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Senate

The Senate met at 2 p.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 God, Your presence fills us with reverential awe for we find a light in Your commands. Even in darkness, your light dawns for those who love You. And so, Lord, as we begin the next phase of the work of the Senate, give us greater confidence in the power of Your providential purposes. Remind our lawmakers that the hearts of governmental leaders are in Your hands, yielding to the wisdom of Your sovereign will. Help us, Lord, to get to know You and love You so we can serve You as we should.

We pray in Your mighty 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. INOUE).

The legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 10, 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. INOUE,
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.

WELCOME BACK

Mr. REID. Mr. President, I welcome everyone back, the staff and Presiding Officer. I hope everyone had a restful and productive month. I look forward to this work period, which will be very short and exact, and I hope we can accomplish a few things.

CLEAR PICTURES

Mr. REID. Mr. President, I wish to take a minute to talk about Congressman PAUL RYAN's arithmetic. It is very interesting. He said he ran a marathon. A marathon is 26.2 miles long. While being questioned by the press, he said he ran it in about 2 hours and 50 minutes. Now, that is pretty fast. I would like to take a minute and apply the Ryan math to my marathon times. I will pick just one marathon time.

I ran the Boston Marathon, and using the Ryan math my time would not have been a world record but within minutes of a world record. I could have made the Olympic team. By using Ryan math, I would have been superb. Well, the Ryan math doesn't work in marathons. As we all know, we can always check someone's math, and his math doesn't work for running a marathon or anything else.

The Ryan math doesn't work with his budgets, it doesn't work with Medicare, and it doesn't work with his tax plan.

It doesn't work with anything he has suggested and opined. It is no more than his little assertion that I guess he thought no one would check. When people run these races, they keep records. For all of my marathons, they have kept records. So as much as I would like to have the Ryan math apply to my marathons, it doesn't work.

The Senate is going to resume its work in a few minutes on the heels of the two conventions. One was in Florida and one in North Carolina. The Republicans used their virtually fact-free convention to showcase the richest style economic policies.

The Democrats took a different approach. I am sure we all had our favorites. I thought Congressman CLEAVER's speech was so terrific. I don't know how many were able to see it, but it was great. He was up there marching. He was just outstanding.

Gov. Jennifer Granholm from Michigan was so good as she explained to everyone about jobs and why Detroit should not have gone bankrupt.

I thought JOE BIDEN's speech was typical for JOE BIDEN. It was wonderful. I admire him so much. I served with him for a quarter of a century. What a good man. He has contributed such valuable service to his country. While talking about his life story, we saw when his son introduced him. Tears were coming from his eyes.

The President's and Mrs. Obama's messages were very clear. They did so well.

In Charlotte Democrats presented Americans with a clear and honest assessment of the challenges we face as a nation and a concrete plan to overcome the problems we have together. That is why President Obama has seen a significant rise in the polls since that convention and all of those speeches—not just his speech but all of them. Even the Republican-skewed Rasmussen poll had him ahead by 5 points.

In fact, we presented Americans with clear choices. It was not a choice between two candidates or two parties; it

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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was a choice between two visions: the Romney vision and the vision we certainly think was pronounced at that convention, the Obama vision and a vision about America's future.

The Republican vision would return us to the failed economic policies that brought us to the great recession. It would return us to 8 years of wars, rumors of wars, and massive debt, everything unpaid for.

We don't want to go back to that. We can't go back to that. It would further tilt the playing field in favor of those who have every advantage, millionaires and billionaires. They already have an advantage. We don't need to give them any more.

President Obama showed a vision of America where every person has a shot at success, where fairness replaces favoritism. His policies led to 30 straight months of private sector job growth. Would we like more? Of course we would.

I met with Harold Schaitberger this morning, general president of the firefighters. He has been working in the field with firefighters. He started out as a firefighter. As a boy, his father died, and before he was old enough to be a firefighter, he actually lived in a firehouse by himself with the rest of the firefighters. That is where he got the idea that was what he wanted to do with his life's work. He has dedicated so much to making America a better place.

In my conversation with him we discussed how we are approaching 1 million people who have been laid off in the public sector. I am sure it has happened in Connecticut. It has happened in Nevada. It has happened everywhere. We thought we had a way of solving that problem.

Mr. President, you voted, I voted, and we thought we should stop the layoffs of firefighters, police officers, and teachers, and we would pay for it and have no more debt. We would pay for it by having a three-tenths of 1 percent surtax on people making more than \$1 million a year. Every Republican voted against public employees. Three-tenths of 1 percent would have taken care of all of that.

I enjoyed my conversation with President Schaitberger. We lamented the fact that all of these public employees have been laid off, and we have to get back to where we can have a public sector where people are not so overworked. I know in Nevada we have too few firefighters, too few police officers, and teachers who have been laid off, and that is a shame.

We have had 30 straight months of private sector job growth. Too bad the numbers are not more than 4½ million, but that is where they are. We lost 8 million jobs in the Bush years, and we have gained more than half of them back. We are making progress. We wish we could do better, and everyone acknowledges that. There is more work to be done. Too many Americans are still hurting.

President Obama has a plan to put more than 1 million people back to work next year. His plan will create jobs for the middle class and not just profits for the CEOs. We all want profits for these companies—and that is good—but we also want to make sure there is a fair program out there and that we do something to stop the middle class from being squeezed so hard. A lot of the CEOs are doing extremely well, and I am happy.

The Dow is up more than 6,000 points since President Obama took office. Meanwhile, Mitt Romney has failed to offer a single concrete idea to get good-paying jobs for American workers.

I watched part of an interview of Congressman RYAN today. It was a replay from yesterday. I think he was on ABC with George Stephanopoulos. All I could see was the back of Stephanopoulos's head, but I think that is who it was. He was saying they want to close these tax loopholes. So Romney has been asked and RYAN has been asked: What loopholes do you want to close? They will not say. It is part of their fictitious math because when they start talking about how fast they ran a marathon or talk about holes they want to plug, they have to give facts. And they have refused to do that.

Do they want to get rid of charitable donations? Do they want to get rid of the deduction for buying a home? They will not say. It is obvious why; they are afraid. So they give the Ryan math and the Romney math, which doesn't add up.

It is no surprise that Governor Romney has failed to offer a single proposal to create a good-paying job. After all, he belongs to the same Republican Party that has put partisan politics ahead of creating jobs for almost 4 years now. In fact, some would say 6 years. We have never had such obstruction in the history of the country. Nothing even comes close.

In the almost 6 years we have had the majority in the Senate, we have had to file cloture 380 times. There were times when the Congress would file cloture a handful of times, maybe 10 times. It has been 380 times in less than 6 years. This is the same Republican Party whose leader has said his No. 1 goal is to defeat President Obama, not create jobs for the American people in the private or public sector.

We have been rolling up our sleeves to put teachers, firefighters, police, and construction workers back on the job. For every \$1 billion we spend as a Federal Government for infrastructure, there are 47,500 high-paying jobs. There are other lower paying jobs that spin off of that. These are not government jobs. We don't send a truck out that says "U.S. Federal Government" on it to do this work. This money goes to the private sector to create jobs.

So while we have been working to try to create jobs, Republicans have been throwing up their hands—or worse, standing in the way of progress. Our

No. 1 goal is to get our economy back on track. I repeat, the Republicans' No. 1 goal is to defeat President Obama. What a shame.

We are resolute in our commitment to restore the economy. That is why we proposed the Veterans Job Corps Act, a measure that fulfills our promise to the brave men and women who dedicated their lives to making our lives safer.

President Obama kept his promise to end the war in Iraq and wind down the war in Afghanistan. The war in Iraq is over, and each year about 200,000 servicemembers reenter the civilian workplace. That is the way it is right now. As this new generation of veterans returns home ready to work, it is our job to make sure they have the opportunity to work and succeed.

The bill that is now before the Senate, the Veterans Job Corps Act, will reinvest in our returning servicemembers, easing the sometimes difficult transition back to civilian life.

The measure will also offer priority hiring for veterans who want to become first responders. As we have talked about already, these include firefighters, police officers, and EMTs. It will also create jobs for veterans restoring forests, parks, coasts, and public lands. These are really good jobs. These are really important jobs. We tried this once before when we were really struggling as a country during the Great Depression. We had the Works Progress Administration. We had the Civilian Conservation Corps. In my little town of Searchlight, NV, there were numerous projects that were developed by these individuals during the Great Depression. They would fix watering holes, put in windmills, build walkways, and many of these things are still in existence. So I commend the senior Senator from Florida, Mr. BILL NELSON, and the junior Senator from Montana, Mr. JON TESTER, for their work on this legislation. Unfortunately, we once again face Republican obstruction.

I repeat something I said a few minutes ago. Since we took control of the Senate in 2006–2007, Republicans have mounted an unprecedented 380 filibusters. This is outrageous. This obstruction exceeds anything we have ever seen before in the Senate. This is not using Romney-Ryan math; these are actual, valid numbers. By comparison, in Lyndon Johnson's 6 years as majority leader—I could ask everyone here to take a guess as to how many filibusters he had to overcome. Remember, these were the years when he was President and we had the civil rights stuff going on and all kinds of problems. Everyone would fail the test. He had to overcome one filibuster. I have been faced with 308.

I hope Republican colleagues will join us tomorrow as we vote to advance this measure. It is too bad we have had to file cloture on moving to proceed to this bill. The heroes who fought for their country overseas shouldn't have to fight for jobs once they get home.

Tomorrow marks the 11th anniversary of the September 11 terrorist attacks. The date is a reminder that through over a decade of war, the bravery and dedication of America's Armed Forces has never wavered. It is a reminder that our commitment to those fine young and women should never waver, either.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 476, S. 3457.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, at 5 p.m. today the Senate will proceed to executive session to consider the nomination of Stephanie Marie Rose to be U.S. District Judge for the Southern District of Iowa, with 30 minutes of debate equally divided and controlled. At 5:30 p.m. there will be a rollcall vote on the Rose nomination.

MOMENT OF SILENCE

I ask unanimous consent to have a moment of silence at 4:55 p.m. today for the 40th anniversary of the Munich Olympics massacre.

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

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

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

MORNING BUSINESS

Under the previous order, Senators are permitted to speak for up to 10 minutes each.

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

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

CONVENTION RESPONSE

Mr. KYL. Mr. President, I would like to speak about two claims that were made at the recent Democratic Convention that I believe require a response. Obviously, the Republican Convention went first and they did not have an opportunity to respond to everything that was said, but I think there are two things, as I said, that were claimed that just are not true. The first is that Republican policies caused the economic recession, so that in the Democrats' view electing Governor Romney would simply return us

to those same, allegedly, failed policies. Second, it was said by several spokesmen on the Democratic side that there were no new or big ideas coming out of the Republican Convention, so you might as well give President Obama another 4 years in office. I would like to respond to both of those claims.

First, President Obama and his supporters would like Americans to believe that the so-called Bush tax cuts, deficits, and deregulation caused the great recession. Those are the Republican policies that got us into the mess, they say. The facts show this is not true. As James Pethakoukis of the American Enterprise Institute asks, if the 2001 and 2003 tax cuts caused the great recession, then why does President Obama want to keep most of them? And why did he sign a 2-year extension of those tax cuts a year and a half ago? That is a good question.

Obama supporters also claim that huge deficits resulting from these 2001 and 2003 bills caused the recession. But here are the facts. According to the Congressional Budget Office—non-partisan—the 2001 and 2003 tax relief has only been responsible for 16 percent of the swing from surplus to deficit that they had estimated. If you look at the upper income tax relief only, that relief makes up just 4 percent of the swing. So it is impossible to say the tax cuts on the rich caused the recession. The maximum that the Congressional Budget Office can identify is potentially 4 percent. It is also important to note that since the CBO does not take into account the progrowth effects of marginal tax rate reductions—which all economists agree with—these numbers are even likely smaller than 4 percent.

Over that same period of time, new spending—this is the real problem—and interest on that spending were 12 times as responsible as the upper income tax reductions. So the real culprit here is not reducing the tax rate on Americans and especially those who are in the wealthier brackets but, rather, the new spending in which the Federal Government engaged. That is the cause of the deficits, and that did have an impact eventually on our ability to recover from the great recession.

One other note on this. The rich people, even though their tax rates were cut, ended up paying a far bigger percentage of taxes after the Bush tax cuts. The upper bracket earners paid—according to CBO again, in 2008 and 2009, the years for which they have figures, the top 20 percent of taxpayers paid 90 percent of income taxes—94 percent of income taxes. Before the Bush tax cuts, before 2001, that same top 20 percent paid only 81 percent. So the tax cuts in the upper income tax brackets resulted in an increase in the total dollar amount of taxes paid by the upper income people from 81 percent to 94 percent. So you cannot even make the argument that it was less fair. If anything, the upper income folks obvi-

ously paid a lot more—94 percent of all the income taxes paid.

Now, if deficits are the problem the Democrats are talking about, then President Obama would clearly make the problem worse. Pethakoukis notes:

The most recent Obama budget, according to CBO, would add \$6.4 trillion more to the federal budget deficit over the next decade, leaving debt as a share of the economy stuck at around 76 percent of GDP versus 37 percent pre-recession.

Think about it. The Obama budget leaves us with 76 percent debt as a share of GDP as opposed to 37 percent before the recession. So if debt and deficits are a problem, it is far worse under President Obama's budget than before. But, again, it turns out that is not really what caused the great recession, nor was it the third item that has been pointed to; that is, deregulation.

Deregulation under President Bush did not cause the problem. Pethakoukis writes:

Glass-Steagall ended during the Clinton administration, and studies have found no evidence that any rule changes by the Bush SEC contributed to the financial crisis.

Glass-Steagall is the law that used to regulate how banks made investments. That law was eventually repealed during the Clinton administration. The Bush SEC—that stands for Securities and Exchange Commission, and there are rules changes in every administration for the SEC—he is making the point that there is no evidence that any particular rule change in the SEC had anything to do with the financial crisis.

So it was not the tax cuts, it was not the deficit, and it was not deregulation. What did cause the recession? AEI's Peter Wallison has put it simply this way:

The financial crisis was a result of government housing policy. . . . Fannie Mae and Freddie Mac were the implementers of a substantial portion of the government housing policy.

Now, I would note that Republicans in Congress tried to reform Fannie and Freddie, but we were opposed by Democratic Members both in the House and in the Senate, including then-Senator Barack Obama.

Most experts, I believe, will agree that the biggest reason for the collapse that occurred after 2006 was the housing market—the sale of all of these mortgages that were not worth the paper on which they were written. When that paper was all added together, bundled together and sold in big chunks to investors, and they found out their investment was not worth what they had paid for it, you had a crash and you had several people on Wall Street who went bankrupt as a result of that crash. That is the reality.

The bottom line is that there is no Republican policy that caused the recession, so it is bogus for the President to keep saying Governor Romney would just return us to the "same failed policies."

The second claim is that there were no new big Republican ideas to come

out of the GOP convention. I submit that claim reveals just how radical the Obama team's economic policies are. It is true that Governor Romney's ideas for economic recovery are not new. But they are big. In fact, his faith in the American people and the free enterprise system is a very big idea—not new but tried and tested as the basis for creating the wealthiest Nation ever on Earth.

Capitalism and free markets have lifted the standard of living for more people around the world than any government program or any other system. Planned economies compare very poorly to the free enterprise system of America. Margaret Thatcher once famously observed:

The problem with socialism is that, eventually, you run out of other people's money.

Yes, a key theme of the Republican Convention was freedom, opportunity, and earned success. Americans did build our own success. To the extent that government provided any infrastructure along the way, it was paid for by taxes that Americans paid on what they earned because of their success. And, yes, this is in contrast to the theme of the Democratic Convention that our success comes from the collective, embodied mostly in government, so the bigger the government the better.

The bottom line is this: Returning to free market principles and progrowth policies will move us forward. Continued reliance on more spending, higher taxes, and bigger government will not solve our problems.

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

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

ROSE NOMINATION

Mr. HARKIN. Mr. President, as many of my colleagues know, I am a strong and enthusiastic advocate of Stephanie Rose to serve as a district court judge in Iowa's southern judicial district. I was honored to recommend to the President that he nominate this outstanding attorney. I encourage my colleagues to vote for her confirmation when the vote occurs later this afternoon.

Let me begin by first thanking Senator LEAHY and his staff for their hard work in advancing Ms. Rose's nomination. I also want to thank my senior colleague from Iowa, Senator GRASSLEY, for his invaluable support and assistance. For all the years we have served together here in the Senate, which now goes on, I think, 27 years, Senator GRASSLEY and I have cooperated in a spirit of good will on judicial nominations in our State.

I am proud we are continuing Iowa's tradition regarding judicial selections.

I can honestly say that Senator GRASSLEY has never opposed one of my selectees, I have never opposed one of his, even when there has been a different President in the White House, depending upon the party that is in control of the Congress. I think we have both been very judicious, if I might use that word, in our selection of people for the bench. I say that both on behalf of Senator GRASSLEY and myself. So therefore we have worked together in this very close spirit of cooperation.

I also want to thank Senator GRASSLEY's staff, in particular Jeremy Paris, Ted Lehman, and Senator GRASSLEY's Chief of Staff, David Young, for their support and their help in advancing the nomination. On my staff, I want to thank my Chief of Staff, Brian Ahlberg, Dan Goldberg, Derek Miller, and Pam Smith, all of whom have worked very hard to make sure we had a thorough interview process, a thorough vetting of the candidates, and to make sure that we got to the point where her vote will be coming up later this afternoon.

Stephanie Rose possesses in abundance the personal and professional qualities we expect from those we consider to take on the profound responsibilities of a Federal judge. She is a superb attorney. Among jurists, prosecutors, and the defense bar, she has a reputation as someone who is unfailingly fair and ethical and who possesses exceptional legal ability, intellect, integrity, and judgment.

As Charles Larson, the former U.S. Attorney for the Northern District of Iowa under President George W. Bush, wrote to the Judiciary Committee, Ms. Rose "has all the requisite abilities and traits to serve all litigants of the Southern District of Iowa in the manner expected of a federal judge. Ms. Rose would be a distinguished member of the judiciary."

Ms. Rose was born in Topeka, KS, and moved to Mason City, IA, when she was 4. Both of her parents were public schoolteachers. She and her husband Rob have two children, Kyl and Missy. Ms. Rose has two sisters, one of whom was adopted after coming to the family as a foster child, one of five foster children her parents welcomed into their home.

After graduating from Mason City High School, Ms. Rose earned her bachelor's degree with honors from the University of Iowa in just 3 years. Then she earned her doctorate of jurisprudence from the University of Iowa College of Law in just 2 years, graduating in the top 5 percent of her class.

She could easily have commanded a big salary from a top law firm. Instead she opted for public service and long hours as a Federal prosecutor, working to uphold the rule of law, making our neighborhoods safer, and advancing the cause of justice.

I might add that she served as a Federal prosecutor under district attorneys appointed both by Democratic Presidents and Republican Presidents.

In 2009, the Senate unanimously confirmed Ms. Rose to become U.S. Attorney in the Northern District of Iowa, having previously served 12 years as an assistant U.S. attorney.

Even before becoming U.S. attorney, she was lead counsel in 260 felony cases and made 34 oral arguments before the eighth circuit. She received a national award from the Department of Justice for her work in prosecuting the largest unlawful Internet pharmacy case in the United States.

As U.S. attorney, Ms. Rose has helped make Iowa and our Nation safer, reduced violent crime and gang violence, and promoted civil rights. In addition, she has the distinction of serving on the Attorney General's Advisory Committee. It is no surprise that the American Bar Association gave Ms. Rose a unanimous "well qualified" rating, the highest rating by the American Bar Association.

Finally, I wanted to comment on the historic nature of her confirmation. Ms. Rose was the first woman to be confirmed as U.S. attorney in Iowa's Northern District, and when confirmed later today, she will be the first woman confirmed as a U.S. district court judge in Iowa's Southern District.

Ms. Rose is a person of truly outstanding intellect, integrity, and character. She is exceptionally well qualified to serve as a United States district judge for the Southern District of Iowa. I urge all of my colleagues to support her nomination.

I yield the floor and 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. ISAKSON. 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.

Mr. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

HONORING OTIS A. BRUMBY, JR.

Mr. ISAKSON. Mr. President, I ask unanimous consent to have printed in the RECORD an 8-page eulogy that appeared in the Marietta Daily Journal on Sunday of this week.

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

[From the Marietta Daily Journal, Sept. 8, 2012]

JOURNAL PUBLISHER DIES AFTER TWO-YEAR BATTLE WITH CANCER

(By Joe Kirby)

Otis A. Brumby Jr. served nearly a half-century as publisher of the Marietta Daily Journal. During those decades he oversaw the transformation of the MDJ from a small-city newspaper into the award-winning flagship of a metro-wide chain of suburban papers; used those publications as "bully pulpits" for lower taxes and against political

corruption; crusaded successfully for stronger "Sunshine Laws"; fought passionately for education reform; and was a widely respected kingmaker in state and local politics. Brumby, who was diagnosed with Stage 4 prostate cancer nearly two years ago and had waged a strenuous fight against it since then, passed away peacefully at his home on Saturday at age 72, surrounded by family and friends.

