pad their bottom lines with tax deductions for cleaning up their oil spills. While the high price of gasoline continues to burden American families, oil companies are raking in such huge profits. Why should the American taxpayer pay for what the oil companies are supposed to do anyway?

Through clever accounting, a big oil company can actually deduct from its tax liability the money it spends cleaning up after an oil spill as an ''ordinary cost of doing business.'' These big oil companies used to pay their fair share of taxes on their massive profits. Corporate taxes used to account for 40 percent of Federal revenues, but that now has fallen to around 7 percent, with many companies paying no taxes at all. At the same time that families, as well as Federal, State and local governments, are tightening their budgets, we're letting big oil and gas companies profit from valuable tax revenue that they don't deserve.

The Joint Committee on Taxation estimates that closing this loophole in the tax code will save the American taxpayer an average $1.3 billion per year. With massive cuts to hundreds of essential programs and organizations dedicated to ensuring access to education, affordable health care, homeownership assistance, unemployment insurance, veterans benefits, loans for small businesses, food assistance to prevent hunger, support for farmers growing essential crops, and a middle class that is struggling more than ever, that billion dollars per year would ensure that these programs are not losing tax dollars because exceedingly wealthy companies are reaping the benefits. By eliminating a loophole that lets the largest oil and gas companies benefit from their own mistakes, this bill makes the tax code fair again for hardworking Americans and will put our country on track to develop a clean, sustainable, and sensible energy policy.

These tax dollars are not lost only when there's a rare catastrophic spill like the BP Deepwater Horizon or Exxon Valdez. In fact, oil spills happen all the time and oil companies can just write off the costs. Right now, there's a Chevron gas rig blowout burning at 1400 degrees Fahrenheit off the coast of Nigeria that Chevron has been unable to extinguish for over a week. Two people are dead and there is a sheen in the water. There were also recent blowouts at the Macondo well in the Gulf, the Montara well in the Timor Sea, as well as major accidents and spills in Bohai Bay, China and off the coast of Brazil.

I believe the tax code should reflect our country's need to end our reliance on fossil fuels by discouraging blowouts and oil spills and providing incentives for responsible and efficient energy use, and sustainable, clean energy sources.

We can no longer afford a 20th century energy policy when the rest of the world is well into the 21g century. From the Keystone pipeline debate to subsidies for oil and gas companies, our antiquated energy policy is reflected in our outdated tax code containing many provisions that have long since outgrown their usefulness. My bill will put our country on the right track.

Finally, Mr. Speaker, the Internal Revenue Service (IRS) defines an ''ordinary business expense'' as a cost that is both ordinary and necessary. Why are we allowing the cost of an oil spill to be treated as ordinary as purchasing a stapler or paying a phone bill? An oil spill should not be ordinary. From a fiscal standpoint, from a policy standpoint, and from a moral standpoint, even a small oil spill is an extraordinary and terrible mistake with far-reaching consequences. Oil and gas corporations should not be allowed to benefit from their own extraordinary mistakes at the expense of the American taxpayer.

I urge my colleagues to support a 21st century energy policy, and a sensible tax code by supporting this bill.

HONORING THE SAINT FRANCIS BORGIA HIGH SCHOOL CHEERLEADING SQUAD

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Saint Francis Borgia High School cheerleading squad on its state championship.

On October 1, 2011, the squad took first place in the Class 4 division small at the Missouri Cheerleading Coaches Association's state competition. They competed against 16 other terrific teams, but with all their training and preparation, they were able to claim the number one spot. These young women and their coaches should be commended for all their hard work and dedication.

I ask that you join me in recognizing the tremendous effort of the Saint Francis Borgia High School's cheerleaders and congratulating them on a job well done.

A TRIBUTE TO FRANKIE MUSE FREEMAN, NATIONALLY–ACCLAIMED CIVIL RIGHTS ATTORNEY, PUBLIC EDUCATION ADVOCATE, SOCIAL JUSTICE CHAMPION

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. CLAY. Mr. Speaker, I rise today to pay tribute to a great American—a nationally acclaimed civil rights attorney, public education advocate and a true champion of social justice . . . my dear friend and constituent, Frankie Muse Freeman.

Frankie Freeman has been a practicing attorney in state and federal courts for more than 60 years. After graduating Hampton Institute and Howard University Law School, she began her career serving the state of Missouri and the City of St. Louis. During this time she helped the NAACP in the case of Brewton v. St. Louis Board of Education, and later represented the NAACP in the landmark case, Davis v. the St. Louis Housing Authority, which ended racial discrimination in public housing.

In 1964, President Lyndon Johnson appointed Frankie Freeman as the first female member of the U.S. Civil Rights Commission.

From 1967–1971, Frankie Muse Freeman served with distinction as the 14th National President of Delta Sigma Theta Sorority, Inc. During this turbulent time period, she used her talents and skills as an attorney to enhance the Sorority's efforts to gain full civil rights for African-Americans. She spoke out often and effectively for social action and ensured that the Sorority continued to lead efforts to secure human rights for all people. She also used her tenure as National President to lead the Sorority in supporting the college education of a record breaking number of African-American students.

Last July, Ms. Freeman became the 96th recipient of the coveted Spingarn Medal, the highest honor bestowed on a citizen by the NAACP. In the official announcement issued by the NAACP Board of Directors Chairman Roslyn M. Brock, she noted, ''Frankie Muse Freeman has dedicated her life's work to the civil rights movement. She broke down barriers as a member of the NAACP's brain trust during the 1950s and as the first woman to serve on the U.S. Commission on Civil Rights. Her determination to end racial discrimination in American society for more than half a century serves as an inspiration to us all.''

Mr. Speaker, Frankie Freeman has been a personal mentor of mine for almost 30 years. Her inspired advocacy laid the groundwork for the Federal Voting Rights Act, ended racial discrimination in public housing, and provided dedicated oversight of the St. Louis Public Schools and the voluntary desegregation plan. She is truly a national treasure and is most deserving of congressional recognition. I urge my colleagues to join me in honoring her remarkable service to the United States, the State of Missouri and the St. Louis community.

VOTING RIGHTS DISENFRANCHISEMENT AND SUPPRESSION

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Ms. WILSON of Florida. Mr. Speaker, today I rise to voice my strong opposition to the legislative efforts across the nation aimed at suppressing voter turnout. Democracy is not a spectator sport. It is something we should encourage every American to engage in. A vibrant democracy is a healthy democracy, and back home in my district we take that lesson to heart. I come from Miami, one of the most vibrant cities in the world, and I intend to keep it that way. Unfortunately, some of my former colleagues in the state legislature feel differently and are doing their best to ensure that some people don't enjoy the same access to the polls this November as they did last November.

In Florida, we have enacted a series of changes to our voting laws, and I wanted to make this Chamber aware of them. I want you to hear personally, Mr. Speaker, the reasons why I feel that these new laws are not only uncalled for, but a detriment to American democracy. I feel that the letter the NAACP Legal Defense & Educational Fund, the Florida Conference of Black State Legislators, and the Florida State Conference of the NAACP submitted to Chris Herren of the Department of Justice on June 17, 2011 regarding the voting changes in Florida states my feelings clearly and succinctly. I'd like to read that letter for you now, Mr. Speaker:

JUNE 17, 2011.