Said former Gov. Roy Barnes of Marietta, "I can think of no single person who's had bigger impact on Cobb County and this state than Otis. He excelled as a community leader and in education reform. And I think that a giant oak has fallen that will be very difficult to replace."

Otis A. Brumby Jr. was born April 9, 1940 in Atlanta, son of the late Otis A. Brumby Sr. and Elisabeth Dobbs Brumby of Marietta. His family had a long history and deep roots in county history. One member (Col. Anoldus V. Brumby) had served as commandant of the Georgia Military Institute on Powder Springs Road in Marietta (now site of the Marietta Hilton and Conference Center). Otis Jr. was the great-grandson of Thomas Micajah Brumby, who with his brother James had co-founded the Brumby Chair Company here just after the Civil War (a company that Otis Jr. would successfully resurrect in the mid-1990s). Both Thomas and his son, Thomas Jr., served as mayors of Marietta, the latter dying in office.

Thomas Jr.'s son Otis Sr. had founded the weekly Cobb County Times in 1916 and acquired the MDJ in 1951.

The publisher and his young family, which also included daughter Bebe in addition to Otis, lived on then-rural Terrell Mill Road just south of Marietta.

Despite growing up around the newspaper, Otis Jr. had planned on a legal career. After graduating from the University of the South in Seawee, Tenn., with a major in political science and a minor in economics, he earned a law degree from The University of Georgia in Athens (where his roommates included future famed criminal defense lawyer Ed Garland, banking tycoon James Blanchard of Synovus and prominent attorney Wyck Knox of Augusta).

But shortly after he returned to Marietta in 1965 as assistant to the publisher (a training period that also included a lengthy stint as a "cub" reporter) and two years later was named publisher.

He wasted little time making his mark. In 1969 he launched the Neighbor Newspaper group, which ultimately grew into a chain of 27 free suburban weeklies circling metro Atlanta, with satellite offices in each county feeding copy back to Marietta.

"Otis Jr. was still in his 20s when he made the visionary decision to start the Neighbor newspapers," retired Kennesaw State University history professor Tom Scott, Ph.D., told the MDJ. "In the competitive world of modern reporting, with so many alternatives to print journalism, it's hard to see how the MDJ could have been so profitable without the mass circulation of those suburban newspapers."

Meanwhile, with delivery issues in mind and with an eye on the need for better access to then-new Interstate 75, Brumby moved the newspaper's offices from their traditional Marietta Square location to a new plant on Fairground Street just downhill from Lockheed.

Brumby's newspaper, with its emphasis on short stories and readability, became a model for the industry. When Gannett began laying plans for what would become USA Today, it sent a team of editors to spend a week in the MDJ newsroom studying the Marietta newspaper model.

The MDJ's meat-and-potatoes was and is coverage of community events that are too

routine for bigger media to pay much attention to: the rezonings, the road widenings, the church news, the school news, the new business openings. But unlike many community-oriented newspapers, and unlike many bigger ones as well, the MDJ under Brumby's leadership also kept its editorial eye riveted on the doings of its local governments. The MDJ hammered home through the years the need for leaner government and lower taxes.

"He was always a populist in his views and opposed what he deemed to be wasteful spending on any level of government," recalled state Senator and former Cobb school board Chairman Lindsey Tippins.

Added former House Speaker Newt Gingrich, "Otis was consistently one of the strongest voices for more efficient government, for smaller government and for creating new jobs. He was a passionate advocate for the development of northside Atlanta. Just look at the amount of what in his youth was farmland that now is full of homes and factories and schools. He was integral to the growth of Cobb."

Said legendary retired Georgia journalist and syndicated columnist Bill Shipp of Kennesaw, "Of all the publishers and editors I met and worked for, he was far and above the best one. He had a model daily newspaper. He not only reported the news, his newspaper was an active, dynamic watchdog in this county."

"He ran a newspaper that appealed to local newspaper readers and was a cause for community good. And the MDJ is without equal in the entire state in that regard."

Added Barnes, "We have not had any major government corruption scandals in Cobb, and the reason is that Otis was a vigilant watchdog making sure the public knew what was going on. We've escaped embarrassment, corruption and scandal because of his efforts."

Like most editors and publishers, Brumby felt strongly about First Amendment issues. But unlike the perfunctory support sometimes heard from such quarters, Brumby's front-and-center push for government transparency was unwavering.

"His legacy in journalism was his consistent, unrelenting effort to ensure government transparency and open meetings and records," said U.S. Sen. Johnny Isakson (R-Ga.) "There's not a journalist or publisher or editorial writer in this state that did more than Otis to ensure the public's business was done in the open. There wouldn't be an Open Meetings and Open Records Act without Otis."

Continued Isakson, "When the publisher of your hometown paper and your personal friend has a passion for open government and you're an elected official, if you don't embrace that concept too, you won't last very long."

Georgia Attorney General Sam Olens of east Cobb described Brumby as "a great teacher and mentor. His love of the First Amendment and his desire for elected officials to be held accountable are much appreciated."

Retired ambulance company owner Bo Pounds was part of a group that successfully brought suit against Cobb EMC regarding misuse of corporate assets, an effort that was fueled by the MDJ's close coverage.

"Otis is the best I've ever seen at letting the public know what in the hell the government is doing," he told the MDJ. "Otis is as responsible for openness in Georgia law as anyone."

The newspaper went on to win the prestigious annual Freedom of Information Award numerous times from the Georgia Associated Press and the Georgia Press Association.

As Brumby saw it, the Sunshine laws were tools for use by the public and media to help hold elected officials accountable.

Shipp, the retired columnist, said that public officials "were and are absolutely terrified of the MDJ, and that's a good thing. We don't have much of that kind of journalism anymore. It's the kind of journalism that keeps people in the middle of the road."

Said Marietta Mayor Steve Tumlin, "I had one rule with Otis as a politician: Tell the truth early on and hide nothing, as he knew it or was going to know it anyway."

It's notable that the three Georgia elected officials who arguably worked the hardest and most successfully to strengthen the sunshine laws Barnes, Olens and Isakson—had something in common.

"They were all under tutelage of Otis Brumby," Barnes said. "He impressed upon us and all who would listen the importance of making sure that government is open and conducted in the sunshine. He always argued that was the best way to keep government from becoming too bureaucratic and to try to prevent corruption. I could have had no better ally on that than Otis Brumby. It was not just lip service, but something he was passionate about."

Former state Sen. Chuck Clay (R-Marietta) recalls Brumby as "an absolutely uncompromising warrior on behalf of open government and open records. The people of Georgia have been well served by his efforts. I just hope they know what a legal quorum is in heaven or there is going to be trouble, and I bet on Otis."

Brumby also was passionate about education reform and strong public schools. The result was, first, his appointment to the Marietta School Board by then-Mayor Joe Mack Wilson and the City Council in 1993; and later, his appointment as chairman of the State School Board by Barnes in 1999.

"I went to his house and said, I want you to be chairman," Barnes recalled. "That's a tough job, but he thought about it and said, 'That's not the job I want, but it's a job I can't say no' to. Education is too important.' He was always willing to serve, and he always gave 100 percent."

But perhaps Brumby's biggest contribution to public schools was the "vote of confidence" in them by virtue of the decision he and wife Martha Lee made to send all five of their children to the Marietta School System, rather than to private schools as many Mariettans were doing.

"He chose to send them to public school when he could have afforded to send them to any private school in the country," observed former U.S. Rep. Buddy Darden (D-Marietta).

Brumby was fond of quoting former Mayor Joe Mack Wilson's observation that the city school system "is the glue that holds Marietta together."

Brumby was fascinated by politics, an interest honed when he served in the 1950s as congressional page for his cousin, U.S. Sen. Richard B. Russell in Washington, D.C. (Brumby went on to graduate from The Capitol Page School in Washington.)

"Other than his family, which he was more proud of than anything, I think he was most proud of his days as a page for Richard Russell," recalled syndicated columnist Matt Towery of Vinings. "He didn't have as many pages as the other senators, and not many could say they paged for him. And that relationship helped form many of his views on politics and life."

Russell was one of the most powerful senators and was the intellectual force behind the Southern bloc that then controlled the seniority-driven body. Russell also was a confidante of both then-President Dwight Eisenhower and then-Senate Majority Leader (and future President) Lyndon B. Johnson. The young Brumby would recall in later years that he was routinely designated by Johnson to answer his personal phone on the floor of the Senate.

Cobb and Georgia politics in that era were overwhelmingly Democratic. But Brumby took the reins of the MDJ just as Cobb's previously next-to-nonexistent Republican Party was first beginning to stir. Fueled by an influx of residents from other parts of the country into east Cobb, the county GOP would be a force to be reckoned with by the early 1980s.

"Otis always thought that a strong two-party system was in the best interest of the state," said Isakson, who first ran for office in the early 1970s. "And being part of the minority party early in my career, he gave us the chance to make our case. He didn't prop us up, but he made sure the access was there. We had a chance, and in a lot of communities, you never did."

Added Gingrich, who in those days represented a district on the southside of Atlanta, "Otis was a warrior for conservatism who by the creation of the Neighbor Newspapers on top of the MDJ dramatically offset the impact of the Atlanta newspapers. You can't understand Georgia politics over the last 30 years without understanding how important a figure he was.

"It's hard for folks now to remember how dominant the liberal voice of the Atlanta newspaper was back in the 1970s, and how exciting it was to have Otis and his newspaper as a conservative voice. And it was great for our morale, too. Later, when I was Speaker, I always felt like he had my back."

But Brumby's personal politics remained somewhat amorphous. He endorsed and gave financial contributions to candidates of both parties. Although personalities sometimes figured into the equation, for him the bottom line usually was not party label but whether the candidate was suitably conservative, especially on fiscal matters.

A similar rule of thumb determined whether to editorially support various proposals floated by local officials. The main criterion was whether the project or referendum made financial sense for taxpayers.

"As a politician, I'll miss the question that I've heard over and over, both in Cobb and in the state Capitol: 'What does Otis think about this?'" Tumlin said.

It's hard to be a crusading journalist without making one's share of enemies, and Brumby made his share—and then some. But he not only possessed bulldog tenacity when it came to following a story, but also with the rare gift of retaining the friendship and respect of those who were momentarily feeling the heat.

"He doesn't have a single friend who didn't have a disagreement with him, but we all learned to put those behind us," Darden said. "And he had the ability to move forward. We didn't always agree, but it didn't come in the way of what I consider one of my closest friendships in my entire adult life."

Said Isakson, "I'll be the first to say we didn't agree on everything, but I learned that it was best to focus on what we agreed about and move on."

Numerous others told the MDJ the same thing, including Barnes.

"Johnny and I are two of his close friends and he'd hammer both of us from time to time, but we understood what he was doing," he said. "As I used to kid him, I never forget that you're first and foremost a newspaper man. The ink flowed through his bones and blood. But we remained friends. That is a unique ability, to continue to have a close relationship. I knew his secrets and he knew mine. He never betrayed a confidence of mine or vice-versa. But at same time I understood he had a job to do.

"In my world, loyalty is the coin of the realm, and Otis was loyal to me and I was loyal to him. That does not mean there would not be criticism. But in the end, we re-

mained friends. He told me once that Johnny and I were the only ones that understood completely what the press needs to do and has to do."

Smyrna Mayor Max Bacon said he understood the awkward position Brumby would sometimes be in.

"Being an editor and living here locally has got to be a tough job."

There were two sides to Otis Brumby—the one as the publisher that the public saw, and the private one as a man utterly devoted to his community, to his church, to various other charities and, above all, to his family.

He is survived by his wife Martha Lee, daughters Spain Gregory, Lee Garrett, Betsy Tarbutton, Anna Brumby and son Otis Brumby III; 10 grandchildren; and his sister, Bebe Brumby Leonard.

The late Mr. Brumby was a trustee of the University of Georgia Foundation, the Arch Foundation of UGA and the Kennesaw College Foundation. He represented the Seventh Congressional District on the state Board of Transportation from 1985–90. He endowed a professorship of First Amendment Law for journalism and law students at UGA in 2004. He was for decades an avid member of the Marietta Kiwanis Club, serving as its president; and past president of numerous professional organizations.

He remained an avid UGA football fan, and often remarked that there was nothing like enjoying a game at Sanford Stadium "with 100,000 of your closest friends."

He was a lifetime member of First United Methodist Church of Marietta.

"Otis was a faithful and generous churchman and he served where he was needed, whether helping plan the church's future or ushering and greeting newcomers on Sunday morning," said the Rev. Sam Matthews, pastor. "I witnessed profound gestures of kindness and consideration from him, gestures that most of us would be challenged to match.

Former Congressman Darden, a fellow member, noted Brumby's steady giving to the church, and quoting the Book of Matthew, said, "For where your treasure is, there your heart will be also."

Former Georgia Supreme Court Justice Conley Ingram sat in the pew just ahead of the Brumbys for years.

"He did the smallest job to the greatest job at our church," he said. "He was a greeter at the door, or took up collection, but you could always count on him to be there.

"His life was one of love and dedication to his family and his church and to the First Amendment and to UGA. He was a great friend, and he never tried to take credit for the many things he did for our community. He was a great family man and a great church man and above all, a loyal friend. It's not going to be the same without him."

Many of those who shared their reminiscences for this story remarked on the contrast between Brumby's towering journalistic presence and his personal preference for staying out of the spotlight.

"For all his greatness, the greatest thing about him was that he was so humble," Towery said. "He could be tough in the business place, but when he got out in public, he was shy. You couldn't get him to talk about himself in front of other people."

Remembered Barnes, "To have held the position of influence he did in this community, he was one of the most humble guys I've ever been around. He never overstated his influence or importance."

Brumby also was recalled by Barnes and others as a terrific storyteller.

"He had a lot of fun in him," he said. "A lot of those who didn't know him didn't realize what a great sense of humor he had."

Brumby's middle name, "Anoldus," had been passed down through the generations,

and he joked to an editor this summer in mock surprise that, "I offered it to all my children to use as a name for their children, and none of them wanted it!"

And Brumby, whose hairstyle and sartorial choices were nowhere close to "cutting edge," could be self-deprecating, too.

"He used to jokingly call himself the Marietta Square," Towery said. "But he wasn't just the Marietta Square.' He was Cobb County. And life without Otis Brumby is not going to be as much fun."

Added Isakson, "I'm going to miss my friend Otis."

A memorial service will be held Wednesday at 11 a.m. at the First United Methodist Church of Marietta.

In lieu of flowers, contributions may be made to First United Methodist Church 56 Whitlock Avenue Marietta, GA 30064 or the Georgia Press Educational Foundation 3066 Mercer university drive Atlanta, GA 30341. Mayes Ward-Dobbins Funeral Home in Marietta is in charge of arrangements.

Mr. ISAKSON. Mr. President, this is a poignant eulogy of many of the accomplishments of one of my best and personal friends, Otis Brumby, Jr. I could read all of his accomplishments if I wanted to. There are times we are called on to offer eulogies on the floor of the Senate because we have to or because it is appropriate. There are times we give eulogies for great past leaders of our State, but on rare occasions, such as the one I have today, we do it for someone for whom we have tremendous respect, love, and compassion.

To Otis Brumby, Jr.'s wife Martha Lee, his daughters Anna, Betsy, Lee, Spain, his son-in-law Heath, and his son Otis Brumby III, my love and compassion goes out to each of them during their tragedy.

Wednesday morning I will return to Marietta, GA, to be part of the memorial service to honor Otis Brumby. I thought it would be better to talk about the Otis Brumby I knew rather than the one the papers are writing about. To me he was the epitome of a journalist, a father, a friend, and a husband. Otis Brumby, Jr. got his start in some ways on the floor of the U.S. Senate because in the late 1950s his father arranged for him to page for Richard B. Russell, who, as all of us know, was really the master of the Senate before Lyndon Johnson when he was leader, later Vice President, and finally President.

Otis Brumby learned a lot in this Chamber and on this floor. He has told me what it was like before the cameras were here back in the good old days when there was camaraderie and friendship in the Senate. He also told me about the difficult days of the civil rights era, and particularly as a son of the South and what that meant to him.

He came back to Georgia. After graduating from high school, he went to the University of the South in Sewanee, and then earned a law degree from the University of Georgia. He then headed to his passion, the law, but he didn't make it. Instead he made it to the Marietta Daily Journal as a cub reporter for his father's newspaper. At the age of 27 he was a floor manager

and assistant publisher for the paper. He offered his expertise at a very young age.

At the age of 29 he came up with a unique concept. He said people would like to see their kids' pictures in the paper. They like to have stories about their sports victories. They like to have lots of pictures and stories—but just to them—and not all the fodder that might go with it. He started what became known as the Marietta Daily Journal and the Neighbor Newspaper Group. He created 27 neighborhood newspapers and all 27 of them were weekly.

They were so successful that when Gannett decided it was going to try to do a national paper called USA Today, they sent a team of investigators for 7 days to the Marietta Daily Journal to investigate their template, the way they published their paper, their meat and potatoes. Quite frankly, a lot of credit for USA Today goes to the newsroom at the Marietta Daily Journal and the brilliance of that young 29-year-old reporter who later became a publisher of that newspaper.

Otis Brumby died last week of prostate cancer and the effects of prostate cancer. He suffered for 2 years, and that has been a tragedy. But the tragedy for all of us is that he is gone; he has left a mark on our State, county, and community that can't be easily replaced.

Although he had an affinity for politics, he never served. When called on by Governors for appointments, he took them; first as State board of education chairman and later as board of education chairman for the Marietta public school system. A very wealthy man because of his success and investments, Otis Brumby never sent his children to private schools that he could afford because he believed the public schools needed to be the best, and he thought he would send his children there as a role model. And he did. They all were superstars in their schools whether in academics or athletics. Their father Otis supported those public school systems as a leader, a mentor, and a board member.

To Marietta, GA, Otis Brumby was just about everything. He was its conscience, benefactor, and leader, and from time to time he was its protagonist where he would promote discord and a lack of harmony in order to come up with the right decision.

I can tell my colleagues, as a politician, when he wrote about someone and they heard they were in the paper, the first thing they did was grab the newspaper. In fact, there is a column he wrote called "Around Town" that appeared every Saturday morning in the newspaper—a pretty thin part of the paper, but it was a one-page discourse on what politicians in the county were up to. On Saturday morning every politician in Marietta, GA, and Cobb County, GA, went to their mailbox and got their Marietta Daily Journal. They didn't want to see what the football

score was; they wanted to see what Otis Brumby had said about them during the previous week. He was the conscience of all the politicians in the community. He was the leader in the community, and he was the benefactor of the community. He made it a much better place.

Otis was not a Republican nor was he a Democrat. He was, if anything, a populist, but he had a fiscally conservative bent to him. Unlike a lot who commentate on politics, Otis put his money where his mouth was. He wrote checks to local politicians and to people in the U.S. Senate. There wasn't a party bent to him, but there was always a fiscally conservative bent.

In fact, I will tell my colleagues when I first ran for office in Cobb County in 1974, we didn't have any Republicans. I ran as a Republican because I was a fiscal conservative. Everybody told me I was crazy. They were right; I got beat. But Otis Brumby took an interest and wrote about the campaign and some of the things we talked about and some of the things we tried to do. He propped me up long enough to get a chance to stand on my own two legs. Sure, he would knock me down from time to time—and some of those times I deserved it—but he gave me a chance. He gave everybody a chance. He was one of those journalists who would comment on what someone did, but he gave them the strength to do what was right.

Wednesday morning I am going to the funeral of my dear friend. I miss him already and will miss him more as the days go by. I love him and his family for all they have done for me, my community, and my country. So at one of those rare times when we come to the floor to eulogize, this time for me it is personal but this time for America we have lost a son, a journalist, a patriot, and I have lost a best friend.

May God bless Otis Brumby and his family, his grandchildren, and our community.

I yield the floor.

THE PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I have been listening to our colleague, the Senator from Georgia, who is one of the real gentlemen of this body. I listened to his warm words about his friend who has passed. Sometimes what people say about others is a better reflection on them than on who they are describing. In many ways, I thought that about what Senator ISAKSON was just saying because what he just said about his friend, any one of us in the Senate could say about him because he is a gentleman.

I was very much moved by the words of my friend. We thank him for all he does to make this a better place.

THE ECONOMY

I have come to the floor on different business, which is to talk about the budget circumstance we are in and to try to answer the question we have heard asked in recent days: Are we bet-

ter off now than we were 4 years ago? I believe the answer to that question is very clear.

To answer the question we have to take ourselves back 4 years and remember the conditions we faced then. I will never forget as long as I live being called to an urgent meeting in the Capitol late one evening in September 2008. I was the last one to arrive. There were assembled the leaders of the House and the Senate, Republicans and Democrats, the Chairman of the Federal Reserve, and the Secretary of the Treasury of the Bush administration.

The Secretary of the Treasury and the Chairman of the Federal Reserve quickly told us they were going to take over the giant insurer AIG the next morning. They weren't there to ask our approval or seek our support; they were there to tell us what they were doing. They told us if they did not do it, they believed we would have a financial collapse within days.

This was September 2008. Barack Obama was not the President of the United States; George W. Bush was the President of the United States, and we were on the brink of financial collapse, according to the description of his own Secretary of the Treasury.

Let's remember what the economy was doing in the fourth quarter of 2008. The economy was shrinking at a rate of over 8 percent. In fact, it was shrinking at a rate of almost 9 percent. In the first month of 2009, the last month of the Bush administration, we lost 800,000 jobs in 1 month. So when people ask if we are better off today than we were then, just as a factual matter there can be no dispute. We are dramatically better off today than we were 4 years ago.

Four years ago we were on the brink of financial collapse. Four years ago the economy was shrinking at a rate of almost 9 percent, and we were losing 800,000 jobs a month. Those are facts. They cannot be disputed.

Today we are growing, not as fast as we would like; jobs are being created, not as fast as we would like, but that is a dramatic improvement over 4 years ago. Let's remember the housing market was in crisis. Home building and sales were plummeting. There were record foreclosures. The financial market crisis threatened global economic collapse. That was 4 years ago. Anybody who wonders can go back and read the headlines. Those were grim days.

I also remember as though it were yesterday being part of the group who was given a responsibility to negotiate the TARP—the Troubled Asset Relief Program. I remember being in this complex late on a Saturday night, again with the Secretary of the Treasury of the Bush administration, and him telling us if we did not come up with a solution by 5 o'clock Sunday night, the Asian markets would open and they would collapse, and our markets would open the next day and they would collapse.

So when people ask if we are better off today than we were 4 years ago, as a factual matter there really is no question—none. We are dramatically better off.

The other thing we should keep in mind is, what happens after a severe financial crisis such as the one we faced 4 years ago? Dr. Carmen Reinhart, from the Peter Peterson Institute for International Economics, and her husband, Dr. Vincent Reinhart of the American Enterprise Institute—which, by the way, is a pretty conservative place—have done an analysis, and here is what they found: After a severe financial crisis such as the one we suffered 4 years ago, economic recoveries are shallower and take much longer.

Here is the quote from their analysis:

Real per capita GDP growth rates are significantly lower during the decade following severe financial crises. In the ten-year window following severe financial crises, unemployment rates are significantly higher than in the decade that preceded the crisis. . . .

That is what we had in 2008. Again, Barack Obama was not the President of the United States; George W. Bush was President of the United States, and we had a severe financial crisis. We were on the brink of financial collapse. It takes a long time to dig out from a disaster of that magnitude.

Two of the most distinguished economists in the country—one of whom, by the way, advised JOHN MCCAIN in his most recent Presidential race, and the other who is Deputy Chairman of the Federal Reserve—did an analysis of what would have happened without the Federal response, what would have happened in terms of jobs. Here is what they found: With a Federal response we got 8 million jobs we would not have had otherwise. In other words, if there had been no Federal response, the red line is what would have happened to jobs. The green line is what happened as a result of Federal action: 8 million fewer jobs lost than if there had been no Federal response.

Again, this is work that was done by Alan Blinder, former Vice Chairman of the Federal Reserve, and Mark Zandi, who was one of the economic advisers to JOHN MCCAIN in the last Presidential race.

So when we go back to this question, are we better off now than we were 4 years ago, I think the answer is unequivocally, yes. We are dramatically better off than we were 4 years ago.

Now, those people who are still unemployed don't feel better off. I understand that. That is dreadful, that is painful, and it is painful in every way. Not only does it hurt in the pocketbook, but much more than that: It hurts the way people feel about themselves. It hurts the way people feel about their role in their families. So we have lots of work to do, but if we are going to be honest with people about comparing where we are today and where we were 4 years ago, there really can be no serious question about the answer to that question.

This chart shows the economy in the fourth quarter of 2008—that is the last quarter of the Bush administration—was shrinking at a rate of almost 9 percent. Now the economy is growing at a rate of 1.7 percent, for the most recent quarter. Is that good? No. Would we like it to be stronger? Absolutely. But is this better than almost any other developed country in the world? Yes. The Eurozone is in recession. Their economies are shrinking. Japan is not doing as well as we are doing.

So when we look around the world and compare ourselves, the answer by comparison is we are doing remarkably well given the depth of the financial crisis we experienced.

Not only is it true in economic growth, it is true in terms of private sector jobs. Again, in the last month of the Bush administration, this economy lost over 800,000 jobs—in 1 month. In the most recent month in the United States, we gained 103,000 private sector jobs. That is a turnaround of over 900,000 jobs in a month. That is a dramatic improvement.

And if we look at the stock market, we can answer that question as well. Are we better off now than we were 4 years ago? Well, this chart shows the stock market. In March of 2009, it hit its low of 6547—the low during this period. Look where it is today. More than double what it was 4 years ago.

So, again, if we are seriously asking the question, Are we better off than we were 4 years ago? In terms of economic growth? Yes. In terms of job creation? Yes. In terms of the stock market? Yes. In terms of economic performance? Yes.

I have also heard my colleagues on the other side say at the convention just concluded that there has been no budget here for 3 years. Well, there has been no budget resolution. But there is a budget law that was passed called the Budget Control Act. And a law is much stronger than any resolution. A resolution is purely a congressional document. It never goes to the President for his signature. A law, obviously, has to go to the President for his signature.

So when they say there has been no budget passed, there has been no budget resolution passed, but, instead, Congress passed the Budget Control Act. Look what it said in the Budget Control Act:

. . . the allocations, aggregates, and [spending] levels set in subsection (b)(1) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012. . . .

That same language is repeated in the next paragraph:

. . . the allocations, aggregates, and levels set in subsection (b)(2) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2013. . . .

I say to you, a budget is a limitation on spending. The Budget Control Act contained very clear limitations on spending for 2012 and 2013. So when our friends say there has been no budget

passed by this body, oh, yes, there has. There has been a budget passed for 2012, and one for 2013. Instead of a resolution, it was done in a law.

What we do not have is a long-term plan, a 10-year plan. That is what we need. But it is pretty clear both sides are not ready yet, and perhaps will not be until we have had this election, to sit down and agree to the kind of 10-year plan we so desperately need.

The Budget Control Act represented the largest deficit reduction package in the history of the United States. How can that be? Well, because it contained \$900 billion in discretionary savings over 10 years, and it included the so-called sequester that we hear so much about that added another \$1.2 trillion of spending cuts over the next 10 years, for a total of \$2.1 trillion in spending cuts. That is the largest deficit reduction package we have ever passed.

So, again, when people say there is no budget, there has been no action taken, it is not accurate. The Budget Control Act operates in the same way as a budget resolution, and it is a law, not a resolution that is purely a congressional document that never goes to the President. The Budget Control Act passed both Houses of Congress, went to the President for his signature, and cut \$2.1 trillion in spending.

People may not like it. There are a lot of things I do not like about it—certainly the sequester. I think we ought to find alternative savings for it. But the fact is, this is now law, and it cut \$2.1 trillion. That still leaves us with the problem that we are borrowing 40 cents of every \$1 we spend, and that cannot be permitted to continue.

So we have to add a package on top of the Budget Control Act. We have to do more. I would prefer, strongly, to do another at least \$3 trillion. I tried to convince the Bowles-Simpson Commission to do a package of \$5 trillion of deficit reduction. Actually, I tried to persuade them to do a package of \$5.6 trillion of deficit reduction because we can balance the budget if we would do a package that large. The people who were on that commission will tell you I tried repeatedly to convince my colleagues to go big, let's do a package that really balanced the budget.

And we could do it. It is not that hard. I think people sometimes get it in their head this is some impossible task. I told them, let's talk about a 6-percent solution. If we would do 6 percent more revenue than current law provides and 6 percent less spending, we would save \$6 trillion over 10 years and balance the budget. I actually would argue for more weighting on the spending cut side of the ledger than on the revenue side. But I do this for illustrative purposes, to indicate we cannot do 6 percent? Come on. We cannot do 6 percent? Sure we can.

The occupant of the chair, the Governor of West Virginia in his previous life in politics, I will tell you, he did not have any trouble making tough decisions, and I will bet you he reduced

spending a lot more than 6 percent. He survived. He is here. He is respected.

We can do this. Hey, we have done much tougher things than this in the past. I hope colleagues think about this carefully.

This next chart is so important because it looks at the spending and the revenue lines of the Federal Government going back to 1950. This is 60 years of our economic history on one little chart.

The red line is the spending line. The green line is the revenue line. And look what it shows. We got to, in 2010, an all-time high in spending for the last 60 years, taking out the effect of inflation, so you have an even-even comparison over that 60-year period. And we were at a 60-year high in spending—not surprising given the dimensions of the financial crisis we faced. But at the same time, we were at a 60-year low in revenue. When you have record spending and record low revenue, you have record deficits and record additions to the debt. That is exactly what was happening to us.

We have seen some improvement in the last few years. Spending is down as a share of GDP. Revenue is up a little bit. We still have a big chasm.

In the midst of all this comes Representative RYAN and his plan. I would say to those who might be attracted to his plan: Be careful what you wish for—be careful what you wish for—because, first of all, the Ryan plan does not balance the budget, if ever, until 2040, and it only balances in 2040 because of certain assumptions he told the Congressional Budget Office to make about his plan and the revenue contained in it. I personally do not think it ever balances. I do not believe it ever balances. It is absolutely an unbalanced plan. All of the deficit reduction is on the spending side. He actually digs the revenue hole much deeper, extends all the Bush era tax cuts, and then adds hundreds of billions of dollars of more tax cuts, primarily to the most fortunate among us.

There is \$1 trillion in tax cuts for the wealthiest. He gives those with an income of over \$1 million an average tax cut of \$265,000 a year. Somebody is sitting out there saying: How is that possible? A person earning \$1 million a year probably does not pay much more than \$265,000. How can they, on average, be getting a \$265,000 tax cut? Remember, this is the average for everybody over \$1 million, so this includes people making \$1 billion a year. And there are a fortunate few who make \$1 billion a year. So if you take everybody over \$1 million, and you average the tax cut they get under the Ryan plan, it is over \$265,000 a year.

He has \$2.9 trillion in health care cuts. So first of all, he extends all the Bush era tax cuts. Then he adds hundreds of billions more of tax cuts for those who are the most fortunate. And to start to make up for it, he has \$2.9 trillion in health care cuts—not million, not billion: trillion. He repeals

health care reform. He shifts Medicare to vouchers. And he block-grants Medicaid and cuts Medicaid drastically.

Who benefits from Medicaid? Well, low-income people, disabled people, but also a lot of middle-income people in this country benefit from Medicaid because their folks are in nursing homes and they have spent down their assets, and the only way they can stay in the nursing home is that Medicaid picks up the tab. There are hundreds of thousands of families in America, middle-class families, who have benefited from Medicaid because that is what has paid the nursing home bills for their relatives—their mom, their dad, their grandpa, their grandma. That is the truth.

The Ryan budget also dramatically cuts the safety net for seniors, the children, the disabled. It increases the uninsured by more than 30 million people. It is going to increase the number of uninsured by 30 million. Well, if you are not uninsured, why should you care? I will tell you why you should care. Because if they are not paid for by insurance, they are going to be paid for by all the rest of us. Because the hard reality of how the health care system works in America is this: If you are in a car accident and you do not have insurance and you are taken to the hospital, you are treated. If you do not have insurance to pay for it, and you do not have resources to pay for it, guess who pays for it. All the rest of us pay for it.

That is why it is absolutely in our interest to have as many people insured as is possible. It is not just a nice thing to do; it is a smart thing to do. Because one of the things we have found out is that about a third of the people who do not have insurance can afford it. They can afford it. They just choose not to have it because they know if something drastic happens to them, all the rest of us are going to pay.

There are also large cuts in the Ryan budget for education, for energy, for infrastructure—building roads, bridges, highways, and the rest. Those things undermine the engines of economic growth. So I do not think that is the way to go.

When we look at the Ryan budget plan on revenue, here is what we find. It provides \$1 trillion in tax cuts for the wealthiest among us. It gives millionaires an average tax cut of more than \$265,000 a year. It does not contribute one dime of revenue to deficit reduction. And the revenues reach 18.7 percent of GDP by 2022. Now why does that matter? Because the last four times we have balanced, the revenue of the country has been 19.6 percent, 19.7 percent, 19.8 percent, 20.6 percent. So, hey, if we are going to be serious about belling this cat, we are going to have to cut spending, we are going to have to reform the entitlements, we are also going to have to raise some revenue, hopefully not in a way that hurts economic growth, because we think we have found ways of doing it.

But the Ryan tax plan, I have to say, I do not think adds up. Why don't I believe it adds up? Well, let's look at what he proposes.

First of all, he says we should reduce individual tax rates to just two—one at 10 percent and one at 25 percent. Right now, the top rate is 35 percent. If you reduce that rate to 25 percent, and you have only one other rate of 10 percent, that package costs \$2.5 trillion over the next 10 years. So instead of filling in the hole, you are digging the hole deeper. Then he puts the top corporate rate at 25 percent. Again, that is a significant reduction from the top corporate rate today. That costs another \$1 trillion. Then he repeals the alternative minimum tax. That costs another \$670 billion. Then he repeals all the tax levies in the health care reform. That costs another \$350 billion. Then he allows the stimulus provisions to expire from the Recovery Act, which raises \$210 billion.

Before he starts filling in the hole, he has dug the hole deeper by almost \$4½ trillion, and he says he is going to offset all of that with individual base broadening and corporate base broadening. We are spending about \$1.2 trillion a year in tax expenditures. Over 10 years that is about \$15 trillion with inflation.

So we could come up with this \$4½ trillion, but what would we have to do in order to do it? Almost every objective observer has said we would have to raise taxes on the middle class—because he says this is going to be somehow, in the Romney plan, revenue neutral. I do not know that the Ryan plan ever claimed to be revenue neutral. But if we are going to pay for this, how are we going to do it, which of the exemptions and the exclusions? Are we going to reduce the mortgage interest exemption? Are we going to reduce the health care tax exclusion? Because those two affect middle-class people. Let's be honest. Let's be straight. So there is no way Congressman RYAN's plan does all the things he claims for it without raising taxes on the middle class.

When he gets to a revenue level of 18.7 percent and says that is the historic average, that is true. The problem with that is we have never balanced the budget, going back to 1969, with that amount of revenue. The five times we have balanced since 1969—that is 43 years ago—revenues have been at 19.7, 19.9, 19.8, 20.6, 19.5. So just getting back to the historic average, I do not think it is going to be enough. If we are looking at what it has taken to actually balance the budget in our history, we can see we have to be very close to 20 percent.

By the way, these levels of revenue were before the baby boom generation, and the baby boom generation, that is not a forecast. That is not a prediction. Those people have been born. They are alive today. They are going to be eligible for Social Security and Medicare. If

we are going to be honest with ourselves, honest with the American people, I do not think what Congressman RYAN is talking about adds up.

If we look at his budget on health care, we see \$2.9 trillion in health care cuts. As I indicated, he repeals health care reform. I hear a lot—I hear it in my State: Let's repeal health care reform. Why not? Because the Congressional Budget Office tells us if we repeal it we add over \$1 trillion to the debt. We add over \$1 trillion to the debt, we deny coverage to 30 million people who would otherwise have it.

His plan also ends the effort to promote quality over quantity of care, reopens the prescription drug doughnut hole that raises costs to seniors by \$4,200, allows insurance companies to drop coverage when we get sick. It ends the provision allowing young adults to stay on their parents' plan until the age of 26. It shifts Medicare to vouchers in 2023 and includes, after that, an aggressive cap on payments that most analysts have said would dramatically increase what Medicare beneficiaries would have to pay for their own health care.

Currently, Medicare pays 75 percent of the cost. The beneficiary pays 25 percent. If the Ryan plan were adopted, the original Ryan plan—he has subsequently put out other plans. But his original plan would have stood that on its head. He would have Medicare beneficiaries paying the substantial majority of the cost. Instead of Medicare beneficiaries paying 25 percent, he would have them paying 68 percent of the cost—Medicare beneficiaries.

I have a brother who is gravely ill in the hospital, Medicare eligible. I can tell you, he is getting phenomenal care—very costly. I would say it would break our family. If we had to pay 68 percent of the cost instead of 25 percent, it would break our family. We are a middle-class family. I am talking about the extended family.

These things have real consequences. Anybody who thinks these are just political statements and they do not affect people's lives, oh, yes, they do. They have a profound effect on people's lives.

The Ryan plan block grants Medicaid, shifts the cost to seniors, children, disabled, and States. I do not think that is the path America has in mind. I like PAUL RYAN. I agree with him that we are on an unsustainable course. I was on the Bowles-Simpson Commission with him.

But unlike him, I was one of the 11 who supported the recommendations of Bowles-Simpson. Of the 11 of us who did, 5 are Democrats, 5 Republicans, and 1 Independent. That is about as bipartisan as we can get. There were 18 Commissioners. We had to get 14 to get the recommendations to a vote in the Congress. We got 11.

That is 60 percent of the membership who voted yes; five Democrats, five Republicans, one Independent. PAUL RYAN was part of Bowles-Simpson. He voted

no because it was not just the way he wanted it. It was not just the way I wanted it either. I hated things on almost every page of that report. But as I told my staff, the only thing worse than being for it would be being against it because it would have gotten us back on track. It would have lowered our deficit and debt by \$4 trillion and have done it with revenue and spending cuts and reform of entitlements, maybe not as much on any one of those areas as I would do, but it would have made a profound difference in the economic future of this country.

Perhaps the most striking thing to me in all the speeches at the Republican convention was the claim by Congressman RYAN and the attack on President Obama for supporting \$716 billion in Medicare savings. Why was I so taken aback by that? Because I have read Congressman RYAN's own budget. His budget has precisely that same level of Medicare savings that he now politically attacks President Barack Obama for supporting.

Did you see what former President Clinton said? He said that takes real brass, to attack somebody for something you have done. Congressman RYAN, when you give a speech, make your speech before tens of millions of people listening and you attack the President for supporting \$716 billion in Medicare savings and you have the exact same savings in your budget, shame on you. Shame on you.

The Catholic bishops reviewed the Ryan budget. Here is what they said. They said it fails the moral test. These are Catholic bishops in America. Look, they have issues with the President too. I understand that, but this is what they said about the Ryan budget. They said: It fails the moral test. The Nation's Catholic bishops reiterated their demand that the Federal budget protect the poor and said the GOP measure fails to meet these moral criteria. I think they got that right. Here is what a former Reagan economic adviser said about the Ryan budget. This is Bruce Bartlett, former Reagan administration economic adviser. This is what he said about the Ryan budget. Again, this is a former President Reagan economic adviser. Here is what he said about the Ryan budget:

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Mr. Bartlett, I do not know the man. He is telling the truth. He is telling the truth, as painful as it is. He is telling the truth. When we go to the question

of are we better off than we were 4 years ago, let's remember where we were 4 years ago. We were on the brink of financial collapse.

Republican policies led the United States to the brink of financial collapse. They cannot rewrite history. We know what happened. We tried their experiment. It did not work. Now things have improved, not as much as we would like, and there is much more work to be done. But I trust in the judgment of the American people. I do not think they have forgotten. I certainly have not forgotten. I will never forget where their policies took us in the fall of 2008. We were on the brink of financial collapse. Let's not repeat that failed experiment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MOMENT OF SILENCE TO OBSERVE THE FORTIETH ANNIVERSARY OF THE MUNICH OLYMPICS MASSACRE

The PRESIDING OFFICER. The Senate will now observe a moment of silence for the 40th anniversary of the Munich Olympics massacre.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I stand here today with my colleagues to observe 1 minute of silence on the first day of session since the passage of the 40th anniversary of the 1972 Munich Olympic terrorist attack that killed 11 athletes and coaches from the Israeli Olympic team.

Prior to the extraordinary summer games in London, where so many of our athletes excelled and made our country so proud, the Senate passed a bipartisan resolution that I authored with Senator RUBIO. With this resolution, which was supported by more than 30 of our colleagues, the Senate called on the International Olympic Committee to hold a moment of silence in London to honor these 11 slain Israeli Olympians. It is regrettable they chose not to. Today, here in the Senate, we right that wrong. The Munich tragedy was an outrageous attack against innocent athletes and against the unifying spirit of the Olympics. Observing a moment of silence at the 2012 Olympic games' opening ceremony, when the world's attention was focused on this symbol of international cooperation and peace, would have sent such a powerful message of unity in our fight against terrorism.

On September 5, 1972, a Palestinian terrorist group called Black September broke into the Munich Olympic Village, killed an Israeli athlete and coach, and took nine other athletes and coaches hostage. A German police

officer was killed and nine hostages were murdered during a rescue attempt.

In observing this minute of silence, as in our resolution, we commemorate the 40th anniversary of the 1972 Munich Olympic terrorist attack, remember those who lost their lives, and reject and repudiate terrorism as antithetical to the Olympic goal of peaceful competition.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to thank the Senator from New York and my colleague, Senator RUBIO of Florida, for calling this historic tragedy to our attention on the sad 40th anniversary of the killing of the Israeli participants at the Munich Olympics.

Having just witnessed, as the Senator from New York noted, the spectacular Olympics that were staged in London and realizing how the Olympics started as a way to transcend national differences and to create an Olympic global spirit, what happened in Munich was especially heartbreaking. We followed it in those early days of television as it was being reported on by some of the sports announcers who were actually at the Olympics. It was hard to believe, as hostages were being taken, that they would all be killed when it was over.

I sincerely hope we in the world will learn a lesson from this tragedy—a lesson that violence begets violence and we need to end this sort of terrorist activity and stand together in that Olympic global spirit.