COMMENT UNDER SECTION 5 OF THE VOTING RIGHTS ACT

Re: Section 5 Submission No. 2011–2187 (Submission by the State of Florida Regarding Omnibus Elections Law Bill, Laws of Florida 2011, Chapter 2011–40)

CHRIS HERREN,

Chief, Voting Section, Civil Rights Division, Room 7254–NWB, U.S. Department of Justice, 950 Pennsylvania Ave., N.W., Washington, DC.

DEAR MR. HERREN:

INTRODUCTION

The NAACP Legal Defense & Educational Fund, Inc. (LDF), the Florida Conference of Black State Legislators, and the Florida State Conference of the NAACP, urge the Attorney General to object to the pending Section 5 submission of the State of Florida's omnibus elections law bill, Laws of Florida, Chapter 2011–40 / HB 1355 (hereinafter ''Chapter 2011–40''), which provides for, inter alia: (1) a reduction in the number of days for early voting from 14 days to 8 days; (2) a requirement that registered voters who have moved between counties cast provisional ballots rather than regular ballots; and (3) unprecedented restrictions on volunteer third-party voter registration efforts. The state has failed to meet its burden of showing either that Chapter 2011–40 will not have a retrogressive effect, or that its adoption was free of discriminatory purpose.

Each of the measures described above will have a retrogressive effect on minority voting rights. Moreover, Chapter 2011–40 was enacted despite strong and measured concerns presented by a majority of members of the Florida Conference of Black State Legislators about the bill, and the justifications proffered by the State do not help the State satisfy its burden of showing the absence of discriminatory purpose.

ANALYSIS

I. BACKGROUND

The implementation of all proposed statewide voting changes in Florida is subject to the requirements of Section 5 of the Voting Rights Act, 42 U.S.C. 1973c(a). Because five counties in Florida are covered by Section 5 (Collier, Hardee, Hendry, Hillsborough, and Monroe Counties), statewide voting changes in Florida are subject to Section 5's preclearance requirements. See Lawyer v. Dep't of Justice, 521 U.S. 567, 570 (1997) (Section 5 applies to statewide voting changes in Florida); see also Lopez v. Monterey County, 525 U.S. 266, 283–84 (1999) (statewide voting changes are subject to Section 5 review where a state is partially covered by Section 5).

Laws of Florida, Chapter 2011–40, the Omnibus Elections Law Bill that is the subject of this Section 5 submission, was signed into law by the Governor of Florida on May 19, 2011, and submitted for review to the Department of Justice pursuant to Section 5 on June 8, 2011. See Section 5 Submission No. 2011–2187.

RETROGRESSIVE EFFECT

Section 5 prohibits voting changes that would result in ''a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise.'' Beer v. United States, 425 U.S. 130, 141 (1976). This Comment Letter focuses on the retrogressive effect of three provisions of Chapter 2011–40: (1) reductions in Florida's early voting period; (2) new provisional ballot requirements for registered voters who move across county lines; and (3) new restrictions with attendant penalties on third party organizations engaged in independent voter registration efforts. As documented below, each of these proposed voting changes will have a retrogressive effect.

A. Early Voting

Section 39 of Chapter 2011–40 (''Section 39'') amends Florida Statutes section 101.657(1) to reduce the number of early voting days from 14 to 8, and gives local supervisors of elections discretion over early voting hours, changing the hours that early voting sites must operate from a mandatory 8 hours per day (other than weekends), to a discretionary range of 6 to 12 hours per day. Thus, Section 39 not only essentially eliminates the first week of early voting in Florida, by decreasing the total number of days of early voting from the benchmark practice of 14 early voting days to only 8 days, it also makes possible a reduction in total hours of early voting from a mandatory 96 hours to a minimum of only 48 hours. Moreover, by providing for wide discretion in early voting hours, Section 39, as compared to the benchmark practice, will likely result in substantial inconsistency in early voting hours across the 5 covered counties, risking confusion amongst minority voters in these areas.

Significantly, African Americans make up a disproportionate percentage of early voters in Florida's covered counties. African Americans constitute only 12.15% of the voting age population in the five covered jurisdictions in Florida, but were 18.86% of early voters during the 2008 General Election, with over 41,000 African Americans voting early.

Additionally, Section 39 essentially eliminates the first week of early voting, which will have a clear retrogressive effect on minority voters in the covered counties. During the first week of early voting in the 2008 General Election, African Americans constituted an even higher percentage of early voters, 20.08% in the covered counties.

A total of over 17,000 African Americans voted during the first week of early voting in the covered counties during the 2008 General Election. We note that the percentages vary from county to county, and, as the table above demonstrates, Hillsborough County featured the highest level of racial disproportionality among voters during the first week of early voting in the 2008 General Election, with African Americans constituting only 14.63% of the voting age population, but 27.70% of early voters.

The figures in our independent analysis are confirmed by at least one news report indicating that, during the 2008 general election, African Americans were 22% of voters during the first week of early voting in Florida statewide, despite being only 13% of the Florida electorate. Overall, nearly 54% of Florida's African-American voters in 2008 voted at early-voting sites. In other words, African Americans were significantly overrepresented in the pool of early voters overall, and were much more likely than white voters to take advantage of the first week of early voting. Under Section 39, however, the first week of early voting would be eliminated, and the total number of mandatory early voting hours potentially reduced substantially, with inevitable retrogressive effects.

It is unsurprising that, as a group, African-American voters have taken advantage of the access currently afforded by the existing early voting period in Florida, given that, as this Department has noted, minorities in the Section 5-covered counties in Florida have lower rates of vehicle ownership and therefore benefit from the flexibility afforded by a wider range of early voting days. More recent Census data shows that 17.6% of African Americans in Florida's covered counties live in homes without a vehicle, as compared to only 4.8% of whites. These disparities in access to transportation mean that African American voters are more likely to encounter greater difficulties obtaining transportation on Election Day, such that an elimination of early voting days would substantially curtail existing levels of access to the polls with a resulting retrogressive effect on minority voters.

These concerns were confirmed by Leon Russell of the Florida State Conference of the NAACP. Mr. Russell stated the Florida NAACP's Get-Out-the-Vote efforts will likely ''be impacted by'' Section 39. He added that the benchmark practice of two weeks of early voting is essential because

[t]wo weeks provided folks with options and allowed them to coordinate voting with other reasons for being in the vicinity of an early voting location. Even though you may provide the same number of hours of operation, those hours don't automatically equate to the same opportunity. With a limited number of locations, time of day and transportation are important.

Joyce Russell, African-American Affairs Liaison for the Hillsborough County Government, echoed these concerns. She stated, ''[t]he fact that [the proposed law is] going to shorten [early voting] is going to affect African-American voters'' in Hillsborough County, where many African-American voters ''work different hours of the day, so they can't always get into the regular voting hours. Many have non-traditional working hours.'' She noted that in Hillsborough County, ''[w]e've seen African-American voter participation soar because of the early voting days.'' Ms. Russell stated that a longer early voting period ''gives you more flexibility'' for transportation, explaining that ''Black churches have gotten involved'' in helping African-American voters get to the polls, and that it is ''easier to arrange church buses on a Saturday'' than it is on Election Day.