Again, my thanks to Senators GILLIBRAND and RUBIO for their efforts to make this part of the London Olympics but also to make certain this day has not been forgotten here on the floor of the Senate.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I wish to thank Senator GILLIBRAND for bringing this to the attention of the Senate and the American people and to thank Senators RUBIO and DURBIN for being here.

It is hard to believe it has been 40 years since that tragic event in which terrorists had the attention of the world during the Olympics in Munich.

It is hard to believe that over the last 40 years we have experienced so much of the violence from extremists and terrorists.

Tomorrow we will commemorate the 11th anniversary of the attack on our own country. We recognize the only way we could stand up for this type of extremism is to never forget and to rededicate ourselves to do everything we can to root out extremists, to root out terrorists, and to never forget the consequences of their actions.

I wish to thank Senator GILLIBRAND and Senator RUBIO for the resolution we passed in this Congress to let those who were victimized 40 years ago know we will not forget them and that we continue to dedicate our efforts to root out this type of hatred and this type of

extremism to make sure the Olympic spirit—which is world competition to bring peace in the world—is alive and well in the Senate and the United States of America. We will continue to commemorate what happened so we don't forget and dedicate ourselves to a more peaceful world.

I yield the floor.

Mrs. GILLIBRAND. Mr. President, 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. 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.

EXECUTIVE SESSION

NOMINATION OF STEPHANIE MARIE ROSE TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF IOWA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate, equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, we are beginning about 3 minutes late. I ask unanimous consent that the time be divided in such a way that the vote still starts at 5:30.

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

Mr. LEAHY. When the Senate recessed more than a month ago, 22 judicial nominees to fill vacancies in courtrooms around the country were left pending, awaiting a Senate vote. Today, Senate Republicans have agreed to vote on just one of those nominees. I want to commend Senator HARKIN for working with Senator GRASSLEY and the Majority Leader to get this vote on the nomination of Stephanie Rose of Iowa. I urge votes on the other nominees, as well, without further delay.

There are currently 78 Federal judicial vacancies. Judicial vacancies during the last few years have been at historically high levels and have remained near or above 80 for nearly the entire first term of the President. Nearly one out of every 11 Federal judgeships is currently vacant. Vacancies on the Federal courts are more than two and one half times as many as they were on this date during the first term of President Bush. One key reason for these numerous vacancies and for the exten-

sive backlog of nominees is that Senate Republicans allowed votes on just one district court nominee per week for the last seven weeks before the August recess. This unnecessarily slow pace of consideration of judicial nominees has disserved the American people and should not continue.

The across-the-board obstruction and foot dragging from Senate Republicans since day one of President Obama's tenure means that we are likely to complete his first term with more judicial vacancies than when he took office. The partisan obstruction from Senate Republicans has been particularly damaging with respect to Federal trial courts. In a sharp departure from the past, Senate Republicans have stalled Senate approval of district court nominees, including those Republican home state Senators support.

Before the American people elected Barack Obama as our President, district court nominees were generally confirmed within a couple of weeks of being reported by the Judiciary Committee. This was true of those nominated by Republican Presidents and Democratic Presidents. Deference was traditionally afforded to home State Senators and district court nominees supported by home State Senators were almost always confirmed unanimously. During the 18 months that I was chairman of the Judiciary Committee in 2001 and 2002, we confirmed 83 of President Bush's district court nominees, and only one of them received any votes in opposition. Even though some Senate Democrats opposed the nominee, we nevertheless scheduled a vote for him just 11 days after he was reported by the Judiciary Committee.

Indeed, only five district court nominees received any votes in opposition in all 8 years of the previous Republican presidency, and none was a party-line vote. Among those nominees was one so extreme that he had announced that "concern for rape victims is a red herring because conceptions from rape occur with approximately the same frequency as snowfall in Miami." That observation was much like the outrageous recent comments about rape by a Republican House member and Senate candidate.

In all, the Senate confirmed 264 of President Bush's district court nominees, and only five of them received any votes in opposition. Senate Democrats were willing to work with a very conservative Republican President to fill vacancies on our Federal trial courts. We recognized that filling vacancies on district courts is essential to ensuring that the American people have functioning courts to serve them and provide access to justice. We know that it is unacceptable for hardworking Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait 3 years before a judge hears the

case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

In *The Atlantic* Andrew Cohen has written recently about the “Human Costs of Judicial Confirmation Delays.” In that article, the Chief Judge of the Middle District of Pennsylvania describes the costs of vacancies on individuals in Pennsylvania and the pervasive and harmful delays they are suffering because there are not enough judges.

At this point in President Bush’s first term, Senate Democrats had worked with Republicans to confirm 165 of his district court nominees. Despite the fact that President Obama has worked with home state Senators of both parties to select moderate, superbly-qualified judicial nominees, Senate Republicans have engaged in unprecedented obstruction of Federal trial court nominees for the last four years.

As Carl Tobias noted last month in a letter to the *New York Times*:

Republican senators have created and applied practices that substantially depart from procedures employed in prior administrations, even as recently as that of President George W. Bush. The most important change is the refusal by the G.O.P. leadership to enter voting agreements on well-qualified, uncontroversial district court nominees, so they languish for months on the Senate floor.

Professor Tobias is correct, and the result is that at this point in his first term President Obama’s district court nominees have had to wait nearly three times longer for a Senate vote and the Senate has confirmed more than three dozen fewer.

Senate Republicans have made a habit of delaying and opposing President Obama’s district court nominees, voting against more than a quarter of them—36 out of 127 to be precise. And they stall confirmations for months of noncontroversial nominees including those supported by home state Republican Senators who are eventually confirmed overwhelmingly.

This extreme partisanship has not just resulted in persistently high vacancies—Supreme Court Justice Anthony Kennedy recently observed that it is also “bad for the legal system” as a whole. He indicated: “It makes the judiciary look politicized when it is not, and it has to stop.” District courts in particular should not be politicized. The 18 district court nominees currently pending before the Senate were not chosen based on some ideological litmus test. They were selected for their legal excellence, whether as practicing attorneys or sitting judges.

Recently, the Republican Senator from Pennsylvania signaled his newfound willingness to abandon the unprecedented delays and obstruction that his caucus has employed against President Obama’s trial court nominees. I only wish he had done so 2 years ago. What Senate Republicans have been doing is wrong and hurts all

Americans seeking justice in our Federal courts.

Today, the Senate will vote on the nomination of Stephanie Rose to fill a judicial vacancy on the U.S. District Court for the Southern District of Iowa. She was rated unanimously well qualified by the ABA Standing Committee on the Federal Judiciary, the highest possible rating. She has the bipartisan support of her home state Senators. I worked with Senator HARKIN and Senator GRASSLEY to ensure prompt Judiciary Committee consideration of her nomination, which was reported with a virtually unanimous voice vote by the Judiciary Committee nearly five months ago. The only objection came as a protest on another issue by Senator LEE.

Stephanie Rose currently serves as the first woman U.S. Attorney for the Northern District of Iowa, where she has been serving since 2009. Ms. Rose has devoted her entire career to public service, having served for 15 years as a Federal prosecutor and having been promoted to Deputy Criminal Chief in 2008. In her tenure as a Federal prosecutor, she has tried 33 cases to verdict. When confirmed, she will be the first woman to serve as a Federal judge in the Southern District of Iowa and only the second woman to serve on the Federal bench in Iowa’s history.

With the elections approaching, the Senate will recess, again, in just a few weeks. When the Senate recessed in 2009, 10 judicial nominees were left without a final confirmation vote. When the Senate recessed in 2010, 19 judicial nominees were left pending without a final confirmation vote. When the Senate recessed last year, in 2011, 19 judicial nominees were left pending without a final vote. I urge Senate Republicans not to continue their practice of stalling qualified nominees from confirmation. I urge them to agree to schedule debate and votes on the 18 district court nominees from California, Connecticut, Florida, Illinois, Maryland, Michigan, New York, Oklahoma, Pennsylvania and Utah who, like Stephanie Rose, could be confirmed with strong bipartisan support and without further delay. A dozen of those nominees would fill judicial emergency vacancies.

Let us act on these nominations. There is no doubt that recent precedent shows we can do this even in September of a Presidential election year. In 2008, the final year of President Bush’s presidency, Senate Democrats were willing to confirm 10 of his district court nominees in a single day, all by unanimous consent. It took only a few seconds. Earlier in that Republican presidency, and again with a Democratic Majority, the Senate confirmed 18 judicial nominees in just one day and vacancies went down to 60 throughout the country, on the way down to 28. If we confirm all of the district nominees ready for final Senate action today, we can similarly reduce vacancies back down to 60.

I hope that Senate Republicans will not extend their wrongheaded application of the “Thurmond Rule” and further stall confirmation of consensus, well-qualified district court nominees. Given our overburdened Federal courts and the need to provide all Americans with prompt justice, the Senate should be working in a bipartisan fashion to confirm these nominees without further delay.

I ask unanimous consent the article to which I referred be printed in the RECORD.

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

[From the Atlantic]

IN PENNSYLVANIA, THE HUMAN COSTS OF JUDICIAL CONFIRMATION DELAYS

(By Andrew Cohen)

The William J. Nealon courthouse in Scranton, Pennsylvania. (Wikimedia Commons) Daniel Wasserman had seen enough. An Orthodox rabbi affiliated with Shaare Torah Synagogue in a suburb of Pittsburgh, Wasserman had grown tired of state interference with Jewish funeral rituals, ancient and eternal, which require burial within 24 hours and which prohibit embalming. He resented the threats of fines and penalties he was receiving from state officials trying to enforce a 19th-century funeral director’s law. He believed he was being singled out for the practice of his religious beliefs.

And so Rabbi Wasserman did what many people do in America when they believe their constitutional rights—their First Amendment rights, their rights to religious freedom—are being infringed by state action. He sued the state. On August 6th, in federal district court in Scranton, in the Middle District of Pennsylvania, Rabbi Wasserman’s lawyers sought an injunction to preclude state officials from continuing to threaten him for what he considers to be the lawful exercise of his religious beliefs. The lawsuit, his attorneys allege, is designed to: preserve and restore the historical right of clergy to conduct religious burial and funeral rites free from interference and harassment by the Commonwealth of Pennsylvania and professional, secular funeral directors who serve no health or safety interest.

But justice won’t come quickly for Rabbi Wasserman—if it comes at all. There simply aren’t enough federal judges in the Middle District of Pennsylvania to handle his case. U.S. District Judge John Jones, the well-regarded jurist to whom the Rabbi’s case was assigned, couldn’t get the urgent injunction hearing onto his schedule until late September. The timing didn’t discourage the Rabbi but it clearly frustrated the judge. “Obviously when you receive something like this you have to move with some alacrity,” Judge Jones told me late last month. “But you can only land so many planes in one hour.”

THE DISTRICT

Boundary-wise, the Middle District of Pennsylvania is the largest federal judicial district in the state. It covers the state capital of Harrisburg, which means it is the chief venue for litigation against the state of Pennsylvania. It comprises no fewer than 32 counties, up and down the center of the state, from Adams County to York County, from the state’s northern border to New York to its southern border with Maryland, the Mason-Dixon line. There are four courthouses in the district, including one in Williamsport, which is several hours drive away from either Harrisburg or Scranton.

All of this volume and distance would be manageable if the Middle District were fully staffed with federal trial judges. It is not—and it hasn't been for years. "We are down a third of our active court," Judge Jones says. In March 2009, the first vacancy in the Middle District was created when Judge Richard Caputo (more on him later) took senior status. Another vacancy was created in April 2010, when the Senate confirmed the appellate nomination of U.S. District Judge Thomas I. Vanaskie. Two long years later, just this past May, President Obama nominated two men to fill those posts.

Both Middle District nominees—Malachy E. Mannion and Matthew W. Brann—were quickly endorsed by the Senate Judiciary Committee by voice vote, which means there were no substantive objections raised by Republican members of that Committee. Both nominees also have the support of the state's two senators, Democrat Bob Casey and Republican Pat Toomey, who have publicly lobbied their Republican colleagues this year to allow the nominations to come to a vote on the Senate floor. So far, those efforts have failed. But the Senate is expected to take up new judicial nominations in the next week or so.

THE JUDGES

While the Senate fiddles, what's life like for the current judges of the Middle District? Very difficult. Judges frequently have to drive three hours or more a day to handle cases in Williamsport. The aforementioned Judge Caputo, who is in his early 70s, carries the most cases of any of the judges—more than 500 civil and criminal combined—despite his senior status. "He's hanging in because he feels like he is letting the court down if it doesn't," Judge Jones says of his colleague. "Because of the judge he is he won't relent." But compared to some of his other colleagues in the Middle District, however, Judge Caputo is practically a kid.

Sitting in senior status, picking up the slack for the empty full-time benches, are Judge Edwin M. Kosic, Judge William J. Nealon, Judge Richard P. Conaboy and Judge William W. Caldwell—all of these men are at least 86 years old. Two other Middle District Judges in senior status—Judge Sylvia H. Rambo and Judge James M. Munley—are both over 76 years old. "All have a substantial case load," Judge Jones says, "but we've created this absurdity where we are leaning on aging" and perhaps frail senior judges. Judge Nealon, for example, a remarkable jurist by any standard, has more than 150 cases—at age 89.

The Middle District today is so understaffed, its current judges so overwhelmed by their relentless workload, that the Chief Judge of the 3rd U.S. Circuit, the federal appeals panel which covers Pennsylvania and other mid-Atlantic states, has authorized trial judges from the Eastern District of Pennsylvania to cross over and help their colleagues in the Middle District. But it's not like the Eastern District has it much better. There are now six judicial vacancies there (five judges have in the past few years taken senior status). President Obama has yet nominated no one—no one—to replace those Eastern District trial judges.

THE PROBLEM

Washington talks ceaselessly about the slow pace of judicial nominations. But few advocates are able to cite specific examples of what judicial vacancies mean for the American people, for litigants like Rabbi Wasserman, who look to the courts to resolve disputes. Part of the reason for this is prudence—current litigants I spoke with for this article were reluctant to publicly complain about how long it is taking their federal civil cases to be resolved. No one wants

to tick off their judge. But that doesn't mean such delays aren't real—and pervasive. I ended up asking a federal judge himself to detail the cost of judicial vacancies.

"Inevitably, what it leads to is extra time to decide almost any motion that is filed," Judge Jones told me. "... [T]he federal courts are stacked up with motions to dismiss and motions for summary judgment which are very fact specific and require a great deal of time. When you have fewer judges, and the judges who are in service have more motions, everything is delayed." The judge calls it the "justice delayed syndrome" and it impacts individuals like the rabbi as well as large corporations who must factor into their business plans the "uncertainty" inherent in long, drawn-out litigation.

Rebecca Kourlis, a former justice of the Colorado Supreme Court and now executive director of the Institute for the Advancement of the American Legal System, is even more blunt. "Vacancies in the judiciary create holes in the judicial system," Kourlis told me last week, "and civil cases are the most likely to fall through those holes. What this means is that civil cases suffer increased continuances and delays and the possibilities of changing judges in mid-stream. For civil litigants, this means untenable disruptions to their lives and businesses, the possibility of increased costs, and overall, a breach of the promise of access to justice."

THE POLITICS

For this piece, I picked the "judicial emergency" in the Middle District of Pennsylvania to make a point. Although I have been a strident critic (see accompanying box) of the Republican use of the Senate filibuster to keep bipartisan-approved nominees off the bench, there is no denying that the Obama Administration has in many cases made a bad situation worse by failing to quickly nominate judges when vacancies occur. There is simply no excuse, for example, for the length of time it took the White House to appoint Mannion and Brann to help fill the void in the Middle District. None.

Sen. Toomey, the Pennsylvania Republican, refused comment for this story. His Democratic counterpart, Sen. Bob Casey, would say only that both sides "need to come together to fill these critical positions" and that "the real-life consequences of delay are unacceptable." Both men, it is fair to say, don't want to say anything publicly to tick off the Republican leadership in the Senate, leadership which already has announced to the world that it intends to confirm no more of President Obama's federal appellate nominees by invoking what's become known as the "Thurmond Rule."

The story of the Middle District is one of basic governance. It's about the executive branch and the legislative branch failing to perform its constitutional function of ensuring a viable judicial branch. It's about politicians in Washington failing or refusing to provide to the American people—in the Middle District of Pennsylvania, for example—one of the most elemental services a government can provide to the governed—functioning courts of law. It's a disgrace that those old judges in Pennsylvania have to work like that. It's even more of a disgrace that Congress and the White House can't timely agree on their replacements.

Mr. LEAHY. Mr. President, I see the distinguished senior Senator from Iowa. I reserve the balance of my time and ask it be under the control of Senator HARKIN.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank the chairman of the committee, Senator LEAHY, for his courtesies.

I rise in support of the nomination of Stephanie Marie Rose to be U.S. district judge for the Southern District of Iowa. In addition, she has the support of Senator HARKIN and is well regarded throughout my home State of Iowa. She was reported out of our committee on voice vote. She was previously confirmed by this Senate for her current position, U.S. attorney for the Northern District of Iowa.

Ms. Rose is a Hawkeye through and through, receiving two degrees from the University of Iowa—her B.A. in 1994 and her J.D. in 1996. Obviously, Ms. Rose was on the fast track through law school.

After graduation from law school, she wisely chose to remain in Iowa—and Iowa is fortunate for that decision. She first served as a law clerk in the U.S. Attorney's Office for the Northern District of Iowa. In 1997, she was hired as a full-time attorney in that same office, where she has risen through the ranks and now heads that office.

She served as a special assistant U.S. attorney from 1997 to 1999 and as an assistant U.S. attorney from 1999 to 2009. During this time, she was lead counsel in the prosecution of more than 250 cases. These cases spanned a wide range of legal issues from violent crimes and drug offense to immigration violations and money laundering. Additionally, she has handled approximately 45 Federal civil cases. These cases have included postconviction relief and asset forfeiture matters, as well as Freedom of Information Act and property return lawsuits.

In 2009, Ms. Rose was nominated by the President and then confirmed by the Senate to serve as the U.S. attorney for the Northern District of Iowa. In this role, she oversees most every aspect of the office. This includes overseeing the civil and criminal work completed by office staff and making final determinations regarding charging decisions, plea offers, and civil settlements.

The American Bar Association's Standing Committee on the Federal Judiciary unanimously rated Ms. Rose as "well qualified" for this position of district judge.

In addition, she is supported by the legal community and judges throughout our State. Newspaper articles published in the Cedar Rapids Gazette on February 2 and February 20, 2012, captured some of that support.

I ask unanimous consent to have printed in the RECORD these two articles.

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

[From the Gazette, Feb. 2, 2012]

ROSE PICKED FOR FEDERAL BENCH

(by Trish Mehaffey)

CEDAR RAPIDS.—President Barack Obama nominated U.S. Attorney Stephanie Rose late Thursday as the next federal judge in the Southern District of Iowa.

Rose, of Center Point, said she received the call from Sen. Tom Harkin in late afternoon and then got the news release from the White House.

"This has been a really involved process and I'm honored to be selected, especially with the other talented women that were also nominated," she said last night. "If the Senate confirms me, I will be happy to serve and look forward to the diversity of the Southern District and the new opportunities."

Obama said Rose and Michael Shea, whom he nominated Thursday as a federal judge in Connecticut, have "demonstrated the talent, expertise, and fair-mindedness Americans expect and deserve from their judicial system. I am grateful for their willingness to serve and confident that they will apply the law with the utmost impartiality and integrity."

In a news release, Harkin, D-Iowa, said Rose is a "superb attorney and among jurists, prosecutors and the defense bar has a reputation as an extremely fair and ethical prosecutor who possesses great legal ability, intellect, and judgment."

"There is no question in my mind that Stephanie Rose would be an outstanding federal judge," he continued. "... I urge my Senate colleagues to confirm her for this important position as quickly as possible."

Rose served 12 years as an assistant U.S. attorney before being appointed the top prosecutor in 2009. She will be the first woman to serve as a federal judge in the Southern District and only the second woman to serve on the federal bench in Iowa's history.

Former Assistant U.S. Attorney Bob Teig, who retired last year after 31 years, said Thursday that Rose will make an "excellent" federal judge.

"She has experience in the courtroom and as an administrator," Teig said. "She has a broad view of the federal legal system and she's very intelligent. Stephanie will make a great addition to the federal bench."

Teig worked with Rose throughout her career with the U.S. Attorney's Office.

[From the Gazette, Feb. 20, 2012]

COLLEAGUES CALL ROSE A GOOD CHOICE FOR FEDERAL BENCH

(By Trish Mehaffey)

The career path of a U.S. attorney and nominee for federal judge could have taken a much different course if she had followed her early passions for music and journalism.

When Stephanie Rose told her parents she was going into law, they were surprised at first. She was the girl who sang and danced, played the piano and oboe, majored in sociology and loved to write.

Stephanie Rose of Center Point, the federal prosecutor for the Northern District of Iowa, has been nominated by President Barack Obama as the next federal judge in the Southern District. (Brian Ray/The Gazette)

But Rose said she started looking at a law career because of her childhood experience growing up with foster siblings. Rose's mother and father were foster parents, and one of the children in their custody had to go through a painful parental termination because her biological mother, who was in and out of jail, fought the proceeding.

Through the appeal process, the Iowa Supreme Court terminated the mother's rights, changing children's rights in Iowa and allowing the girl to be adopted into a permanent home.

That showed Rose how the law can change people's lives.

ACCLAIMED IN FIELD

"Fairness," above all else, is the one word judges, prosecutors and even defense attorneys, who have been adversaries of Rose over

the years, kept mentioning last week to describe her. They said she is a good choice for the federal bench because she's extremely intelligent, hardworking, compassionate, humble, open-minded and forthright.

President Barack Obama nominated Rose two weeks ago to become the next federal judge in the Southern District of Iowa when U.S. District Chief Judge Robert Pratt retires July 1.

Rose, 39, of Center Point, has worked in the U.S. Attorney's Office since graduating from law school, one of the youngest hired at the time. She worked her way up to the top spot in 2009, prosecuting more than 800 felony cases. She was lead prosecutor on 260 of those cases and has handled another 45 civil cases and 34 appeals.

Assistant Johnson County Attorney Andy Chappell, who has been friends with Rose since law school, said it's difficult to "imagine anybody more deserving." Rose is bright, straightforward and incapable of pretense, he said.

Assistant U.S. Attorney C.J. Williams said Rose's ability to quickly comprehend complex issues has helped her succeed. She received recognition and awards for prosecuting two complicated cases involving Internet pharmaceutical companies, where doctors were prescribing pills online to patients they never treated, he said.

The six-year case spanned many states and required the review of hundreds of documents. Some may have not pursued it, Williams said, but the challenge never deterred Rose.

Her determination paid off. The case ended with 26 convictions in this district, more than \$7 million in forfeitures and more than \$4 million that went to agencies in Dubuque, Cedar Rapids and Des Moines.

"She is very skilled," said U.S. District Judge Mark Bennett, who presided over Rose's first jury trial. "She learns from any mistakes and doesn't repeat them. She doesn't have a personal agenda. She goes by the law."

U.S. District Judge John Jarvey of the Southern District said her prosecution record is impressive for her age because not all federal judges have that kind of experience, especially in criminal law.

"Stephanie has won the respect of prosecutors and defense lawyers," Jarvey said.

RESPECT FROM DEFENSE

Steve Swift is one of the defense attorneys who say she has earned a good reputation among the defense bar. He joined a dozen other defense attorneys who supported Rose for her U.S. attorney nomination. They said she was fair and went by the law in handling the controversial prosecution of more than 380 illegal immigrants charged in the 2008 Agriprocessors raid.

"She's not politically connected, not active in a party . . . this is based on merit," he said. "She's a great advocate for the government, very forthright—no shenanigans."

Leon Spies, a defense attorney, said Rose has always been interested in seeing that "justice is accomplished." It's more important for her to "get it right than to win," he said.

Spies, also the president of the Academy of Trial Lawyers, nominated Rose to the academy in 2008 because she exhibited what the organization strives for—the "highest quality of trial advocacy and ethical responsibilities to clients and the law."

"It's a quite an honor to be nominated," said David Brown, a Des Moines attorney and secretary/treasurer of the academy. "There are over 8,000 lawyers in Iowa and there are only 250 members. There are less prosecutors and less women, but not by design."

Rose is one of 15 women in the academy.

Sen. TOM HARKIN said all those qualities are why he recommended Rose for the U.S. attorney job and for the federal bench.

"I was enthralled by her at the interview," Harkin said. "She has such a presence and such eloquence without the window dressing," he said laughing. "She's genuine and sincere."

Harkin said he doesn't foresee any problems with her being confirmed. More than 80 percent of President Barack Obama's nominees have been confirmed so far.

WHAT'S NEXT

Carl Tobias of the University of Richmond School of Law in Richmond, Va., who analyzes the judiciary, said it's in Rose's favor that she has been through a previous confirmation because it could go more quickly.

"It's kind of murky right now with the presidential election," he said. "The confirmation process could slow down and even stop until after the convention. It's good that she has home state support from Sen. CHUCK GRASSLEY, who's on the Senate Judiciary Committee, but there are 21 others (federal judge nominees) ahead of her."

However, Tobias didn't rule out the chance that Rose could be confirmed in time to take the bench in July.

Mr. GRASSLEY, Assistant U.S. attorney C.J. Williams described Ms. Rose's ability to quickly comprehend complex issues. Former assistant U.S. attorney Bob Teig, who retired last year after 31 years, said Thursday that Rose will make an "excellent" Federal judge. He went on to say:

She has experience in the courtroom and as an administrator. She has a broad view of the federal legal system and she's very intelligent. Stephanie will make a great addition to the federal bench.

U.S. District Judge Mark Bennett said:

She is very skilled. She doesn't have a personal agenda. She goes by the law.

U.S. District Judge John Jarvey of the Southern District said her prosecution record is impressive, noting "Stephanie has won the respect of prosecutors and defense lawyers."

Ms. Rose is also a member of the Iowa Academy of Trial Lawyers. Membership in the academy is limited to just 250 attorneys whose primary focus is on trial advocacy. Membership in this distinguished group is by invitation only, with unanimous approval by the Board of Governors. So Ms. Rose is 1 of only 15 women on the academy.

Mr. Leon Spies, the gentleman who nominated Ms. Rose for the academy, said he nominated her because she exhibited exactly what the organization strives for, "the highest quality of trial advocacy and ethical responsibilities to clients and the law."

If confirmed—and I am sure she will be confirmed—Ms. Rose will be the first woman to serve as Federal judge in the Southern District and only the second woman to serve on the Federal bench in Iowa's history. I congratulate Ms. Rose and wish her well as she assumes her duties as a U.S. district judge.

With her confirmation today the Senate will have confirmed 156 of President Obama's nominees to the district and circuit courts. The fact is we have

confirmed over 80 percent of President Obama's district nominees. During the last Presidential election year, the year 2008, the Senate confirmed a total of 28 judges—24 district and 4 circuit. This Presidential election year we will have exceeded those numbers. We have confirmed five circuit nominees, and Judge Rose will be the 29th district judge confirmed. That is a total of 34 judges this year versus 28 in the last Presidential election year. Yet even as we make consistent progress in filling judicial vacancies, there are still voices out there claiming otherwise.

For example, early last month the Des Moines Register of my State ran an editorial titled "Judges Remain Hostages in the Senate." They stated in that editorial, in reference to the nomination of Ms. Rose, "She will be lucky to come up for confirmation when the Senate reconvenes." Of course the vote had already been scheduled at that point, but they overlooked that fact.

The Register and other critics who erroneously blame vacancy rates in the Federal judiciary on Republican obstructionism overlook other facts as well. You have heard me say on the Senate floor that the Senate can only confirm judges who have been sent here from the White House. So if the White House has not sent judges here, we cannot, obviously, confirm judges who have not been submitted to the Senate.

In that regard, I would like to point out something from the New York Times—because a lot of times I think the New York Times would not do much to give us a basis for our position that we have done a pretty good job of confirming judges, and why aren't judges up here. An article dated August 17, 2012, sheds some light on this very subject. In that article, "Obama Lags on Judicial Picks, Limiting His Mark on Courts," this newspaper, the Times, points out how President Obama made judicial nominations a lower political priority. The article discusses how two Supreme Court nominations, personnel upheavals, and the President's emphasis upon diversity also slowed the nominations process for lower court judges. In fact, even as we continue to confirm judges, the President continues to lag in nominations, including nominations to so-called judicial emergencies.

Today only 32 of the 78 current vacancies have a nominee here from the White House. Stated differently, nearly 60 percent of the current vacancies are without nominees. That has been the pattern for most of this administration.

Once again, I wanted to set the record straight, and I hope I have set it straight. Republicans have been more than fair to this President and his judicial nominees, considering the fact that we have so many vacancies that have not had a nominee submitted to the Senate for our consideration.

Again, I congratulate Ms. Rose. 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. HARKIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. HARKIN. Mr. President, I spoke earlier in greater detail about the nomination of Stephanie Rose to serve as a district court judge in Iowa's Southern District. That is the vote that is coming up at 5:30.

As the Senate begins to vote, I want to reiterate what an outstanding nominee she is. It is no surprise the American Bar Association rated her "unanimously well qualified," which is their highest rating.

After graduating from law school in just 2 years in the top 5 percent of her class, she served for 12 years as an assistant U.S. attorney in the Northern District of Iowa under attorneys who were appointed by both Republican Presidents and Democratic Presidents. She was lead counsel in 260 felony cases and made 34 oral arguments before the Eighth Circuit. Most notably, she received a national award from the Department of Justice for prosecuting the largest unlawful Internet pharmacy case in the United States. Her work was so impressive that in 2009 I recommended her to the President to serve as U.S. attorney. In 2009 the Senate unanimously confirmed her, and she has been outstanding in her work as U.S. attorney since then.

Throughout her career of public service Ms. Rose has worked to uphold the rule of law, made our neighborhoods safer, promoted civil rights, and advanced the cause of justice. She possesses all the qualifications necessary to be a remarkably good Federal judge. She is a superb attorney and among jurists, prosecutors, and the defense bar she has a reputation of someone who is unfailingly fair and ethical and one who possesses exceptional legal ability, intellect, and judgment.

Finally, let me reiterate my appreciation to Senator LEAHY, the chairman, but also, again, to Senator GRASSLEY, my senior Senator from the State of Iowa, and to their staffs, especially Jeremy Paris and Ted Lehman, and Senator GRASSLEY's chief of staff, David Young, for their support and all their assistance in getting this nomination through.

I also thank my chief of staff Brian Albert, and Dan Goldberg, Derek Miller, and Pam Smith on my staff and my committee staff.

In essence, Ms. Rose is a person of truly outstanding intellect and character. She is exceptionally qualified to serve as U.S. district judge for the Southern District of Iowa. I urge my colleagues to support her confirmation when the vote occurs in just a few minutes.

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. HARKIN. 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. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa?

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

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Hampshire (Mrs. SHAHEEN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Ohio (Mr. PORTMAN), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 89, nays 1, as follows:

[Rollcall Vote No. 190 Ex.]

YEAS—89

Akaka	Feinstein	McConnell
Alexander	Franken	Menendez
Ayotte	Gillibrand	Merkley
Barrasso	Graham	Mikulski
Baucus	Grassley	Moran
Begich	Hagan	Murray
Bennet	Harkin	Nelson (NE)
Bingaman	Hatch	Nelson (FL)
Blumenthal	Heller	Pryor
Blunt	Hoeven	Reed
Boozman	Hutchison	Reid
Boxer	Inhofe	Risch
Brown (MA)	Inouye	Roberts
Brown (OH)	Isakson	Rockefeller
Burr	Johanns	Sanders
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Sessions
Carper	Kerry	Shelby
Casey	Klobuchar	Snowe
Chambliss	Kohl	Stabenow
Coats	Kyl	Tester
Cochran	Landrieu	Thune
Collins	Leahy	Toomey
Conrad	Lee	Udall (CO)
Coons	Levin	Udall (NM)
Corker	Lieberman	Warner
Cornyn	Lugar	Webb
Crapo	Manchin	Wicker
Durbin	McCain	Wyden
Enzi	McCaskill	

NAYS—1

DeMint
NOT VOTING—10

Coburn	Paul	Vitter
Kirk	Portman	Whitehouse
Lautenberg	Rubio	
Murkowski	Shaheen	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Michigan.

THE FARM BILL

Ms. STABENOW. Madam President, as we come back into session this evening and into September, as Chair of the Agriculture Committee I have one message for colleagues in the House of Representatives—for the Speaker, for the Republican leadership—and that is, we need a farm bill now.

We have 20 days until the farm bill expires—only 20 days. If that happens, if the Republican leadership does not work with us to pass a 5-year farm bill, they are going to reset the clock for rural America all the way back to 1949. Because if the farm bill expires, we go back to Depression-era policies that include government planting restrictions and expensive price supports—absolutely unacceptable.

Some of those policies even reference prices from before World War I. This would be terrible for our family farmers and ranchers. It would throw the markets into complete disarray. There is no reason this should be allowed to happen. The full Senate has worked together and passed a bipartisan farm bill. The House Agriculture Committee worked together and passed a bipartisan farm bill. It is time for the House to complete its work. The House Republican leadership has refused to let the bipartisan bill come up for a vote.

Despite our best efforts in speaking with colleagues and working together over the August break to try to come up with a way to get this done, we find ourselves in a position now where our only opportunity is for the House to take up the bill that was passed by their committee and get this done. I have never seen a situation where a farm bill—this is my fourth one I have been involved with—comes out of committee on a bipartisan basis, and then the House will not take it up, which is exactly where we are.

Instead, they sent us a so-called disaster relief bill that, unfortunately, only helps some livestock producers with the drought this year. It does nothing for the rest of the Nation's farmers who have been hurt so badly this year by frost and freezes. Our farm bill does that. In fact, our farm bill is better for livestock. It is a permanent livestock disaster assistance program

with a better structure and support than that which was sent by the House of Representatives.

A full 5-year farm bill gives much more comprehensive disaster assistance to livestock producers and to other farmers who have been hit. Other farmers who have watched as their crops withered under the unforgiving Sun want to know that not only will we have a 5-year policy in place, but that we are going to strengthen crop insurance, which is really the backbone of supporting farmers in these kinds of situations.

We strengthen crop insurance and expand it so more farmers can have access to risk management tools on their farms. That was the No. 1 issue that we heard in all of our hearings, to strengthen crop insurance. And that is what we did. That is one of the reasons we need to get a 5-year farm bill done.

I am looking at my colleague from Iowa, the distinguished Senator who chaired the committee before me. I know he shares the same feeling that I do, that we need to get this bill done in the House of Representatives.

We know our farm bill also fixes dairy support so dairies do not go through what they went through in 2009, when thousands of farms went bankrupt. Frankly, not changing the policy for dairy is a disaster waiting to happen. So we need to get the farm bill done.

We also reform programs. We know we have ended direct payments and altogether four different subsidies, saving \$15 billion while strengthening crop insurance. We streamline and address duplication, crack down on waste, fraud, and abuse. In the end, our bill saves \$23 billion for taxpayers—\$23 billion to pay down the debt. The only real deficit reform we passed in the Senate was our farm bill, which we worked on together.

Unbelievably, the House Republican leadership still stands in the way of passing our bipartisan bill or their own committee's bipartisan bill. On Wednesday we are going to see thousands of farmers around the country coming to Washington with a simple message: We need a farm bill now. Members are going to have visits from farmers and ranchers from their States. House Members will be hearing from members in their districts. They have one simple message. Those farmers knew when there is work to be done you do not put it off to another day. Not if you are going to be successful as a farmer. And we shouldn't be kicking the can down the road either. They can't say: I don't want to harvest my crops right now. I think I will do it in a few months or next year or tell the banker to wait until later so I can figure out what I have to make decisions on for next year. They know that when the crops need to be harvested, the work needs to get done now.

Well, we have 19 days left. This is day 20. We are going to count it down every day because we have to get this done in

the House of Representatives. We did our job in the Senate on a bipartisan basis. I was very proud to join with our colleague Senator ROBERTS and all of our committee who worked so well together and worked so hard, and I again thank the leadership on both sides of the aisle for giving us the time to get it done. We got it done, and we did it in enough time to give the House time to do it in July before the August break. But that didn't happen. Now it is time to get it done. The House Agriculture Committee did its job. It is time for the House Republican leadership to schedule a vote to get this done, to support rural America—our farmers and ranchers and families who are counting on the safest, most affordable food system in the world to be able to continue. We don't need to kick this can down the road and create another crisis for farm country.

Madam President, I wish to thank my colleagues who are waiting to talk about another very important subject. I appreciate their giving me the time for a few words.

Mr. HARKIN. Madam President, would the Senator yield for a question?

Ms. STABENOW. I would be happy to yield.

Mr. HARKIN. Madam President, I would like to compliment the Senator from Michigan for her great leadership on agriculture policy, food policy. A big part of this bill is making sure that our kids in America get adequate nutrition, that our elderly get good nutrition. Our summer and afterschool feeding programs and feeding programs for our seniors are all wrapped up in this bill too.

I was in Iowa in August and met with a lot of farmers, and they were a little perplexed.

They said: Wait a minute. You passed a bill in the Senate?

I said: Yes.

So I ask the Senator from Michigan, did not that bill have the support of all the major farm organizations?

Ms. STABENOW. Absolutely. We had the support of farm groups and conservation groups all across the country.

Mr. HARKIN. I ask the Senator from Michigan, did not her bill, the bill she engineered and got through here, have the support of consumer groups and parent groups?

Ms. STABENOW. Absolutely.

Mr. HARKIN. It had all that support?

Ms. STABENOW. Absolutely. And because of the wonderful work of the Senator from Iowa on our school nutrition efforts and the Fresh Fruit and Vegetable Program, we had the strong support of families, educators, and schools across the country.

Mr. HARKIN. Conservation groups supported the bill?

Ms. STABENOW. Absolutely.

Mr. HARKIN. Well, what farmers asked me was this: If you had a bill that passed the Senate, a bipartisan bill supported by all the major farm groups, supported by consumer and

conservation groups, why didn't the House just pick it up and pass it?

I didn't have an answer. Does the Senator from Michigan have an answer? Because I don't understand why the House can't take a bill that is so widely supported and is such a bipartisan bill and just pass it.

Ms. STABENOW. Well, the distinguished Senator is absolutely right. One would think this would be the time to just pass it. And frankly, if not, because we know the House committee has a little different view on commodities, we offered to sit down all through August to work that out so we could come back now and come up with something that was a compromise. But the House committee wasn't able to do that because they do not have the support of the leadership to get that done. So here is where we are. What I know is that we have to have movement. We have to have the House act or we are not going to be able to get this done.

Mr. HARKIN. I say to my friend from Michigan, my leader on agricultural policy, she knows there is enough anxiety in farm country now because of the terrible droughts we are having around the country, the shortages that are looming, that now is not the time to add more anxiety to farmers and to farm families and our rural communities across America. So I thank the Senator for her great leadership and for pointing out that as well as acting. Our committee has acted, the Senate has acted, and what the House is doing I just can't figure out.

Again, I compliment the chairwoman of our committee for pointing out that we have 20 days left and we are counting down. I am hopeful the House will hear the voices of our farm country and the bipartisan voices here in the Senate and get a bill passed—or agree to the bill passed in the Senate. I thank the Senator from Michigan.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that when I have completed my statement, Senator HARKIN be permitted to take the floor at that time.

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

THE RYAN BUDGET

Mrs. BOXER. I wish to thank Senator HARKIN because he and I were spending a little time together in the great State of our Presiding Officer, and he and I agreed that one of the issues that ought to be talked about a little bit more involves the stark choice we are facing in November in large part due to the budget of PAUL RYAN, who is now the Vice Presidential nominee for the Republicans. And Governor Romney has endorsed and embraced the Ryan budget.

I think it was Senator HARKIN's idea that we ought to explain that Ryan budget, so I am going to do my best to talk about it as the chairman of the Environment and Public Works Committee, which has the jurisdiction of

highways, bridges, transportation systems, and the environment, and I will also make a couple of comments about Medicare. I know Senator HARKIN is going to go into that in great depth.

I want to make sure everybody understands that what I am talking about comes straight from the budget. So if you look at page 78 of the report accompanying the Ryan budget resolution, Mr. RYAN makes it clear he wants to make devastating cuts to transportation. What do I mean when I say that? I mean devastating. I mean a 50-percent cut, which means about 1 million jobs would be lost if the Ryan budget were to go into effect. We are talking about construction jobs—an area that has been hit so hard. We still haven't come back from this recession. And if there is one thing we learned when we were in the Presiding Officer's great State at that convention, it was the depth of this recession—the worst since the Great Depression. What a time PAUL RYAN picks to bring devastating cuts to the construction industry. I am talking about businesses and jobs mostly in the private sector, not the public sector.

We have to think about the fact that 70,000 of our bridges are deficient and 50 percent of our roads are not in good condition. We know bridges fail. We have seen it happen. We are not only talking about devastating cuts to the construction industry and its workers but a devastating situation for people who use our bridges—the 70,000 of which are structurally deficient—and our roads, which need help. So no country can lead the world if we can't move people and goods, and we cannot be a world power when it comes to transportation.

The Ryan budget is a jobs killer. I am talking about 1 million jobs that would be lost—in the private sector mostly—and it would put our families at risk by neglecting our bridges, our highways and our transit systems. Now, President Obama, on the other hand—and, frankly, a lot of us here on both sides of the aisle—reject the notion that we can walk away from rebuilding our infrastructure. So this is a very key issue.

I said I wanted to speak as the chairman of the Environment and Public Works Committee, and I have talked a little bit about public works, but what does the Ryan budget do to the environment? What he does is he undermines the public health protections provided by the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, and other landmark laws.

If we look at pages 13 to page 15 of his budget, we can see he cuts \$62 billion for activities such as protecting our drinking water, protecting our air, and preserving our public lands. Let's face it: When kids get asthma, when people are too sick to go to work, when children are too sick to go to school, and when people die prematurely from heart attacks because of the air quality, there are no real savings. He says

he is cutting \$62 billion from the budget. Let me just say that for every dollar we spend on clean air protections, we know we get \$30 worth of benefits. In 2010 alone, the Clean Air Act prevented 160,000 premature deaths. Ask a family who stands to lose the breadwinner in that family: Did we save money? No.