State Senator Arthenia Joyner, whose district encompasses part of Hillsborough County, stated that ''[e]arly voting has changed the landscape of voting'' by making possible broader participation among minority voters,'' and that the proposed reduction of early voting days would have a ''dramatic impact'' on Black voters in Hillsborough County. She noted that the total number of early voting hours in each County will be left to the discretion of each Supervisor of Elections, who could set the number of early voting hours as low as 48. Senator Joyner also stated that, even if the number of early voting hours remained the same, ''compressing into 8 days will not do what we had before—we're losing an entire weekend, including the Sunday before the election.''

State Representative Darryl Rousson, whose district also encompasses part of Hillsborough County, raised similar concerns, stating that, for his African-American constituents, ''[c]utting back the number of [early voting] days erodes access and absolutely chips away at a person's opportunities to vote.'' He explained that despite statements to the contrary, Section 49 does not ensure that the same number of early voting hours will be ''available, because local election officials will have discretion'' to reduce the number of early voting hours significantly. Representative Rousson added that ''Black leaders in my community,'' such as pastors, will now have a harder time ''gather[ing] up members'' for Get-Out-the-Vote efforts. He further stated that, in his opinion, Section 39 is ''aimed at minorities—black folks and Hispanics—whose job restrictions do not permit them to vote at normal hours.''

This Department has previously objected to changes to Florida's absentee voting rules based on data showing that, in at least some covered jurisdictions, ''minority voters disproportionately avail themselves of the absentee voting option because they often do not have accessible transportation to the polling place on election day and/or have jobs that do not permit time off to vote.'' These same considerations should guide the Department's Section 5 review here.

To put the significance of early voting into perspective, we note that, in the 2008 General Election, over 2.6 million votes were cast during Florida's early in-person voting period, accounting for an estimated 31.25% of all ballots cast. Most significantly, the percentage of early voters was even higher in four of the five Section 5-covered counties; specifically, the percentage of voters who voted early in the Section 5-covered counties were as follows: Collier (36.85%); Hardee (43.75%); Henry (44.39%); Hillsborough (28.41%); Monroe (33.50%).

In recent elections, Florida has been beset by ''hours-long lines'' to vote on Election Day. Nowhere was this more true than in Hillsborough County, the largest Section 5-covered jurisdiction in Florida, where, during the 2008 General Election, ''[h]undreds waited for more than four hours to vote,'' and ''where poll workers failed to give hundreds of voters the second page of their ballot. . . .'' At the University of South Florida, which is ranked 14th among undergraduate institutions nationally in awarding degrees to African Americans, ''students waited in lines for in excess of three-hours'' during the 2008 General Election.'' Senator Joyner noted that, in Hillsborough County, ''we have long lines at the inner city polls on Election Day,'' and that the lines at the polls were ''long enough when early voting was 14 days, and they will be even longer now.''

Given these realities, early voting is a crucial means of participation for African-American voters in the covered counties. It is therefore clear that a reduction in early voting days as proposed in Section 39 would have a retrogressive effect on minority voters.

B. Provisional Ballot Requirements

Section 26 of Chapter 2011–40 (Section 26) amends Florida Statutes section 101.045 to eliminate the right of registered voters in Florida who move from one Florida county to another to change their addresses at the time of voting. Under the benchmark practice, Florida permitted voters who have moved to update their address information in person at the polls at the time of voting by swearing an affirmation as to their new address. In such cases, the voters' existing registrations are carefully cross-checked in a state database before the voters are given a regular ballot. Section 26 eliminates that right, so that voters who move among Florida's 67 counties will be forced to cast provisional ballot. According to one estimate based on 2008 election figures, the result will be that nearly 34,000 additional Florida voters will be required to cast provisional ballots.

This law will have a clear retrogressive effect on minority voters in the 5 covered counties. For one, the impacted group of voters will be disproportionately comprised of minorities, who tend to move more frequently than do white Americans. According to a study by the Pew Research Center, 43% of African Americans and 48% of Latinos reported moving during the previous 5 years, as compared to only 27% of whites. African Americans and Latinos similarly report a higher likelihood of moving within the next 5 years: 59% for African Americans and 43% for Latinos, as compared to only 35% for whites.

These numbers are consistent with statistics from the Census Bureau showing that, in Florida's covered counties, African Americans have lower rates of home ownership (41.62% living in owner-occupied homes) than do non-Hispanic whites (74.31%), and other data showing that non-homeowners move three to four times more frequently than do homeowners. We note that this Department has previously relied on statistics indicating that minorities have lower rates of homeownership in the Section 5-covered counties in arriving at a determination to object to voting changes in Florida.

Furthermore, Florida has the nation's highest foreclosure rate, with three of the Section 5-covered counties in Florida continuing to experience foreclosure rates that are substantially higher than the national average. In our assessment, there are currently higher relative rates of mobility amongst minorities as compared to whites in the covered jurisdictions in Florida, and this trend is one that is likely to continue in the coming years.

Given these facts, the expected result of Section 26 is that more minority voters will be forced to cast provisional ballots, and at disproportionately higher rates. State Representative Rousson confirmed that this was the likely result for his minority constituents, explaining that, under Section 26, ''people who change addresses—which often happens in minority low-income communities—[will] have[] to cast provisional ballots'' more frequently. Ms. Russell, of the Hillsborough County Government, also explained that this change will ''affect African Americans disproportionately.'' She explained that ''African Americans, like other minorities, are often working class people . . . and sometimes they have to move.'' She noted that Section 26 is particularly problematic because African Americans in Hillsborough County ''have higher rates of unemployment and being laid off,'' and that, ''[w]ith the economy like it is, now people are having to move because of layoffs, or they lose their home or can't pay their rent, through no fault of their own, but they are still eligible to vote.''

Thus, we anticipate that, if implemented, Section 26 would force a disproportionate number of African-American voters to a different process for casting a ballot during elections, which will be retrogressive because provisional ballots are counted less frequently than are normal ballots, particularly in the covered jurisdictions. During the 2010 general election, the number of provisional ballots counted statewide was 74.27%, but only 55.64% of provisional ballots were counted in Florida's Section 5-covered counties, with particularly low numbers in Collier (58.71%) and Hillsborough (54.35%) Counties.

Statewide, the number of provisional ballots counted during the 2008 General Election was even worse, with fewer than half (only 48.59%) of all provisional ballots cast in Florida actually counted. Of particular worry is that there was substantial variation within the State with respect to the treatment of provisional ballots: for instance, during the 2008 General Election, 80% of provisional ballots were counted in majority-white Duval County, whereas only 60% were counted in Section 5-covered Hillsborough County. Numbers were even lower in Section 5-covered Collier County: 36.45%.