Let me cite some numbers: 1.7 million asthma attacks, 130,000 heart attacks, 86,000 emergency room visits, 13 million lost workdays, and 3.2 million lost schooldays. In 2010 the Clean Air Act prevented all that.

So what is the point, Mr. RYAN? What is the point? It will cost the American public dearly out of their pockets and out of their lives if they suffer more asthma attacks, emergency room visits, lost workdays, lost schooldays, and they have more heart attacks and premature deaths. That is shortsighted. The American Lung Association—and they are not Republican or Democratic—says that 40 percent of our population lives in areas with unhealthy levels of smog or toxic soot.

So let's remember that when we look at a budget, there is a set of values that accompany the numbers. And I don't think it is an American value to say to our people that we don't care if they get sick, they miss work, or they go to the emergency room.

Finally, I want to set the stage for Senator HARKIN's very in-depth discussion about health care. I am just going to talk about Medicare and Medicaid as someone who is privileged to represent, along with Senator FEINSTEIN, the largest State in the Union, with the most senior citizens. We have almost 38 million people. So whenever I talk about this Ryan budget and how many people get hurt, believe me, I speak from the heart when I say we can't let it happen.

The American people know Medicare, they like it, and they do not want to change it. Now, the Republicans tell us their plan saves Medicare. But just ask someone. Ask someone who is going to be the victim of the PAUL RYAN plan if we don't stop it. That person will find they are getting a voucher; they are not getting Medicare. Medicare will be gone. They will get a voucher, and experts tell us and the studies show that voucher will be almost \$6,000 a year short. Imagine an older person who really is struggling for a quality of life having to have the added worry of not knowing whether he or she will be able to find health insurance.

Look, putting Republicans in charge of Medicare is like putting the Cookie Monster in charge of your favorite bakery. And I am not overstating it. No one would put the Cookie Monster in charge of their favorite bakery. Well, we can't put the Republicans in charge of Medicare, and I will prove why. This isn't just rhetoric. Listen. In 1995 Newt Gingrich said he thought Medicare, in his words, should wither on the vine. In his 1996 Presidential campaign, Senate majority leader Bob Dole bragged:

I was there fighting the fight, voting against Medicare, because we knew it wouldn't work in 1965.

Really? Really. Medicare works. Why would we end it? We are not going to end it. But if PAUL RYAN gets into power, he will have a good chance of ending it with his friend and Presidential candidate Mitt Romney who has endorsed the Ryan budget.

Listen to what Michael Steele, the head of the Republican National Committee, said in 2009:

I mean, the reality of it is this single-payer program known as Medicare is a good example of what we should not have happen.

The Ryan budget at page 53 shreds Medicare. As if he hasn't slammed Medicare enough, look what he does to Medicaid. He cuts it by more than \$800 billion. Where are low-income families going to go?

Senator HARKIN is the expert, but I can tell you this. So many of our elderly rely on Medicaid for nursing home costs. It is a disaster. We know that in addition to all these terrible cuts—and by the way, when PAUL RYAN attacks President Obama for cutting money from Medicare, what he isn't telling us is the President has found savings from overpayments to providers. Do you know what he does with the money? He puts it right back into Medicare, extends the life of the program for 8 years, closes the doughnut hole to help seniors, and gives senior citizens preventive health care, well checkups, and the like.

To quote President Clinton, that "takes a lot of brass." Because the fact is, President Obama has strengthened Medicare and has extended the life of Medicare. What PAUL RYAN does is he takes those cuts and he gives tax breaks to millionaires and billionaires.

I yield to my friend.

Mr. HARKIN. I thank the Senator for yielding, and I thank the Senator for her keen eye on the Ryan budget and what it does.

I listened to the Senator's explanation of President Obama's goal to cut down overpayments, fraud and abuse, and to put that money back into helping beneficiaries. I ask the Senator, isn't it true that both Ryan budgets incorporate those very same cuts President Obama wants to do?

Mrs. BOXER. Absolutely. Both his budgets take the same amount. But instead of putting it back into Medicare, he robs Medicare, and Medicare will go broke—my understanding—in 2016 under the Ryan plan; whereas, President Obama puts the money back into Medicare, extends the life 8 years, and gives more benefits.

I am going to finish up and just say this. However you look at this, this Ryan budget is a roadmap for disaster for the American people. He cuts the heart out of things the American people like. The American people want clean air, they want safe drinking water, they want Medicare, they want to make sure our seniors can be safe in nursing homes. The American people

want transportation—and they don't want to be worried if a car is on a bridge that is going to fall down into the water below. It has happened.

Here is the deal. If we were to say to Mr. RYAN: Are you cutting all this so you could balance the budget today, he would say: Oh, no; that is 25 years from now.

What is he doing with the "savings"? He is giving these huge tax breaks. I will close with this. People earning more than \$1 million a year are going to receive \$400,000 more in tax breaks every year. So he cuts everything to give these tax breaks to the people who already have millions and billions, but it is still not enough. As President Obama has pointed out, he will then have to go after the middle class and take away middle-class tax deductions, such as the home mortgage deduction, because he doesn't even get enough money from these Draconian cuts. He has to go ahead and raise taxes on the middle class.

I watched Presidential nominee Romney be asked this question: What are you going to cut? He said: Well, we will discuss it later. Mr. RYAN, the Republican Vice Presidential nominee, said: We will work with Congress on it. Right.

Listen, they know they have to make Draconian tax increases on the middle class and the working poor. They have to cut the things America wants in order to pay for their tax cuts. No wonder Mr. Romney picked Mr. RYAN. Mr. Romney will be in the 1-percent tax bracket—that is what the experts say—can you imagine?—while his secretaries and everybody else pay through the nose.

These next 60 days or so is an important time for us. I wish to thank my friend from Iowa because I was very interested in laying out some of these issues and he encouraged me to do so. I am very delighted to be here with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, let me thank my colleague Senator BOXER for always being on point and for always being very eloquent in her focus and explanation of the fallacies of the Ryan-Romney budget and how it is going to affect our middle-class families in the future.

Since we recessed around the 1st of August and have been out of session, Congressman PAUL RYAN—our colleague in the House—has become the Vice Presidential nominee of the Republican Party, and, of course, Mr. Romney has accepted the nomination to be President. Congressman RYAN is not an unknown quantity. He has been here quite a few years, and as the head of the Budget Committee he has put forward a couple budgets. Budgets are blueprints. If one is going to build a building or a house, they need a blueprint. If you are going to try to move the country in a certain direction, you

need a blueprint, and that blueprint is a budget. A budget sort of tells us where it is that the proponent of that budget wants to take us as a country—a Federal budget. If it was a State budget, we would say that is where they want to take the State.

So we on this side intend, over the next several days, couple weeks—however long we are in session—to let the American people know what is in the Ryan budget and where it would take America: What is the blueprint they have for America?

Our Nation faces an absolutely fundamental choice in November: Are we going to rescue, restore, and rebuild the struggling middle class in this country or are we going to continue to shift even more wealth and advantage to those at the top at the expense of the middle class? Republicans have made it very clear where they stand on this critical choice. They did so when nearly every Republican in Congress voted in favor of the Ryan budget plan, and Governor Romney embraced that plan as marvelous—not exactly a word most average Americans would use to describe something they like. But if you are having tea at the Ritz, I guess "marvelous" kind of fits for some people. Anyway, he embraced the plan as marvelous.

The very centerpiece of the Ryan budget is a dramatic shift of even more wealth to those at the top, huge new tax cuts for the richest 2 percent. As the Senator from California pointed out, if we take the Bush tax cuts and extend those—which Mr. Romney would do and Mr. RYAN's budget does—then add on to it the tax cuts in the Ryan budget—which Mr. Romney supports, so I can call it the Romney-Ryan budget or the Ryan-Romney budget. If we do that and you make over \$1 million a year, you are going to get nearly \$400,000 a year in new tax cuts. Think about it. It takes your breath away—\$129,000 in the Bush tax cuts would be extended, plus an additional \$265,000 that would be in the Ryan budget.

We hear a lot about entitlements; we are going to cut entitlements. But this is an entitlement. Think about it. If someone makes over \$1 million a year, they are entitled to that. They don't have to do anything else. They don't have to jump through any hoops. They don't have to show any hurt or anything else. Just if someone makes over \$1 million, they are entitled to it. How about this entitlement? Republicans always want to make it seem as though entitlements only go to poor people or the elderly or children. They talk about Medicaid as an entitlement. What about this? This is an entitlement to those who are rich.

How do the Republicans pay for this? They don't want to say how, but all we have to do is look at the Ryan budget and that will tell us how they pay for it. They pay for it by massive Draconian cuts to programs that undergird the middle class and essential to the quality of life in this country, such as

education cuts, student grants and loan cuts, law enforcement, clean air and clean water, food safety, medical research, highways, bridges and other infrastructure that was focused on by the Senator from California—all those would be cut.

The Republican plan would end Medicare, period. It would turn it into voucher care. So now we have a new word, not Medicare but voucher care, that would force seniors to pay nearly \$6,000 more per year out of pocket for their health care in future years. We don't get Medicare; we get a voucher. That plan would strip tens of millions of Americans of their health care coverage and cut millions of poor kids from nutrition programs. Their plan would leave America with a less-skilled workforce, a deteriorating infrastructure, making us less competitive in the global marketplace.

Lastly, Republicans offset these big new tax cuts by actually raising taxes on the middle class. That is a dirty little secret you won't find unless you dig into the Ryan budget. It is true. Here is why: Under the Republican plan, under the Ryan-Romney budget, middle-class families are net losers, paying significantly higher taxes. The wealthy are huge net winners. The nonpartisan Tax Policy Center estimates that under the Romney-Ryan budget, middle-class families with children would see their taxes go up, on average, by more than \$2,000 a year.

The bottom line is that the Romney-Ryan budget does not reduce the deficit. I hear Congressman RYAN and Mr. Romney out there talking on the stump about the budget and the deficit, and they go on and on. Why don't they own up to it? The Ryan budget keeps us in a deficit for 28 more years. Yes, you heard me right. The Ryan budget keeps us in the red for 28 more years.

When President Clinton was inaugurated in January of 1993 and we put through the Clinton budget—which, I might point out, not one Republican supported—it turned those deficits right around, and within 5 or 6 years we were in a surplus. It doesn't take 28 years. It only took a Democratic President and a Democratic Congress passing the legislation in 1993 to end the slide into deficits and turn it into a surplus in only 5 or 6 years. The Ryan budget keeps us in a deficit for 28 years. Again, the savings they gain by slashing spending and raising taxes on the middle class go to partially offsetting the \$4.5 trillion in new tax cuts, most of which goes to the wealthiest Americans.

The truth is Representative RYAN is not interested in balancing the budget. That is not his interest. Even under his most rosy assumptions, the budget would not balance until 2040. The reality is the Ryan budget's overriding goal is not to balance the budget but to reduce taxes on those at the top. Congressman RYAN has turned out to be a true acolyte of former Vice President Cheney, who famously said in an un-

guarded moment: "Deficits don't matter." Do you remember that? Vice President Cheney, "Deficits don't matter." I guess they didn't to him and President George W. Bush because look at the deficits they plunged us into. Now Congressman RYAN is basically, with his budget—he will not say it publicly, but with his budget he is saying the same thing: Deficits just don't matter. What matters are tax cuts for the wealthy.

Never in our history have we seen a deficit proposal so radical and extreme. I was here. I was in the House and then later in the Senate when President Reagan was President. He was conservative, but he was not radical and as extreme as this budget. When I tell people back in Iowa about the Ryan budget, they say: Come on. That approach is so extreme and unbalanced you must be making it up.

The Romney-Ryan plan is extreme and unbalanced, and I am not making it up. Don't take my word for it. Listen to former House Speaker Newt Gingrich. He criticized the Ryan budget. He called it "rightwing social engineering." All I can say is, Newt, you got that one right.

Representative RYAN believes in radically shrinking the size of government to what it was over a half century ago. His aim is to use the deficit crisis as a pretext for degrading and dismantling everything from Medicare and Medicaid to education, environmental protection, workplace safety, medical and scientific research, and on and on. It doubles down, as President Clinton said—it doubles down on the theory that if we just give more and more of our national wealth to those at the top, it will magically trickle down.

We have tried that before. It sure does not work.

I would like to focus some more of my remarks this evening on the devastating impact of the Romney-Ryan budget on Medicare and Medicaid, but health care more generally. Since he first arrived in Congress, Representative RYAN has consistently pushed a very radical health care program—to end Medicare. End Medicare, as we say, "as we know it" but to go to voucher care. Give everybody a voucher. Under his proposal, seniors would no longer have the guaranteed medical benefits they have enjoyed for decades. Instead, they would get a voucher from the Federal Government and they can go out and buy individual private insurance or Medicare.

That is the catchy little thing. We will hear Mr. RYAN and Mr. Romney say they can buy Medicare if they would like to or they can buy private insurance. Let's look at that.

They say this is a tough-minded solution to our debt problem, but it is just a scheme, a scheme to shift costs onto America's seniors rather than making debt reduction a shared sacrifice for all of us.

Again, let's look at this voucher system. They would get a voucher pro-

gram. A senior could buy traditional Medicare or health insurance. So what is the catch? The voucher will not be enough to cover health care costs. So seniors' out-of-pocket health care costs will steadily increase. The nonpartisan Congressional Budget Office has projected that the Ryan budget proposal could increase annual out-of-pocket costs for seniors by more than \$1,200 in 2030 and \$6,000 in 2050.

What this chart shows is the increase in health care costs in today's dollars, constant dollars, that elderly persons will have to pay for during their expected lifetime, their average life expectancy from the time they retire. In 2023 the average senior living an average lifespan would pay \$59,500 more. Senator BOXER rounded that off and said \$60,000 more. But look what happens when we get to 2030. The average senior will pay \$124,600 more over their expected lifespan; in 2040, \$216,000 more. By 2050, \$331,000 more for their retirement years they would have to pay in health care costs. That is in constant 2012 dollars.

They say: But a senior can go out and buy traditional Medicare or private health insurance. Here is the catch on that. What they do is put Medicare in a death spiral. Here is how.

If a person is a very healthy senior they can go out in the private insurance market and probably get a pretty good deal. If they have no preexisting conditions, if they have never had cancer, no one in their family has had it, if they are very healthy, they have never smoked, they are just in great physical shape, they can probably go out and get a private, cheap private insurance policy with their voucher.

So who stays in Medicare then? The oldest and the sickest, and therefore the costs of Medicare spiral up and spiral up and it becomes untenable. It is a death spiral. That is Mr. RYAN's way of killing Medicare.

Yes, he says people will get a voucher, and they can buy Medicare or they can buy private insurance, but it puts Medicare into a death spiral. The Ryan budget turns this successful, reliable, comprehensive source of health care that seniors have relied on for decades—and have paid into, I might add, during their years of hard work—into some unproven, unpredictable, rightwing, conservative experiment. I do not want to experiment with the elderly. I want them to have good health care they can afford, that is universal, and that they can count on.

President Obama has fought to strengthen Medicare, and he believes, as we do, it is a sacred contract. He has made a commitment to strengthen Medicare in the Affordable Care Act. For example, by eliminating the gaps in coverage, closing the doughnut hole—which we have already started to do—elderly Iowans, I think, received over \$600 back this year just from closing the doughnut hole.

Reducing the cost of prescription drugs. According to Medicare's own actuaries, the Affordable Care Act,

ObamaCare, extends the program solvency from 2016 to 2024. Again, how? As the Senator from California said, by fighting waste, fraud, abuse and by getting rid of wasteful subsidies to insurance companies. Our plan for Medicare is basically summed up: Mend it but don't end it.

I was taken a little aback yesterday. Over the weekend Governor Romney stated he would keep some of the popular provisions of the Affordable Care Act. Like what? Well, like kids staying on their parents' insurance plans until they are 26 and ensuring coverage for folks with preexisting conditions.

I said: Wait a second. I thought he said on the first day he was going to repeal ObamaCare? But now he says he wants to keep those. I was a little confused, but my confusion was short-lived because his campaign then came out with a clarifying statement. They clarified what Governor Romney said, and this is the quote:

Governor Romney will ensure that discrimination against individuals with preexisting conditions who maintain continuous coverage is prohibited.

The Washington Post reports that 89 million Americans would be left out of Romney's preexisting condition plan. Why? They were working and they had a health plan. They were out of work for a month or two—maybe went someplace else to work and got a different plan: Sorry, you didn't have continuous coverage. You don't get covered.

These are the little games that Governor Romney and Congressman RYAN are playing with the American people.

Mr. DURBIN. Will the Senator from Iowa yield for a question?

Mr. HARKIN. I am delighted to yield to my friend from Illinois.

Mr. DURBIN. I was trying to understand this Republican position. It used to be crystal clear. In 23 debates we heard Republican candidates say, one after another after another: First day in office ObamaCare is gone. But I heard the same thing the Senator did, and I have tried to understand it.

I do give Governor Romney some credence in this regard. I have said, when asked, he is the baby daddy of ObamaCare because it was Governor Romney who created the first version of ObamaCare in the Commonwealth of Massachusetts, and he understood—I hope the Senator from Iowa can help me to understand, and those listening—he understood the concept of insurance. If everyone who bought an insurance policy wrecked their car or got sick the next day, insurance would not work. The only way it works is most people are safe drivers. They buy insurance and a small percentage use it. So there is a pool of money collected from premiums creating a reserve for accidents.

Here we have a situation where Governor Romney has agreed with us—I commend him—that people with preexisting conditions when it comes to health care should not be discriminated against. But the Senator from

Iowa, as chair of the committee that dealt with ObamaCare, knows what adverse selection means. It means if people wait until they are sick to buy health insurance the whole system falls apart. So in Massachusetts they required everybody to buy health insurance.

Mr. HARKIN. I think that is called an individual mandate?

Mr. DURBIN. An individual mandate, some critics might say. Some of us call it individual responsibility. And we did the same, when it came to health care reform, keeping in mind if people currently have health insurance and like their doctor, like their hospital, we are not going to change their lives one bit. But for those who are out in the marketplace, the availability of health insurance would be there, but everyone has the responsibility to buy it.

We don't think twice when we have a closing on a home. We need fire insurance on this home. My home has never burned down, thank goodness, but I buy fire insurance. That is individual responsibility so there is something to pay the mortgage off if the house burns down.

But in this circumstance what I understand Governor Romney to say is we don't think insurance companies should discriminate against people with preexisting conditions. OK, I am with him. But then he goes on to say—I think the point the Senator made—let's kind of bear on this for a minute—what he goes on to say is so long as people have had continuous insurance.

What if a person was unlucky enough to lose a job? Out of luck. Their preexisting conditions just disqualified them from health insurance. They are stuck, under the Romney approach. What if they had any kind of interruption whatsoever in their insurance coverage? They are dead in the water. So when we talk about taking uninsured people, bringing them into insurance that has quality to it, quality coverage where they cannot discriminate against people, we are saying whatever their previous insurance experience we are all going to get into this together. We are all coming into the tent together and they cannot be discriminated against because they are a woman, had a baby—all the different things they have used.

So when we listen closely to it, here was Governor Romney basically saying he is against the discrimination on preexisting conditions, but then footnoted down at the bottom of the page—as long as people have had continuous coverage. It is an empty promise. It doesn't give people anywhere near the protection and insurance that ObamaCare gives. That is what I understand to be the difference.

Is that the way the Senator understands Governor Romney's clarification of his statement of yesterday?

Mr. HARKIN. I thoroughly agree with my friend from Illinois. Governor Romney makes the statement. It is on a very popular well-viewed Sunday talk

show, "Meet The Press." So the average American says: Oh, Governor Romney, he is for keeping coverage for preexisting conditions. That is good. That is nice to know.

They do not hear the clarification that came about later because that was not on "Meet The Press." That was sort of under the radar, when they said they wanted to clarify what Governor Romney meant was he would prevent discrimination against individuals with preexisting conditions who maintain continuous coverage. As the Washington Post pointed out, there are 89 million Americans who would be disqualified because they had a plan, they lost it because they moved or something like that, and picked up another plan. There goes their coverage. Just think about that. You are a family. Let's say your spouse has a preexisting condition—it could be diabetes, it could be cancer, it could be anything—but you have been covered under a plan. President Obama, with the Affordable Care Act, ObamaCare, says beginning in 2014, just as we now cover children, no plan can discriminate against you because of a preexisting condition. What Romney is saying with his clarification is only if you have always had that plan. What if you are a family that moved from one State to another due to a job issue? You move and your spouse or maybe one of your children who is perhaps still on your policy and has a preexisting condition won't be covered. They will not cover them. Mr. Romney didn't say that on "Meet The Press."

Mr. DURBIN. I say to the Senator from Iowa that I met so many people in my State of Illinois who said, I cannot leave my job because I don't know if I can ever find health insurance again. I am stuck because I have a child or a spouse with a problem. The real world of human experience tells us this happens all the time. It makes me wonder sometimes. There are 8 or 9 million Americans—almost one out of three Americans—not covered by this Romney plan. How does this solve any problems? If we are not going to have health insurance we can count on when we need it, it is worthless. It is a subsidy the insurance company doesn't pay off when the family needs it.