This suggests that the rules governing the counting of provisional ballots are not being implemented uniformly. Ms. Russell, of the Hillsborough County Government noted that, in her County, forcing voters to use provisional ballots can become ''so confusing that people will get discouraged and stay home,'' and that, even if voters do cast provisional ballots, ''[w]e know that those provisional ballots are not always counted.'' State Senator Joyner also noted that it ''takes additional work by a voter'' to make sure that a provisional ballot is counted, because voters will often have to return to the local election authority after Election Day in order to provide supporting documentation to ensure that their ballots are counted. In Senator Joyner's view, this will have a retrogressive impact on minority voters in Hillsborough County, ''whose incomes are limited, who don't have transportation, who'll have to make an additional trip to verify their information.''

In sum, given the disproportionately high rate of mobility and high foreclosure rate among minority communities within the 5 covered counties, Section 26 would result in more minority voters in the covered counties casting provisional ballots, which would in turn result in fewer ballots cast by minority voters being counted. The retrogressive effect of Section 26 would be particularly pronounced in Collier and Hillsborough Counties.

C. Restrictions on Third Party Volunteer Voter Registration Efforts

Section 4 of Chapter 2011–40 (''Section 4'') amends Florida Statutes section 97.0575 to require that any third party organization engaging in voter registration efforts submit any completed voter registration applications within 48 hours, or face penalties of $50 per application per day late. Section 4 represents a substantial change from the benchmark practice, which permitted volunteers working for third party organizations engaged in voter registration drives to submit completed voter registration applications up to 10 days after receipt.

The 48 hour time period and the threat of substantial financial sanctions for failure to comply with this new restriction will severely hamper or completely deter voter registration efforts by volunteer third party organizations whose mission is to provide

voter registration opportunities to minority communities. Leon Russell, of the Florida State Conference of the NAACP, stated that Section 4 ''would likely discourage participation in voter registration efforts.'' Mr. Russell noted that the NAACP's voter registration events take place in many different locations during various days of the week, but that volunteers from individual NAACP units frequently ''may not be able to turn in documents until the unit meets'' again, which could be several days after a planned registration event. The fact that these efforts are volunteer-based and uncompensated makes speedier transmittal of the forms especially onerous on the minority communities within the covered jurisdictions, many of which suffer from higher rates of socioeconomic disparities and higher poverty levels. Mr. Russell added, ''[t]he threat of fines will also keep people from volunteering.''

Harold Weeks, President of the Collier County branch of the NAACP, which regularly conducts voter registration drives in Collier County, stated, in reference to the fines contemplated by Section 4, that he ''wouldn't want to subject anyone to those kind of consequences,'' particularly ''young people'' who may mistakenly fail to turn paperwork in on time. He added, ''[w]e don't have much money to help pay somebody's fines.''

Ms. Russell, of the Hillsborough County Government, observed that, in her County, ''[t]here are a lot of African Americans, voting age individuals, who are not registered,'' but that Section 4 is ''going to intimidate a lot of African-American groups that would love to register people as first time voters.'' She added,

You want to do your civic duty to register people, and now . . . it's very difficult to do. . . . Most people will feel like it's not worth the trouble. It's really going to hamper African-American Greek organizations (fraternities and sororities) that work on voter registration efforts. . . . It makes it more difficult to do that.

State Senator Joyner also noted that the ''48 hour cap will cripple voter registration efforts.'' She stated that, ''[i]n the Black churches there's ongoing voter registration,'' but under the proposed change, ''you have to have someone every day'' turn in registration forms, which is an onerous administrative burden on churches serving low-income communities. State Representative Rousson echoed these concerns, stating that ''by making it 48 hours to get registration forms in, you're stifling'' voter registration.

This is no trivial matter for minority citizens in Florida, who have substantially lower voter registration rates than average. As of 2008, the U.S. Census Bureau reported that, in Florida, African Americans had a registration rate of 53.6%, Latinos a rate of 47.4%, and Asians a rate of 35.3%, as compared with an overall average registration rate in Florida of 62.4%, and an average for white Floridians of 69.2%. Voter registration drives are a crucial means of addressing these inequalities, as studies show that African-American and Latino voters are more than twice as likely to register in these drives.

The implementation of Section 4 would therefore have the effect of only worsening these registration disparities.

III. DISCRIMINATORY PURPOSE

Assessing a jurisdiction's motivation in enacting voting changes is a complex task requiring a ''sensitive inquiry into such circumstantial and direct evidence as may be available.'' The ''important starting point'' for assessing discriminatory intent under Arlington Heights is ''the impact of the official action whether it 'bears more heavily on one race than another.'' Other considerations relevant to the purpose inquiry include, among other things, ''the historical background of the [jurisdiction's] decision''; ''[t]he specific sequence of events leading up to the challenged decision''; ''[d]epartures from the normal procedural sequence''; and ''[t]he legislative or administrative history, especially . . . [any] contemporary statements by members of the decisionmaking body.'' Numerous cases arising under Section 5 have employed this standard to help ferret out discriminatory intent in the Section 5 process.

As noted above, various features of Chapter 2011–40 will have retrogressive effects on minority voters in the 5 covered counties. These concerns were no secret as Chapter 2011–40 was debated. To the contrary, they were raised often by members of the public. And, without exception, every single member of the Florida Conference of Black State Legislators voted against this legislation.

It is noteworthy that these broad changes to long-standing voting laws—some of which have been in place for decades—are being proposed so recently after the last General Election, when African Americans in Florida turned out and exercised their political power in record numbers. One news report noted that the changes to early voting, and in particular the elimination of early voting on the Sunday before Election Day, ''appear[] to be aimed directly at discouraging Florida's black voters.'' State Senator Joyner stated, ''we view this as an effort to marginalize the votes of minorities in our County because we had tremendous turnout in recent elections.'' State Representative Rousson added, ''in my mind, and in the minds of the Black leaders in my community, there is no question about the motives behind this. This is absolutely voter suppression and subversion. The perception is that it is aimed directly at [the Black] population. My constituents feel under siege.''

Chapter 2011–40 was enacted in spite of these and other objections, but we note that the state's proffered interests in enacting Chapter 2011–40 do not withstand even casual scrutiny. Although the State claims that these voting changes are necessary to prevent voter fraud, there is no evidence of a problem of voter fraud in Florida, as even the Florida Secretary of State has ''acknowledged that there is little voter fraud in the state.'' Nor is there any indication of how shortening the early voting period, requiring validly registered voters to cast provisional ballots, or imposing heavy fines on voter registration organizations would actually prevent fraud. Moreover, as this Department has acknowledged in response to a previous Section 5 submission by the State of Florida, ''procedures used to eliminate voter fraud should not unnecessarily burden the rights of minority voters.'' Finally, while legislators also claimed that these changes are necessary for the sake of reducing ''cost,'' an interest in administrative efficiency has not been recognized as a sufficient justification for voting procedures that otherwise violate the VRA.

CONCLUSION

For the reasons identified above, we urge the Attorney General to interpose an objection to Chapter 2011–40, as the state has failed to meet its burden of showing that it will not have a retrogressive effect, nor that it was adopted free of discriminatory purpose. Indeed, the state's submission contains no analysis whatsoever concerning the retrogressive effect of Chapter 2011–40 on minority voters, simply asserting without any substantiation that the proposed voting changes ''will apply equally to all voters. . . .'' That is not, however, sufficient to satisfy the state's burden to show the absence of retrogressive effect under Section 5 analysis. See Beer, 425 U.S. at 141. At a minimum, the Attorney General should issue a More Information Request (MIR) concerning the various issues raised in this letter as they affect minority voters in the five Florida Counties covered by Section 5.