I didn't mean to interrupt the Senator from Iowa, but I wanted to make that point very strongly.

Mr. HARKIN. I want to say one other thing about this idea of the individual mandate then-Governor Romney supported in Massachusetts. We all have it within us—I think especially as Americans—that we don't like to be told anything. We don't like to have a mandate put on us. Well, as the chair of the health committee, and someone who is very much involved in this process of getting the Affordable Care Act through, I want to make it very clear, you don't have to buy insurance. There is no individual mandate that says you have to buy insurance. I want to make that clear, and I want to keep making

that point. I have been making that point for months now. You don't have to buy insurance. It just says if you don't buy it and you get real sick and want to get in line to get health insurance, you pay a penalty. They call it a free-rider penalty.

Have we ever seen that before? How about Medicare? We have it in Medicare. When you turn 65, you don't have to get Part B. No one tells you that you have to do that. If you wait until you are 67, 68, 69, or 70, you pay more. You will pay a lot more than if you picked it up at 62 or 65 when you retired because it is a free-rider penalty. So we have to get rid of this idea that this is some kind of individual mandate that you are forced to do something. No, you are not forced to do it. But if you are a free rider, and you say I will only go when I get sick—like the car accident the Senator pointed out—yes, you pay a penalty. That is all. You don't have a mandate. You just have to pay a penalty. I think when we describe that, I would say that sounds fair. If you are not going to be in the insurance pool—it is as though I am not going to have car insurance, but if I have a wreck, I want to call the insurance company and they will insure me to the moment right before the wreck. That is nonsense. Of course, we don't do that.

Well, as I said, I intend to take the floor today, tomorrow, and for the next several days to point out what the Ryan plan does overall but basically in health care.

We mentioned Medicare. Let's talk about Medicaid. How about Medicaid? What does Medicaid do? Basically, as I have said many times, it is there to give a decent quality of health care and a quality of life to the hopeless, the helpless, and the hapless. It is for people who otherwise sort of fall through the cracks, people who need health care who cannot afford it or who, because of their life situation, have never been able to get any kind of health care coverage.

Well, here is what he does. I will get into this more. The Medicaid funding, which the Senator from California mentioned, over 10 years takes over \$810 billion—that is with a "b," not million—out of Medicare. What does that mean? Who does that hurt? Well, 1 out of every 2 Americans with a disability uses Medicaid. That is who is hurt. Services in the Medicaid Program allow our citizens with disabilities to live with dignity and purpose in their homes and in their communities. Three million seniors and people with disabilities use the program to avoid having to go into a nursing home.

How about Medicaid for middle-class families? We always think that Medicaid is just for people with disabilities or just for poor people. How about Americans in the middle class? How about American middle-class families? There are hundreds of thousands of American families who have children with lifelong disabilities such as

Down's syndrome or autism. Medicaid gives them a lifeline or middle-class families would be paying out of their pockets for the health care costs of their children for their entire lifetimes. Yes, this is one of the entitlements they want to cut. Medicaid is an entitlement.

Well, how about that tax plan? If you are a millionaire—that is all you have to be. All you have to do is have an income of over \$1 million a year and you get huge tax benefits. How about that entitlement? No, they don't touch that one. At the center of the Ryan budget is his promise to repeal the Affordable Care Act, ObamaCare, a commonsense health reform that led the Commonwealth of Massachusetts to have one of the lowest uninsurance rates in the country. ObamaCare—I know the Republicans have been using that as a pejorative. I say it proudly.

I was with President Obama in Iowa a couple of weeks ago when he spoke to a huge group of students at my alma mater, Iowa State University. There was a big sign in the back that said "ObamaCare." President Obama looked at it and said, yes, ObamaCare. Speaking of himself in the third person, he said: Yes, Obama does care. He said, I care about making sure everyone is covered who has a preexisting condition. I want to make sure that kids can stay on their parents' policy while they are in college. Yes, I want to make sure that the elderly have a good, affordable Medicare Program. Yes, I want to make sure that people have good preventive health care systems in America. Obama cares, that is what ObamaCare is. Obama cares, and he cares very deeply that we have a health care system for all and not just for a few. As was said by President Clinton in his speech, an American policy based upon "we're all in this together is much better than the policy of tough luck, you're on your own," which is the Ryan budget philosophy.

When we get past the political theater and look at what the Ryan budget actually means, it is not a very pretty picture. The Ryan budget would repeal the prescription drug doughnut hole closure we are doing. It would allow insurance companies to charge as much as \$300 for preventive services. One of the key elements we put in ObamaCare: 86 million Americans received at least one free preventive service last year, and more this year. Almost 1 million Iowans received one free preventive service in 2011. That means they got preventive care so they don't get sicker and cost us more money. Again, the Ryan budget would allow people to deny you coverage or increase your premiums if you have a preexisting condition.

This protection means a lot to this person right here. This is Eleanor Pierce from Cedar Falls, IA. I spoke about her before. She was denied health insurance when she lost her job because of her preexisting condition of high blood pressure. Without coverage

she racked up \$60,000 in medical debt. The Ryan budget would repeal ObamaCare. They would tell people like Eleanor Pierce: Tough luck, you are on your own. We are not all in this together. You mean you are not worth \$1 million? Tough luck, you are on your own.

Repeal will allow insurance companies to put limits on the coverage of more than 100 million Americans, stopping benefits right when they get sick. Repeal would kick more than 3 million young people off their parents' policy.

This is Emily Schlichting who testified before the committee. She is an elegant young woman going to college in Omaha. She said young people are the future of this country and we are the most affected by reform. We are the generation that is most uninsured. We need the Affordable Care Act because it is literally an investment in the future of this country. She suffers from a rare autoimmune disorder that would totally make her uninsurable in the old days and under the Ryan budget, which brings back those old days. Thanks to the Affordable Care Act, she can stay on her parents' policy until she is 26. By 2014, regardless of her preexisting condition, she will get affordable health insurance coverage.

Repeal under the Ryan budget would allow insurance companies to spend America's premium dollars on CEO bonuses, marketing, and fancy buildings rather than actual health care. Under the health reform medical loss ratio requirement, policyholders nationwide will receive more than \$1 billion in rebates from insurers this year. That is \$1 billion in rebates this year that goes back to policyholders and families; otherwise, that \$1 billion would be going into CEO bonuses, marketing, private jets, company planes, fancy buildings, and things such as that. These are just a few of the ways the Romney-Ryan budget would repeal ObamaCare and drag America back to the bad old days.

Again, I will repeat that over the last few weeks Representative RYAN has been telling everyone how the President's health reform plan robs Medicare. That is totally fallacious. First, the nonpartisan economists have certified that ObamaCare strengthens the Medicare Program and extends its solvency by 8 years. What President Obama did—as the Senator from California previously pointed out—was make the program more efficient and save money on wasteful overpayments to private insurance companies and cracking down on fraud.

What Mr. RYAN won't tell us is that the very reforms President Obama has in our Affordable Care Act are the same he has in his Ryan budget plan. What he doesn't tell us is that while President Obama takes those savings and puts them back into Medicare, Mr. RYAN takes those savings—yes, you guessed it—and puts them into more tax breaks for the wealthy.

By repealing the Affordable Care Act, the Ryan plan would again put Americans at the mercy of insurance companies and deprive more than 30 million people of affordable coverage.

I was just going to get the chart for my own State of Iowa. I had one here on Iowa I wanted to point out, because I am obviously very interested in my seniors in Iowa. This chart shows that the Ryan plan means almost 440,000 Iowa seniors would be forced onto vouchers when they retire. We have to get those vouchers, right? Sixty thousand Iowa seniors would be forced back into the prescription drug doughnut hole. The doughnut hole would open again. Four hundred thousand Iowa seniors would pay more for preventive services this year.

I can tell my colleagues our seniors in Iowa are flocking to get their preventive health care services. They know an ounce of prevention is worth a pound of cure. But before those preventive services cost money. Now they get them free. It is going to make their lives better and save us a lot of money.

ObamaCare decreases the deficit by almost \$110 billion over the first 10 years and more than \$1 trillion in the next decade. Mr. Romney and Mr. RYAN won't tell us that, but it is true. It reduces the deficit. It insures more than 94 percent of all Americans. Over 94 percent of all Americans will have that coverage.

The bottom line is very simple, and I will be talking about this in the days ahead. President Obama will protect Medicare, will protect health care not only for our seniors but for young people, for middle-class Americans and, yes, for those at the bottom rung of the ladder who need Medicaid to sustain them and to give them quality health care. The Ryan budget rolls back all of this. So, again, we are faced with this choice: the Ryan budget or what President Obama has come forward with in his budget and with his ObamaCare to make sure America remains a good middle-class country where people on the bottom, at the lowest rung of the ladder, can get into that middle class; where the middle class knows they can leave a job and go to another job and not lose their health care plan; where someone can start a small business and know they will have health care coverage for themselves and the one or two or three or four or five workers who work for them or small businesses now can become more competitive with the big businesses in America.

I think it is safe to say that if only the American people will study the Ryan budget, the blueprint, they will find that this is where they want to take you and me and all of America—back to an America that our parents moved beyond; where our parents said, no, we are going to move forward; where we have buttressed ourselves in our own lifetimes, in moving America forward to a country where we truly are all in this together; where we are not just a lottery country in which if a

person wins the lottery, they are OK, they have it made; if a person doesn't win, then tough luck, sucker, they are on their own. That is not the America our parents fought for in World War II or Korea or Vietnam; it is not the kind of America Martin Luther King, Jr., marched for and died for. It is not the kind of America we want to see for our kids and our grandkids.

We have a choice. The choice is clear. Let's move forward.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll. The assistant bill clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, most commissions appointed in Washington—at least in my experience—hardly make a ripple, people hardly notice them. After a lot of hard work, a report is published and that is about it. Some historian at a later date may look at the work they have done and the research they have done and that is about it, that is the extent of it.

There are a few exceptions. I was fortunate enough almost 2 years ago to be appointed to one of those exceptions and that was President Obama's deficit reduction commission, the Simpson-Bowles Commission. I was appointed because I am a member of the Appropriations Committee and Senator REID said we should have someone from Finance, Appropriations, and Budget. I took the assignment of one of the three Democratic Senators. There were three Republican Senators, three Republican House Members, three Democratic House Members, and an additional six public members. The public members consisted of a number of people, including Alice Rivlin, respected in Washington, as well as a number of business and community leaders.

We met for about a year and considered the budget deficit and all of the Federal spending and came to know one another a little bit during that period of time. One of the members of that commission was PAUL RYAN, a Congressman from Janesville, WI, just over the border from my State of Illinois. I knew Paul before and got to know him a little better during the course of that commission. He is a very bright person. We have some common friends in the Janesville area, and I know he worked with Senator Feingold, a Democrat from Wisconsin, on some issues before.

What surprised me at the end of the day was despite his obvious training and knowledge on the budget deficit, when it came time for a vote on this bipartisan deficit commission report, all three House Republican Members, including Congressman PAUL RYAN, voted no. I voted yes. Two out of the three Democratic Senators voted yes. I

was surprised, in a way, because I thought that although the Simpson-Bowles plan had its shortcomings—things I disagreed with and said so—it was a dramatic step forward to try to deal with our deficit in a fair fashion.

JEB HENSARLING of Texas was another Republican Congressman, along with DAVE CAMP of Michigan, the chair of the House Finance Committee, and Congressman PAUL RYAN, who all voted no.

I was surprised that at the Republican convention in Tampa, FL, Congressman RYAN, the Republican Vice Presidential nominee, criticized President Obama over the Simpson-Bowles Commission report, saying he had worked hard to implement. I thought that was a curious position for Congressman RYAN to take, because he had voted against it. Now he was criticizing President Obama for not working hard enough on the commission report. But I came to understand that a little more when I took a closer look at Congressman PAUL RYAN's budget plan for America.

Before he was chosen to run as Governor Romney's running mate, 5PAUL RYAN, the Congressman and chairman of the House Budget Committee, issued his vision of what America should be doing over the next several years. One of the most controversial sections relates to Medicare. Medicare, of course, is the insurance policy for the elderly and many disabled in our country. It is a lifeline for 40 million-plus Americans. It means even in their old age they will have good protection for health insurance because they have paid into it during all of their working years. PAUL RYAN observed that the Medicare Program would come to an end if it weren't changed. We know it has about 12 years of solvency left and change will be needed. His proposal, though, would do more than change Medicare; it would end it as we know it. The RYAN approach would create vouchers—coupons—for senior citizens to buy health insurance. It would force them to pay more out of pocket for Medicare. According to the CBO—the Congressional Budget Office—the Romney-Ryan plan would force Medicare beneficiaries to pay up to \$1,200 more by 2030 and almost \$6,000 by 2050. That is about \$500 a month, ultimately.

Congressman RYAN said seniors could choose to stay in traditional Medicare or they could basically go into a private health insurance market. A senior who is both healthy and wealthy would have an option. Those not so healthy or wealthy would find the only option traditional Medicare, and more and more people with a history of illness would be forced into traditional Medicare, making it a very expensive insurance program and difficult to maintain.

The PAUL RYAN voucher plan puts Medicare in competition with private insurance companies and, as I said, many seniors would find that the competition wouldn't want them and they would be stuck with traditional Medicare, much different than it is today.

Medicare would be taking care of the seniors whose care costs more, so Medicare premiums would increase. As they go up and seniors begin to leave Medicare, it causes premiums to rise further, which would cripple the program.

The PAUL RYAN program eliminates all the consumer protections in the Affordable Care Act, putting insurance companies back in the driver's seat. I don't think most Americans believes that is a good place to be, at the mercy of an insurance company, an adjuster who will decide what they are covering and how much one will pay.

Young adults would no longer stay on their parents' insurance plan under the Romney-Ryan proposal to eliminate ObamaCare. People with preexisting conditions would be denied coverage—going back to the conversation I had earlier, my dialog with Senator HARKIN on the floor. Families would once again face lifetime limits on coverage, and seniors would be forced back into the doughnut hole, meaning paying more out-of-pocket expenses for their Medicare prescription drugs.

I don't think this is a good plan for America and I don't think Americans, once they hear the details, are going to like it.

The ObamaCare program has already helped a lot of people. A report today said there was a 16-percent increase in coverage of younger Americans because of ObamaCare. These are younger Americans up to the age of 26 who now can stay on their family plans. And 1.6 million Americans have been added into coverage under their parents' plan because of this change in the law.

Now, those who say "I will repeal ObamaCare" would repeal that protection, forcing 1.6 million young people, without jobs or coverage, out of the protection they have today. I cannot imagine 125,000 young adults in Illinois who have benefited from ObamaCare would believe that is a good idea, nor would their families.

Since the Affordable Care Act was signed into law, Medicare beneficiaries in Illinois have saved over \$171 million on their prescription drugs.

There was a discussion earlier about the Medicaid Program. Medicaid is an important program in Illinois and most States. I asked Julie Hamos, who administers our program in Illinois, to explain it in a few words. Here is what she said: One out of three children in Illinois is covered by Medicaid. That is their health insurance—one out of three. In Illinois, Medicaid pays for 52 percent of the births; that is, prenatal care and the delivery of the child—52 percent paid for by Medicaid. But those two things—child coverage and coverage for new moms and their babies—do not even represent half the cost of Medicaid in Illinois.

Sixty percent of the cost of Medicaid in Illinois is for the elderly and disabled, many of whom are completely out of luck and out of money. They live on Social Security, Medicare, and Medicaid. They are in nursing homes and

convalescent centers. They do not have anyplace to turn. So Medicaid is a critical insurance program for some of the most vulnerable people in America.

Many seniors and disabled people on Medicare also receive State Medicaid. The "dual-eligibles" they are called. That is 15 percent of Medicaid enrollees, but 39 percent of Medicaid spending—low-income elderly people who have no place else to turn.

So when PAUL RYAN, in his budget, suggests he is going to cut back on Medicaid payments each year, giving a smaller amount of money to States, saying: Make do, who is at risk? Children: one out of three in Illinois is on Medicaid; moms having babies: over half of the moms having babies in our State; and the elderly folks who have no place to turn.

Think about what that means. A child without basic health insurance, Medicaid, in my State or anywhere, is less likely to have a doctor, immunizations when needed, and an office visit to avoid a trip to an emergency room. A mother without prenatal care is, unfortunately, more likely to give birth to a child with a problem. And we do not want to see that for the sake of the child first, certainly for the mom, for the family, or for taxpayers, for goodness' sake. There is no money saved by scrimping on Medicare for new moms. The Ryan plan would force that kind of scrimping.

The Ryan plan converts Medicaid into a block grant and cuts Federal funding for the program by 34 percent over the next 10 years—34 percent.

So I would ask Congressman RYAN: Which of those groups do you want to cut back on in terms of coverage? According to CBO, cuts at the level the Ryan plan calls for would mean States would have to reduce eligibility for Medicaid and children's health insurance or cover fewer services.

I might add—I am sure it is true in the State of Oregon; it is certainly true in Illinois—one of the most critical areas of medical need is dental care. I talk to doctors every time I go back home in emergency rooms at hospitals who have people coming in to see them in pain because of problems with their teeth, and they end up getting pain medication but nothing is taken care of.

So when we talk about restricting care, as PAUL RYAN has suggested in his budget, I have to tell you, I think it is extremely shortsighted. A tooth ache can turn into a life-threatening situation for some people, not to mention the pain and discomfort they are going through. So if anything, we ought to review basic Medicaid services to expand at least into dental care. I would support that. I think it is extremely shortsighted for us not to include it.

This Paul Ryan budget would not expand Medicaid. It would cut it back dramatically. States would lower payments to doctors and nurses by one-third. Can you imagine what that

would do? It would reduce the number of providers, which makes it more difficult.

Just to give you an example, in the Quad Cities in Illinois, there is a great clinic put together by a friend of mine in the Hispanic section of Moline. They provide basic, basic primary health care. If you need a specialist, you are referred, with at least an hour-and-a-half drive, to Peoria or with an almost 3-hour drive to Chicago. Remember, these are the poorest people living in our towns. Do they make it to the specialist? Usually not. The PAUL RYAN approach, reducing the amount of money that is paid to providers, would mean even fewer specialists would be willing to help those who are poor.

But the thing that troubles me the most about Congressman RYAN is—at least in his budget views and his deficit views—as he talks a good game about reducing the deficit and voted against the Simpson-Bowles Commission report, he comes up with a budget that he produces in the House and says he and Governor Romney are going to protect the Bush tax cuts for the wealthiest people in America and increase defense spending. This does not work. It does not add up. It does not pass what President Clinton called the arithmetic test. You cannot increase tax cuts and increase spending on defense without, as President Clinton said, digging the hole deeper and deeper.

So they sound pretty good when they give the speeches about fiscal conservatism and that we have to be serious about the deficit, but their proposals just do not match. The idea of lowering tax rates, as they proposed, even below the Bush tax cuts—they said: Well, we will use tax reform to get to it. The estimates suggest that the middle-income families will end up losing in that. As a result of tax reform as proposed by Romney-Ryan, they think middle-income families face a higher tax of \$2,000 a year to protect tax cuts for the wealthiest people. That certainly is not a positive thing in terms of deficit reduction or helping a lot of working families living paycheck to paycheck.

We have debated Congressman RYAN's plan for 2 years now. The only people who seem to like it are some Republicans serving in Congress. The majority of Americans would oppose the Paul Ryan budget plan to end Medicare as we know it. The majority of Americans certainly oppose his idea of raising taxes on middle-income families to pay for tax breaks for the wealthiest. Congressman RYAN has had his chance to make his case to the American people for his view of where we are going, and it will not work. I wish he had joined us in the bipartisan effort of Simpson-Bowles. His vote in favor of that would have given him more credibility and maybe a better understanding of the reality of budget deficit reduction.

FISCAL RESPONSIBILITY

Mrs. FEINSTEIN. Mr. President, I rise today to speak about the budget proposed by Congressman PAUL RYAN, which has been approved twice by the House of Representatives.

The Ryan budget, which is purported to be a measure of fiscal responsibility, is in fact an attempt to rewrite the social contract in this country while at the same time adding to the national debt.

Let me explain. There are four major components of the Ryan budget.

The first is another round of tax cuts for the wealthy. According to the non-partisan Tax Policy Center, the Ryan tax plan would add an additional \$4.5 trillion to the Nation's debt. That is on top of the staggering cost of the Bush tax cuts.

Second, the Ryan budget would virtually eliminate spending on domestic programs, imposing debilitating funding cuts for education, air quality, roads, bridges, railways, national parks, first responder programs and a host of other vital national interests.

Third, this budget ends Medicare as we know it and converts Medicaid into a block-grant program with capped funds. The Ryan budget endangers our two most vital sources of health care services for seniors, the poor and those with disabilities.

Finally, the budget repeals the health reform law, reducing the solvency of Medicare and eliminating critical consumer protections.

The tax proposal in the Ryan budget is especially troubling. According to the Tax Policy Center, the Ryan budget would mean a tax windfall of \$265,000 a year for millionaires.

At the same time, the middle class and working poor would see few if any benefits.

The Ryan tax plan is very similar to that of Mitt Romney. Both plans would substantially reduce tax rates on the wealthy, and both are supposedly paid for by closing unspecified tax loopholes.