Should you have any questions regarding the information presented in this Comment Letter, please contact Dale Ho at 212–965–2252.

Sincerely,

NAACP Legal Defense and Educational Fund, Inc.: John Payton, President & Director-Counsel; Kristen Clarke, Co-Director, Political Participation Group; Ryan Haygood, Co-Director, Political Participation Group; Dale Ho, Assistant Counsel; Natasha Korgaonkar, Assistant Counsel.

Florida Conference of Black State Legislators: Representative Mia Jones, Chair.

Florida State Conference NAACP: Adora Nweze, President.

Mr. Speaker, I don't think I could lay out my objections to the new voting laws in Florida any more clearly. I thank the authors of the letter I just read for their fine work, I only wish it wasn't necessary. Mr. Speaker, as we progress through this election season I would urge this Chamber and all of my colleagues to remember that every vote is important. Every American should be valued, and any effort to circumvent the right to vote, which some of us in this Chamber have fought so hard for, is a tragedy.

THE NATIONAL COMMISSION FOR INDEPENDENT REDISRICTIING ACT OF 2012

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. BLUMENAUER. Mr. Speaker, over the last few months, we have seen one opinion survey after another showing that Congress is facing record low approval ratings, hovering around 12 percent.

It's no coincidence that at the same time we've seen a surge in political activity from both the Tea Party and the Occupy Wall Street movements, expressing a shared frustration and distrust of Washington.

Underpinning America's disapproval of Congress is a broken political system, ranging from anachronistic Senate procedure to the recent Citizens United ruling. The budget battles of this Congress extend and amplify this trend.

While there is no silver bullet to ''fix'' what's ailing our Government, many experts and the public agree that we need comprehensive redistricting reform as a means to tone down the partisanship and make it possible to enact change. Under the current system, redrawing Congressional district boundaries every ten years continuously sends Congress down the path to partisan gridlock.

It's the worst kept secret in Washington that our current redistricting process too often gives incumbent politicians more influence over picking their voters, than voters have in picking their politicians.

Both political parties have developed the redistricting process into an art form, punishing opponents and protecting incumbents. Just

last week, House Speaker JOHN BOEHNER told POLITICO that Republicans will hold the House for the next decade thanks to the once-in-a-decade redistricting process that has made the GOP's hold on the majority ''iron-clad.''

I don't know about you, but I don't think the American public wants elections to be pre-cooked, a decade at a time. Politicians should not be allowed to achieve through the redistricting process what they can't accomplish at the ballot box. And regardless of whether the Speaker is right or not, the optics are disheartening and more than enough to further depress voter turnout.

Outside the beltway, there is very little that separates the average person in their political beliefs. But when you have a redistricting system where incumbents don't feel accountable in general elections, but fear attack in the primary, politicians are forced further and further to the left or right, ultimately skewing the membership of Congress. This is a system that rewards ideological extremes, punishes those who have nuanced or moderate positions, and closes the door on compromise before anyone even gets to Washington.

Even though elections are just around the corner, only 22 states have approved final district maps, leaving voters uncertain about who their candidate will be and furthering the already substantial incumbent advantage. There is hope, however, in states that have adopted independent redistricting commissions. All but one of these 13 states have already finalized their Congressional districts, making up a majority of the national total, and representing a small fraction—two of the 11 states—that are duking it out in court.

Redistricting reform isn't a Democrat or Republican idea. Indeed, it's bipartisan as seen in California and Florida where in 2010, both states—California controlled by Democrats in both chambers, and Florida controlled by Republicans in both chambers—enacted bipartisan redistricting reform.

While reform is slowly taking hold, the process remains woefully inadequate and subject to political abuse. The temptation to place partisan objectives above the public interest is just too enticing.

To make Congress more representative, all districts in all states should follow the same balanced metrics and criteria for redistricting, instead of the corrupt system we have today that's makes some states less fair and representative than others. That is why I have introduced legislation that would create the National Commission for Independent Redistricting.

The Commission would be composed of respected leaders with a proven commitment to public service and strengthening our future, such as ex-Presidents, retired Federal justices, previous congressional leaders, and electoral experts from academia. The Commission would oversee an independent, professional agency, tasked with establishing uniform criteria and congressional district lines for each State that respects the communities of interest, and geographic, ethnic, cultural, and historic boundaries, rather than just partisan affiliation.

The Commission would also inject greater transparency and accountability into the process by requiring robust public consultation and commentary that must be taken into account, and a website where all maps, hearings, votes with concurring and dissenting opinions, and materials would be made public in a timely fashion.

Congress would then approve or disapprove of the proposal put forward by the Commission with a simple up-or-down vote, free from procedural gridlock.

Congress should enact this legislation now, well before the next census in 2020. With six elections and nearly a decade standing between current politicians and the next Census, now is the time to reform our redistricting process and act in a way that reflects broad public interests rather than narrow and immediate partisanship.

Meaningful political reform is seldom easy and it takes time. Instead of each state passing their own version of what might as well be called ''The Incumbent Protection Act'' every 10 years, I am hopeful that there will be careful consideration of this proposal as a way to make the House of Representatives fairer, more representative, and more effective for this new century.

RECOGNIZING ALEX LESSER, SAM DIXON, AND JOSH FIXLER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. MORAN. Mr. Speaker, I have the good fortune of representing many bright and promising young people. When they speak selflessly about the need to help those less fortunate and recognize that the federal government has a responsibility to address this need, it renews my hope for a better future.

Yesterday was one such occasion. A young man, Alex Lesser, accompanied by Josh Fixler, Assistant Educator and Youth Director of the Temple B'Nai Shalom Congregation, came to my office on behalf of the Religious Action Center and the Union for Reform Judaism. Alex presented my office with a paper he and his friend, Sam Dixon, wrote jointly on the topic of economic justice and the importance of extending unemployment benefits. Alex's and Sam's eloquent words of reason deserve to be heard by my colleagues. I ask that they be submitted in today's CONGRESSIONAL RECORD.

ECONOMIC JUSTICE

Hello, I am Alex Lesser, and I am Sam Dixon, here on behalf of the Religious Action Center and the Union for Reform Judaism. We come from Temple B'nai Shalom in Fairfax Station, and we are here to talk to you about unemployment insurance. The economy is still recovering from the economic downturn of 2008. Since the recession started, a total of approximately 8.8 million jobs have been lost. Despite the fact that 2.7 million jobs have been recovered, 6.1 million workers have not gotten jobs back. The economy is still not in a good situation. The group that is struggling the most is the unemployed. And this group is not small: the national rate is still at 8.5%. Many of these people are food insecure. Being food insecure means a family or individual does not have the physical, economic, and social access to safe and nutritious food and drink. This is an important problem that YOU can help fix.

As a country that is currently in an economic crisis, it is not only our duty-but our responsibility to ensure that all citizens, regardless of economic status, are not at an unfair disadvantage to one another. However, this does not always seem to be the case in this nation. We have unfortunately seen a significant increase in poverty and unemployment over the past few years, with 3.2 million impoverished Americans in 2009, and 3.3 million in 2010. With unemployment insurance, not only will these unemployed individuals be supported and sustained, but our country as a whole will also benefit. A recent estimate from the Congressional Budget Office concluded that for every $1.00 that the government invests in unemployment benefits, approximately $1.90 will be added to the U.S. Economy. It seems to me that not only is this an important step in combating poverty for Americans, but also a necessary step to get the nation's economy back on track.

We are here today because Judaism teaches us that this is a vitally important issue. God commands us in the book of Deuteronomy that ''if there is a needy person among you . . . do not harden your heart and shut your hand against your kin. Rather, you must open your hand and lend whatever is sufficient'' (Deuteronomy 15:7–11). It teaches us that providing for the needy is not just a matter of charity, but an obligation. Judaism also teaches that the highest form of tzedakah, the Jewish value of charity, is to help a person achieve self-sufficiency. Unemployment insurance is that exact type of support that the homeless need to help them get back on their feet. I think that we can all agree that poverty is one of the worst fates imaginable. It is one of the most terrible sufferings. The Union for Reform Judaism has consistently fought against attempts to weaken the social safety net. This is clearly a moral choice as well as a political one.

This past Friday night, we attended a presentation from the National Coalition for the Homeless, which struck a very resonant chord in our hearts, all because of one man's story. Steve, a native Washingtonian and former homeless man, told us about how he was involved with drugs from a very early age. As a result of this drug abuse, he lost several high-paying jobs and his home. Steve mentioned that when he was at his lowest point, someone offered to help him in his path to sobriety, and he finally got his life together. After getting back on his feet, he is now in danger of going back on the streets due to a debilitating and degenerative disorder. His story reminded us that this is an extremely important issue because he was a prime example of a good person whose bad decisions impacted the rest of his life, making it hard for him to avoid homelessness. This reminds us that even when it seems as though someone has hit rock-bottom, the right help can put them back on the path to success. Part of the reason that this resonates with me is that we want to make sure that if our friends and family, as well as those who we will never meet, will not fall too far if they fall through the cracks.

Clearly, this is an important and timely issue that must be addressed. Extending unemployment benefits and insurance will not only help struggling Americans survive this economic downturn, but will also help the economy grow. We urge Representative Moran to support legislation that would extend unemployment insurance for a year.

JIM BARNETTE

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. UPTON. Mr. Speaker, today I bid farewell and best wishes to Jim Barnette, the incomparable Energy and Commerce Committee General Counsel.

When I became Chairman of the Energy and Commerce Committee, everyone told me I needed someone like Jim Barnette to serve as General Counsel. He served under three Chairmen before me and, though he was no longer in government service, his legacy of jurisdictional tenacity and seemingly limitless institutional knowledge remained.

Not content with a mere likeness, I informed Jim I was revoking his leave of absence and he was to report for duty promptly. Much to my delight, like any true public servant, he obliged.

As a veteran of the procedural, political, and policy battlefield, there was no one better suited to take the reins as General Counsel for the Committee when I began my tenure as Chairman at the outset of the 112th Congress.

Jim styles himself a country lawyer, but he brings a level of experience and wisdom to our Committee that is quite simply unmatched on Capitol Hill. He helped assemble and mentor the strongest team on Capitol Hill, building a backbone for our Committee staff that will stand the test of time.

He is a General Counsel in the fullest sense of the title: a faithful counselor to Members and staff and a forceful advocate for the issues before the Committee.

He has been a trusted partner, an expert negotiator, a skilled tactician, and a true friend. I wish Jim and his wife Chelo well, extending my sincere thanks for the year they set aside that allowed me to bring Jim back to the Committee. As we say at the Energy and Commerce Committee, Jim is the best.

IN RECOGNITION OF THE RETIREMENT OF MR. JACK CLINE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I would like to recognize a constituent of mine, Mr. Jack Cline, who retires from the Anniston Army Depot in April.

Jack Cline is a native of Anniston, Alabama. Upon his honorable discharge from the United States Navy in 1979, he came to work at Anniston Army Depot March 1981.

Jack began his career at the depot as an Electronics Worker in the Missile Guidance Branch, Directorate of Maintenance. He also worked in Directorate of Mission Plans and Operations as a Planner. In 1991, he became the Division Chief for Weapon Systems. In 1996, he became the Deputy Director for Production, and in 1999 served as the Division Chief for Tracked Systems. In 2001, he was promoted to Director of Production and Jack currently serves today as the Deputy to the Commander.

Among many educational and professional accomplishments, Mr. Cline attended Army Management Staff College in Fort Belvoir, VA; and the Depot and Arsenal Executive Leadership Program at UNC, Chapel Hill.

Married to the former Jeni Guthrie of Oxford, Alabama, Jack has one daughter Beth Williams, a teacher, married to Brad who serves as a Youth Minister. They have one granddaughter Savannah. Jack also has one step-son, Matthew, who is a Chemical Engineer. Jack and Jeni are active members of the Harvest Church of God in Anniston.

We congratulate Jack on his retirement today and thank him for his steadfast and dedicated service to our nation. On behalf of everyone at Anniston Army Depot, we wish him the best.

CONGRATULATIONS TO CARMELL F. ANDERSON FOR HER YEARS OF SERVICE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me in congratulating Carmell F. Anderson on her retirement from the U.S. Department of Labor.

Carmell F. Anderson was born in Detroit, Michigan in 1944 and resided most of her life in Bay City, Michigan. She was a 1962 graduate of T. L. Handy High School, and after attending Delta College, and later Northern Michigan University, she earned her Bachelor and Master's degrees in secondary education. In 1984, Carmell earned her Ph.D. from the University of Michigan in Adult Education and Labor Studies.

Along the way, Carmell taught driver's education and business classes for the Bay City Public Schools, worked at General Motors Saginaw Steering Gear, and the University of Missouri—Kansas City. In 1988, Carmell moved to Washington D.C. where she worked for the AFL–CIO—Human Resources Development, Inc. (H.R.D.I.) at the George Meany Center in Silver Spring, Maryland, followed by a position as Executive Assistant to Congressman Bob Traxler.

In 1991, she accepted a position as a researcher with the U.S. Department of Labor in Washington D.C. While working at the U.S. Department of Labor—Employment and Training Administration, Carmell and her husband, Jim Hoppenjan, volunteered during the first administration of the Clinton White House serving in the Correspondence Office, Personnel, and the NAFTA War Room. In 1994 she transferred to the Department of Labor Office of Apprenticeship in Detroit, Michigan. Carmell retired from the U.S. Department of Labor in 2012 after 21 years' service.

Mr. Speaker I would like to congratulate Carmell F. Anderson on her retirement. We are fortunate to have such a dedicated public servant in the U.S. Department of Labor and I wish her well in her future endeavors.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S175–S232

Measures Introduced: Nine bills and six resolutions were introduced, as follows: S. 2044–2052, and S. Res. 359–364. **Pages S207–08**

Measures Reported:

Report to accompany S. 1789, to improve, sustain, and transform the United States Postal Service (S. Rept. No. 112–143) **Page S207**

Measures Passed:

Commending Alan S. Frumin: Senate agreed to S. Res. 359, commending Alan S. Frumin on his service to the United States Senate. **Pages S200–01**

Hereditary Angioedema Awareness Day: Committee on the Judiciary was discharged from further consideration of S. Res. 286, recognizing May 16, 2012, as Hereditary Angioedema Awareness Day and expressing the sense of the Senate that more research and treatments are needed for Hereditary Angioedema, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page S222**

Udall (CO) (for Inouye) Amendment No. 1495, to strike provisions relating to increased research. **Page S222**

National Stalking Awareness Month: Senate agreed to S. Res. 360, raising awareness and encouraging prevention of stalking by designating January 2012 as ''National Stalking Awareness Month''. **Pages S222–24**

Congratulating the University of Alabama Crimson Tide Football Team: Senate agreed to S. Res. 361, congratulating the University of Alabama Crimson Tide football team for winning the 2011 Bowl Championship Series National Championship. **Pages S222–24**

National Teen Dating Violence Awareness and Prevention Month: Senate agreed to S. Res. 362, designating the month of February 2012 as ''National Teen Dating Violence Awareness and Prevention Month''. **Pages S222–24**

Congratulating the Pittsburg State University Gorillas Football Team: Senate agreed to S. Res. 363, congratulating the Pittsburg State University Gorillas football team for winning the 2011 NCAA Division II Football Championship. **Pages S222–24**

National Catholic Schools Week: Senate agreed to S. Res. 364, recognizing the goals of National Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States. **Pages S222–24**

Measures Considered:

Stop Trading on Congressional Knowledge (Stock) Act—Agreement: Senate began consideration of S. 2038, to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, after agreeing to the motion to proceed, and taking action on the following amendments proposed thereto: **Pages S181–87, S187–S200, S201–02**

Pending:

Reid Amendment No. 1470, in the nature of a substitute. **Page S181**

Reid (for Lieberman) Amendment No. 1482 (to Amendment No. 1470), to make a technical amendment to a reporting requirement. **Page S181**

Brown (OH) Amendment No. 1478 (to Amendment No. 1470), to change the reporting requirement to 10 days. **Pages S181, S182**

Brown (OH)/Merkley Amendment No. 1481 (to Amendment No. 1470), to prohibit financial conflicts of interest by Senators and staff. **Pages S181, S182**

Toomey Amendment No. 1472 (to Amendment No. 1470), to prohibit earmarks. **Pages S182, S197**

Thune Amendment No. 1477 (to Amendment No. 1470), to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D. **Page S183**

McCain Amendment No. 1471 (to Amendment No. 1470), to protect the American taxpayer by prohibiting bonuses for Senior Executives at Fannie Mae and Freddie Mac while they are in conservatorship. **Pages S183–86**

Leahy/Cornyn Amendment No. 1483 (to Amendment No. 1470), to deter public corruption. **Pages S186–87**

Coburn Amendment No. 1473 (to Amendment No. 1470), to prevent the creation of duplicative and overlapping Federal programs. **Pages S188–89**

Coburn/McCain Amendment No. 1474 (to Amendment No. 1470), to require that all legislation be placed online for 72 hours before it is voted on by the Senate or the House. **Pages S189–90**

Coburn Amendment No. 1476, in the nature of a substitute. **Pages S190–92**

Paul Amendment No. 1484 (to Amendment No. 1470), to require Members of Congress to certify that they are not trading using material, non-public information. **Page S194**

Paul Amendment No. 1485 (to Amendment No. 1470), to apply the reporting requirements to Federal employees and judicial officers. **Page S194**

Paul Amendment No. 1487 (to Amendment No. 1470), to prohibit executive branch appointees or staff holding positions that give them oversight, rule-making, loan or grant-making abilities over industries or companies in which they or their spouse have a significant financial interest. **Page S194**

DeMint Amendment No. 1488 (to Amendment No. 1470), to express the sense of the Senate that the Senate should pass a joint resolution proposing an amendment to the Constitution that limits the number of terms a Member of Congress may serve. **Page S195**

Paul Amendment No. 1490 (to Amendment No. 1470), to require former Members of Congress to forfeit Federal retirement benefits if they work as a lobbyist or engage in lobbying activities. **Pages S199–S200**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Tuesday, February 1, 2012. **Page S224**

Nominations Received: Senate received the following nominations:

4 Army nominations in the rank of general.

14 Marine Corps nominations in the rank of general.

7 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S224–32**

Measures Placed on the Calendar: **Page S206**

Executive Communications: **Pages S206–07**

Additional Cosponsors: **Pages S208–09**

Statements on Introduced Bills/Resolutions: **Pages S209–15**

Additional Statements: **Pages S204–06**

Amendments Submitted: **Pages S215–21**

Notices of Hearings/Meetings: **Page S221**

Authorities for Committees to Meet: **Pages S221–22**

Adjournment: Senate convened at 10 a.m. and adjourned at 7 p.m., until 9:30 a.m. on Wednesday, February 1, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S224.)

Committee Meetings

(Committees not listed did not meet)

CONSUMER FINANCIAL PROTECTION BUREAU

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine holding the Consumer Financial Protection Bureau (CFPB) accountable, focusing on a review of first semi-annual report, after receiving testimony from Richard Cordray, Director, Consumer Financial Protection Bureau.

U.S. AND GLOBAL ENERGY OUTLOOK

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the United States and global energy outlook for 2012, after receiving testimony from Howard Gruenspecht, Acting Administrator, Energy Information Administration, Department of Energy; Richard H. Jones, International Energy Agency, Paris, France; Roger Diwan, PFC Energy, Washington, D.C.; and James Burkhard, IHS CERA, Cambridge, Massachusetts.

EXTENDERS AND TAX REFORM

Committee on Finance: Committee concluded a hearing to examine extenders and tax reform, focusing on long-term solutions, after receiving testimony from Rosanne Altshuler, Rutgers University, New Brunswick, New Jersey; Jason J. Fichtner, George Mason University Mercatus Center, Arlington, Virginia; and Caroline L. Harris, U.S. Chamber of Commerce, Washington, D.C.

VIDEO PRIVACY PROTECTION ACT

Committee on the Judiciary: Subcommittee on Privacy, Technology and the Law concluded a hearing to examine the ''Video Privacy Protection Act'', focusing on protecting viewer privacy in the 21st century, including H.R. 2471, to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet, after receiving testimony from Representative Watt; David

Hyman, Netflix, Inc., Los Gatos, California; William McGeveran, University of Minnesota Law School, Minneapolis; and Marc Rotenberg, Electronic Privacy Information Center (EPIC), and Christopher Wolf, Hogan Lovells US LLP, both of Washington, D.C.

WORLD THREAT

Select Committee on Intelligence: Committee concluded a hearing to examine the world threat, after receiving testimony from James R. Clapper, Director of National Intelligence.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 7, 3839–3858; and 2 resolutions, H. Con. Res. 98 and H. Res. 531, were introduced. **Pages H218–19**

Additional Cosponsors: **Pages H220–21**

Reports Filed: Reports were filed on January 30, 2012 as follows:

H.R. 3582, to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation, with an amendment (H. Rept. 112–377, Pt. 1) and

H.R. 3578, to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline, with an amendment (H. Rept. 112–378).

Reports were filed today as follows:

H.R. 3575, to amend the Congressional Budget Act of 1974 to establish joint resolutions on the budget, and for other purposes, with amendments (H. Rept. 112–379) and

H.R. 3581, to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes, with an amendment (H. Rept. 112–380 Pt. 1). **Pages H217–18**

Speaker: Read a letter from the Speaker wherein he appointed Representative Harris to act as Speaker pro tempore for today. **Page H189**

Recess: The House recessed at 12:14 p.m. and reconvened at 2 p.m. **Page H190**

FAA Reauthorization and Reform Act—Motion to go to Conference: The House agreed by unanimous consent to disagree to the Senate amendment and agree to a conference on H.R. 658, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, and to provide stable funding for the national aviation system. **Page H192**

The Chair appointed the following conferees: From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Mica, Petri, Duncan (TN), Graves (MO), Shuster, Schmidt, Cravaack, Rahall, DeFazio, Costello, Boswell, and Carnahan. **Page H192**

From the Committee on Science, Space, and Technology, for consideration of secs. 102, 105, 201, 202, 204, 208, 209, 212, 220, 321, 324, 326, 812, title X and title XIII of the House bill and secs. 102, 103, 106, 216, 301, 302, 309, 320, 327, title VI, and sec. 732 of the Senate amendment, and modifications committed to conference: Representatives Hall, Palazzo, and Eddie Bernice Johnson (TX). **Page H192**

From the Committee on Ways and Means, for consideration of title XI of the House bill and titles VIII and XI of the Senate amendment, and modifications committed to conference: Representatives Camp, Tiberi and Levin. **Page H192**

Recess: The House recessed at 2:10 p.m. and reconvened at 5:15 p.m. **Page H192**

Fiscal Responsibility and Retirement Security Act of 2011—Rule for Consideration: The House agreed to H. Res. 522, providing for consideration of the bill (H.R. 1173) to repeal the CLASS program, by a yea-and-nay vote of 251 yeas to 157 nays, Roll No. 12, after the previous question was ordered without objection. **Pages H192–99, H199–H200**

Recess: The House recessed at 6:16 p.m. and reconvened at 6:30 p.m. **Pages H199–H200**

Notice of Intent to Offer Motion: Representative Michaud announced his intent to offer a motion to instruct conferees on H.R. 3630. **Page H200**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H191–92.

Senate Referrals: S. 1236 was held at the desk and S. Con. Res. 34 was referred to the Committee on Foreign Affairs. **Page H216**

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on page H200. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 9:32 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Rules: Full Committee held a markup of H.R. 3521, the ''Expedited Legislative Line-Item Veto and Rescissions Act of 2011.'' The bill was ordered reported, as amended.

Joint Meetings

MOLDOVA DEMOCRACY

Commission on Security and Cooperation in Europe. Commission concluded a briefing on Moldova, focusing on democracy, after receiving testimony from H. E. Igor Munteanu, Ambassador of Moldova to the United States, Canada, Mexico, and Brazil, Chisinau, Moldova; and William H. Hill, National War College, and Matthew Rojansky, Carnegie Endowment for International Peace Russia and Eurasia Program, both of Washington, D.C.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 1, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Budget: To hold hearings to examine the outlook for the eurozone, 10 a.m., SD–608.

Committee on Foreign Relations: Subcommittee on European Affairs, to hold hearings to examine Ukraine, focusing on what's at stake for the United States and Europe, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine Federal retirement processing, focusing on ensuring proper and timely payments, 2:30 p.m., SD–342.

Committee on Small Business and Entrepreneurship: To hold hearings to examine developing and strengthening high-growth entrepreneurship, 10 a.m., SR–428A.

United States Senate Caucus on International Narcotics Control: To hold hearings to examine the United States-Caribbean Security Cooperation, 2:30 p.m., SD–562.

House

Committee on Armed Services, Full Committee, hearing on the use of Afghan nationals to provide security to U.S. forces in light of attack on U.S. personnel at FOB Frontenac, Afghanistan in March 2011, 10 a.m., 2118 Rayburn.

Committee on the Budget, Full Committee, hearing entitled ''The Congressional Budget Office's Budget and Economic Outlook'', 10 a.m., 210 Cannon.

Committee on Education and the Workforce, Full Committee, hearing entitled ''Expanding Opportunities for Job Creation'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment and the Economy, hearing entitled ''Recommendations of the Blue Ribbon Commission on America's Nuclear Future'', 9:30 a.m., 2322 Rayburn.

Subcommittee on Health, hearing entitled ''Reauthorization of PDUFA: What It Means for Jobs, Innovation, and Patients'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled ''Implementation of the Manufactured Housing Improvement Act of 2000'', 10 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 3461, the ''Financial Institutions Examination Fairness and Reform Act'', 2 p.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies, markup of H.R. 3674, the ''Promoting and Enhancing Cybersecurity and Information Sharing Effectiveness Act of 2011'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Intellectual Property, Competition and the Internet, hearing entitled ''Prior User Rights: Strengthening U.S. Manufacturing and Innovation'', 10 a.m., 2141 Rayburn.

Subcommittee on Courts, Commercial and Administrative Law, hearing on H.R. 2469, the ''End Discriminatory State Taxes for Automobile Renters Act of 2011'', 1:30 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, markup of the following: H.R. 3407, the ''Alaskan Energy for American Jobs Act''; H.R. 3408, the ''Protecting Investment in Oil Shale the Next Generation of Environmental, Energy, and Resource Security Act''; and H.R. 3410, the ''Energy Security and Transportation Jobs Act'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Uncharted Territory: What are the Consequences of President Obama's Unprecedented 'Recess' Appointments?'', 9:30 a.m., 2154 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 3578, the ''Baseline Reform Act of 2011'' and H.R. 3582, the ''Pro-Growth Budgeting Act of 2011'', 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, Subcommittee on Energy and Environment, hearing entitled ''Fractured Science—Examining EPA's Approach to Ground Water Research: The Pavillion Analysis'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''The Path to Job Creation: The State of American Small Businesses'', 1 p.m., 2360 Rayburn.

Committee on Veterans' Affairs, Full Committee, hearing entitled ''Examining VA's Pharmaceutical Prime Vendor Contract'', 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Oversight and Subcommittee on Select Revenue Measures hearing on Harbor Maintenance Trust Fund and Harbor Maintenance Tax, 9:30 a.m., 1100 Longworth.

Joint Meetings

Conference: Meeting of conferees on H.R. 3630, to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, 10 a.m., HVC–201.

Next Meeting of the SENATE

9:30 a.m., Wednesday, February 1

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of S. 2038, Stop Trading on Congressional Knowledge (STOCK) Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 1

House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) H.R. 3835—To extend the pay limitation for Members of Congress and Federal Employees; (2) H. Res. 496—Adjusting the amount provided for the expenses of certain committees of the House of Representatives in the One Hundred Twelfth Congress; and (3) H.R. 3567—Welfare Integrity Now for Children and Families Act of 2011, as amended. Consideration of H.R. 1173—Fiscal Responsibility and Retirement Security Act (Subject to a Rule).

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