The Tax Policy Center has already analyzed Mitt Romney's plan. In order to substantially lower tax rates and remain revenue neutral, the Romney plan would have to eliminate so many tax credits and deductions that it would actually raise taxes on the middle class.

To make matters worse, the Ryan budget does not stand up to scrutiny. This is a question of basic arithmetic.

How do you reduce the national debt while at the same time handing massive tax cuts to the wealthy? Congressman RYAN already took one option off the table—reducing the Defense Department budget. In fact, his budget proposes to spend even more money on defense, money the Pentagon does not even want.

That leaves deeper cuts to domestic programs and entitlement spending as the only remaining options. And it is important to note that Congressman RYAN refuses to specify what those

cuts would be—because they would be so painful to so many Americans.

Medicare in particular would be savaged by the Ryan budget.

Beginning in 2023, his budget ends the traditional guaranteed benefits structure of Medicare, instead offering vouchers to purchase either a private health insurance plan or traditional Medicare.

According to the Congressional Budget Office, that means new Medicare beneficiaries would pay \$1,200 more out of pocket by 2030 and \$5,900 more by 2050. Experts say the Ryan budget would also likely lead to reduced access to health care and diminished quality of care for beneficiaries.

Essentially, seniors would be forced to purchase more expensive care with less.

Consider that in 2010, half of all Medicare beneficiaries had incomes of less than \$21,000 and you can see why this proposal is so dangerous.

The Center for American Progress estimates that if the Ryan budget were to pass, someone who is 54 years old today would face increased costs of \$59,450 during retirement. Someone who is 29 years old today would spend \$331,000 more over the course of their retirement.

I would also note that the Ryan budget includes \$700 billion in Medicare savings the exact same amount that was included in the health reform law he seeks to repeal.

The difference is that rather than applying those savings to lower costs and increased benefits for seniors, the Ryan budget diverts those savings to even more tax breaks for millionaires and billionaires.

Speaking of Congressman RYAN's desire to repeal health reform—his efforts to unwind that law, which has been upheld by the Supreme Court, would add tens of millions of Americans to the ranks of the uninsured, it would eliminate critical consumer protections, and it would hasten the insolvency of Medicare by 8 years.

House Republicans want to put insurance companies back in the driver's seat, able to charge higher rates based on gender and deny coverage to people with preexisting conditions. They would remove protections that guarantee children the right to health insurance.

American families would again be at risk for bankruptcy because of costly illnesses like cancer. More than 12 million Californians would once again face lifetime limits on their health coverage.

The budget would reopen the prescription drug "doughnut hole," forcing 5.2 million seniors to once again dip into their pockets to cover the full cost of prescription drugs.

In California, 3.4 million seniors would be forced to pay more for preventive services, such as cancer screenings and mammograms, meaning fewer seniors would have access to these services.

Let me be clear: the health reform law extended the life of Medicare by 8 years. In addition to forcing seniors to pay more for services, the Ryan budget would place the Medicare Trust Fund on a track for insolvency by 2016.

Medicaid is another big loss in the Ryan budget. He would change Medicaid from a State-Federal match program to a block grant program, including dangerous funding caps. Millions more of the most at-risk Americans would become uninsured or underinsured because of this budget.

Medicaid spending would be slashed by \$810 billion over 10 years, a 22 percent cut.

This would jeopardize health care for nearly 7.3 million Medi-Cal beneficiaries in California, many of whom would see reduced eligibility, coverage of fewer services and increased out-of-pocket expenses.

Low-income pregnant women who depend on Medicaid could be dropped from the program, a threat to health of both mother and baby.

Let me be candid: The Ryan budget is just another salvo in the war against the middle class and working poor.

It would mean more tax cuts for the wealthy at the expense of investments in our future, it would lead to greater numbers of uninsured and it would demolish some of the most vital safety net programs in the Nation.

Let's set aside the politics and get to work on real solutions for the country.

MORNING BUSINESS

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

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

RECOGNIZING THE CONGRESSIONAL MANAGEMENT FOUNDATION

Mr. REID. Mr. President, I stand before you today to congratulate the Congressional Management Foundation on its 35th anniversary of service to Capitol Hill. Founded in 1977, CMF is a non-profit, nonpartisan organization dedicated to improving management practices within the Halls of Congress, as well as facilitating better communication between legislators and their constituents. By improving congressional operations, providing institutional research, and educating Americans on how Congress actually works, the Congressional Management Foundation has been a valuable contributor to building trust and effectiveness in Congress.

The Congressional Management Foundation strives to help legislators get off on the right foot even before they are sworn into office. Within 5 days after election day, all incoming freshmen receive a copy of "Setting Course" and "The 90-Day Road Map"—

two experience-driven publications produced by CMF that provide new House Members, Senators, and their staff a detailed outline for setting up and running an effective office. "Keeping it Local" stresses the importance of maintaining a strong presence in district offices and the value of effective constituent outreach and interaction at the local level. These publications are time-tested, indispensable resources that provide our leaders with the appropriate tools they need to overcome the challenges of lawmaking on the national stage.

In the past decade, CMF has adapted its mission to keep up with the rapid introduction of new technology on Capitol Hill. Recently CMF has offered guidance on how to design effective and accessible Web sites, culminating in CMF's Gold Mouse Awards for the best congressional Web sites. CMF has helped Senators significantly improve their online operations, resulting in more transparency and accountability in government. Because of CMF's research and guidance in Web sites and online communications, Americans have a better understanding of the Congress and better access to necessary services.

Finally, I wish to congratulate CMF on focusing on improving the Congress in a nonpartisan way. There are only a few places left in Washington where those of us who are in public service can gather and truly engage in problem solving. I congratulate the Congressional Management Foundation on more than three decades of outstanding work and wish them success in all of their future endeavors.

TRIBUTE TO STEPHEN J. CLOOBECK

Mr. REID. Mr President, I rise to honor my friend Steve Cloobek of Las Vegas, the chairman of the board for Brand USA. This month, Steve will step down from the board after 2 years of working tirelessly to build Brand USA from the ground up.

Over the past decades, the United States lost valuable tourism dollars as international visitors traveled to other destinations instead of the U.S. In part, the United States lost market share because we failed to promote tourism, while other countries invested in tourism promotion. To encourage tourists to visit the U.S., I worked for the passage of the Travel Promotion Act. This bipartisan legislation established the first-ever United States public-private initiative to promote tourism. The new organization would help attract millions of international visitors by advertising our Nation abroad—all at no cost to the taxpayers.

If this new organization, Brand USA, was going to be successful, it would need a strong leader with a bold vision to promote tourism. Fortunately, we found that leader in Steve Cloobek. From the moment he joined the board, Steve established aggressive timelines

for setting up the new organization. He helped draft the organization's strategic platform and goals, while ensuring that operations continued on schedule.

Steve was also actively engaged in building partnerships with the private sector. Because of his business relationships in the tourism industry, Steve received many large commitments and contributions from companies in Nevada and across the Nation. With a slate of committed partners from Marriott to Best Western to Disney, Brand USA will raise more than \$50 million from the private sector this year alone.

Under the direction of Steve and the board, Brand USA unveiled their new advertising campaign. Featuring a song by Rosanne Cash, these ads showcase America as a "Land of Dreams" where anything is possible. These advertisements, which have been running in nine key international markets, have created a strong brand identity for the United States abroad.

Today, we can already see that Brand USA is making a difference. So far this year, international visitation to the U.S. has increased 12 percent and we are heading for a record-setting year. And most importantly, during these hard economic times, travel promotion is creating new, good-paying jobs as we welcome millions of new visitors to our Nation's world-class cities, national parks, and tourist attractions.

Under Chairman Cloobek's leadership, Brand USA has been a tremendous success for our Nation and the travel industry. His enthusiasm and dedication have ensured that Brand USA is well positioned for the future. I am confident that Brand USA will be a critical asset to American tourism for years to come, and I am proud to join everyone at Brand USA and the travel industry in thanking Steve for his important contributions.

TANF

Mr. HATCH. Mr. President, I ask unanimous consent to have printed in the RECORD the GAO opinion letter dated September 4, 2012, and the TANF Information Memorandum dated July 12, 2012.

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

U.S. GOVERNMENT
ACCOUNTABILITY OFFICE,
Washington, DC, September 4, 2012.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, U.S.
Senate.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
House of Representatives.

By letter of July 31, 2012, you asked whether an Information Memorandum issued by the Department of Health and Human Services (HHS) on July 12, 2012 concerning the Temporary Assistance for Needy Families (TANF) program constitutes a rule for the purposes of the Congressional Review Act (CRA). The CRA is intended to keep Congress

informed of the rulemaking activities of federal agencies and provides that before a rule can take effect, the agency must submit the rule to each House of Congress and the Comptroller General. For the reasons discussed below, we conclude that the July 12, 2012 Information Memorandum is a rule under the CRA. Therefore, it must be submitted to Congress and the Comptroller General before taking effect.

BACKGROUND

The Temporary Assistance for Needy Families block grant, administered by the U.S. Department of Health and Human Services, provides federal funding to states for both traditional welfare cash assistance as well as a variety of other benefits and services to meet the needs of low-income families and children. While states have some flexibility in implementing and administering their state TANF programs, there are numerous federal requirements and guidelines that states must meet. For example, under section 402 of the Social Security Act, in order to be eligible to receive TANF funds, a state must submit to HHS a written plan outlining, among other things, how it will implement various aspects of its TANF program. More specifically, under section 402(a)(1)(A)(iii) of the Social Security Act, the written plan must outline how the state will ensure that TANF recipients engage in work activities. Under section 407 of the Social Security Act, states must also ensure that a specified percentage of their TANF recipients engage in work activities as defined by federal law.

In its July 12 Information Memorandum, HHS notified states of HHS' willingness to exercise its waiver authority under section 1115 of the Social Security Act. Under section 1115, HHS has the authority to waive compliance with the requirements of section 402 in the case of experimental, pilot, or demonstration projects which the Secretary determines are likely to assist in promoting the objectives of TANF. In its Information Memorandum, HHS asserted that it has the authority to waive the requirement in section 402(a)(1)(A)(iii) and authorize states to "test approaches and methods other than those set forth in section 407," including definitions of work activities and the calculation of participation rates. HHS informed states that it would use this waiver authority to allow states to test various strategies, policies, and procedures designed to improve employment outcomes for needy families. The Information Memorandum sets forth requirements that must be met for a waiver request to be considered by HHS, including an evaluation plan, a set of performance measures that states will track to monitor ongoing performance and outcomes, and a budget including the costs of program evaluation. In addition, the Information Memorandum provides that states must seek public input on the proposal prior to approval by HHS.

ANALYSIS

The definition of "rule" in the CRA incorporates by reference the definition of "rule" in the Administrative Procedure Act (APA), with some exceptions. Therefore, our analysis of whether the July 12 Information Memorandum is a rule under the CRA involves determining whether it is rule under the APA and whether it falls within any of the exceptions contained in the CRA. The APA defines a rule as follows:

"[T]he whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of

rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing[.]”

This definition of a rule has been said to include “nearly every statement an agency may make.”

The CRA identifies 3 exceptions from its definition of a rule: (1) any rule of particular applicability; (2) any rule relating to agency management or personnel; or (3) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3).

The definition of a rule under the CRA is very broad. See B-287557, May 14, 2001 (Congress intended that the CRA should be broadly interpreted both as to type and scope of rules covered). The CRA borrows the definition of a rule from 5 U.S.C. §551, as opposed to the more narrow definition of legislative rules requiring notice and comment contained in 5 U.S.C. §553. As a result, agency pronouncements may be rules within the definition of 5 U.S.C. §551, and the CRA, even if they are not subject to notice and comment rulemaking requirements under section 553. See B-316048, April 17, 2008 (the breadth of the term “rule” reaches agency pronouncements beyond those that require notice and comment rulemaking) and B-287557, cited above. In addition to the plain language of the CRA, the legislative history confirms that it is intended to include within its purview almost all rules that an agency issues and not only those rules that must be promulgated according to the notice and comment requirements in section 553 of the APA. In his floor statement during final consideration of the bill, Representative McIntosh, a principal sponsor of the legislation, emphasized this point:

“Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may not be subject to the notice and comment provisions of section 553(c) of title 5, United States Code, these types of documents are covered under the congressional review provisions of the new chapter 8 of title 5.

Under section 801(a), covered rules, with very few exceptions, may not go into effect until the relevant agency submits a copy of the rule and an accompanying report to both Houses of Congress. Interpretive rules, general statements of policy, and analogous agency policy guidelines are covered without qualification because they meet the definition of a ‘rule’ borrowed from section 551 of title 5, and are not excluded from the definition of a rule.”

On its face, the July 12 Information Memorandum falls within the definition of a rule under the APA definition incorporated into the CRA. First, consistent with our prior decisions, we look to the scope of the agency’s action to determine whether it is a general statement of policy or an interpretation of law of general applicability. That determination does not require a finding that it has general applicability to the population as a whole; instead, all that is required is that it has general applicability within its intended range. See B-287557, cited above (a record of decision affecting the issues of water flow in two rivers was a general statement of policy with general applicability within its intended range). Applying these principles, we have held that a letter released by the Centers for Medicare and Medicaid Services to state health officials concerning the State Children’s Health Insurance Program (SCHIP) was of general applicability because it extended to all states that sought to en-

roll children with family incomes exceeding 250 percent of the federal poverty level in their SCHIP programs, as well as all states that had already enrolled such children. Similarly, the July 12 Information Memorandum is of general, rather than particular, applicability because it extends to all states administering Temporary Assistance for Needy Families (TANF) programs that seek a waiver for a demonstration project.

Next we must determine whether the action is prospective in nature, that is, whether it is concerned with policy considerations for the future and not with the evaluation of past conduct. In B-316048, we held that the SCHIP letter was intended to clarify and explain the manner in which CMS applies statutory and regulatory requirements to states that wanted to extend coverage under the SCHIP programs. Similarly, the July 12 Information Memorandum is concerned with authorizing demonstration projects in the future, rather than the evaluation of past or present demonstration projects. Specifically, the Information Memorandum informs states that HHS will use its statutory authority to consider waiver requests, and sets out requirements that waiver requests must meet. Accordingly, it is designed to implement, interpret, or prescribe law or policy.

In addition, the Information Memorandum does not fall within any of the three exclusions for a rule under the CRA. As discussed above, the Information Memorandum applies to all states that administer TANF programs, and therefore is of general applicability, rather than particular applicability. The Information Memorandum applies to the states, and does not relate to agency management or personnel. Finally, the Information Memorandum sets out the criteria by which states may apply for waivers from certain requirements of the TANF program. These criteria affect the obligations of the states, which are non-agency parties.

GAO has consistently emphasized the broad scope of the definition of “rule” in the CRA in determining the applicability of the CRA to an agency document. Other documents deemed to be rules include letters, records of decision, booklets, interim guidance, and memoranda. See, for example, B-316048, April 17, 2008 (a letter released by the Centers for Medicare & Medicaid Services of HHS concerning a State Children’s Health Insurance Program measure, to ensure that coverage under a state plan does not substitute for coverage under group health plans, described by the agency as a general statement of policy, was a rule) and B-287557, May 14, 2001 (a “record of decision” issued by the Fish and Wildlife Service of the Department of Interior in connection with a federal irrigation project was a rule).

Finally, the cases where we have found that an agency pronouncement was not a rule involved facts that are clearly distinguishable from the July 12 Information Memorandum.

We requested the views of the General Counsel of HHS on whether the July 12 Information Memorandum is a rule for purposes of the CRA by letter dated August 3, 2012. HHS responded on August 31, 2012, stating that the Information Memorandum was issued as a non-binding guidance document, and that HHS contends that guidance documents do not need to be submitted pursuant to the CRA. Furthermore, HHS notes that it informally notified Congress by providing notice to the Majority and Minority staff members of the House Ways and Means Committee and Senate Finance Committee on the day the Information Memorandum was issued.

We cannot agree with HHS’s conclusion that guidance documents are not rules for the purposes of the CRA and HHS cites no

support for this position. The definition of “rule” is expansive and specifically includes documents that implement or interpret law or policy. This is exactly what the HHS Information Memorandum does. It interprets section 402(a) and section 1115 to permit waivers for a demonstration program HHS is initiating. We have held that agency guidance, including guidance characterized as non-binding, constitutes a rule under the CRA. See B-281575, cited above. In addition, the legislative history of the CRA specifically includes guidance documents as an example of an agency pronouncement subject to the CRA. A joint statement for the record by Senators Nickles, Reid, and Stevens, submitted to the Congressional Record upon enactment of the CRA, details four categories of rules covered by the definition in section 551. These categories include formal rulemaking under sections 556 and 557, notice-and-comment rulemaking under section 553, statements of general policy and interpretations of general applicability under section 552, and “a body of materials that fall within the APA definition of a ‘rule’ . . . but that meet none of procedural specifications of the first three classes. These include guidance documents and the like.” Finally, while HHS may have informally notified the cited Congressional committees of the issuance of the Information Memorandum, informal notification does not meet the reporting requirements of the CRA.

CONCLUSION

We find that the July 12 Information Memorandum issued by HHS is a statement of general applicability and future effect, designed to implement, interpret, or prescribe law or policy with regard to TANF. Furthermore, it does not come within any of the exceptions to the definition of rule contained in the CRA. Accordingly, the Information Memorandum is a rule under the Congressional Review Act.

We note that this opinion is limited to the issue of whether the Information Memorandum is a rule under the CRA. We are not expressing an opinion on the applicability of any other legal requirements, including, but not limited to, notice and comment rulemaking requirements under the APA, or whether the Information Memorandum would be a valid exercise or interpretation of statutes or regulations.

Accordingly, given our conclusions above, and in accordance with the provisions of 5 U.S.C. 801(a)(1), the Information Memorandum is subject to the requirement that it be submitted to both Houses of Congress and the Comptroller General before it can take effect.

If you have any questions concerning this opinion, please contact Edda Emmanuelli Perez, Managing Associate General Counsel.

LYNN H. GIBSON,
General Counsel.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES INFORMATION MEMORANDUM

U.S. Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, Washington, DC.

Transmittal No. TANF-ACF-IM-2012-03, July 12, 2012

To: States administering the Temporary Assistance for Needy Families (TANF) Program and other interested parties

Subject: Guidance concerning waiver and expenditure authority under Section 1115

Reference: Section 1115 of the Social Security Act, [42 U.S.C. 1315]; Section 402 of the Social Security Act, [42 U.S.C. 602]

Background: Section 1115 of the Social Security Act provides authority for the Secretary of the Department of Health and

Human Services (HHS) to consider and approve experimental, pilot, or demonstration projects which, in the Secretary's judgment, are likely to assist in promoting the objectives of Title IV-A. Section 1115 allows for waiver of compliance with section 402 of the Social Security Act to the extent and for the period necessary to enable a state to carry out an approved project. The statute also provides authority for costs of such projects which would not otherwise be an allowable use of funds under Part A of Title IV to be regarded as an allowable use of funds, to the extent and for the period approved.

As specified in statute, the purpose of Part A is to increase the flexibility of states in operating a program designed to: (1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; (2) end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; (3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and (4) encourage the formation and maintenance of two-parent families.

Purpose: HHS is encouraging states to consider new, more effective ways to meet the goals of TANF, particularly helping parents successfully prepare for, find, and retain employment. Therefore, HHS is issuing this information memorandum to notify states of the Secretary's willingness to exercise her waiver authority under section 1115 of the Social Security Act to allow states to test alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families.

States led the way on welfare reform in the 1990s—testing new approaches and learning what worked and what did not. The Secretary is interested in using her authority to approve waiver demonstrations to challenge states to engage in a new round of innovation that seeks to find more effective mechanisms for helping families succeed in employment. In providing for these demonstrations, HHS will hold states accountable by requiring both a federally-approved evaluation and interim performance targets that ensure an immediate focus on measurable outcomes. States must develop evaluation plans that are sufficient to evaluate the effect of the proposed approach in furthering a TANF purpose as well as interim targets the state commits to achieve. States that fail to meet interim outcome targets will be required to develop an improvement plan and can face termination of the waiver project.

The demonstration authority provided by section 1115 and sound evaluation of approved projects will provide valuable knowledge that will help lead to improvements in achieving the purposes of the TANF program.

Information: *Scope of Authority.* Section 1115 authorizes waivers concerning section 402. Accordingly, other provisions of the TANF statute are not waivable. For example, the purposes of TANF are not waivable, because they are contained in section 401. The prohibitions on assistance are not waivable, because they are contained in section 408.

While the TANF work participation requirements are contained in section 407, section 402(a)(1)(A)(iii) requires that the state plan "[e]nsure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407." Thus, HHS has authority to waive compliance with this 402 requirement and authorize a state to test approaches and methods other than those set forth in section 407, including definitions of work activi-

ties and engagement, specified limitations, verification procedures, and the calculation of participation rates. As described below, however, HHS will only consider approving waivers relating to the work participation requirements that make changes intended to lead to more effective means of meeting the work goals of TANF.

Moreover, HHS is committed to ensuring that any demonstration projects approved under this authority will be focused on improving employment outcomes and contributing to the evidence base for effective programs; therefore, terms and conditions will require a federally-approved evaluation plan designed to build our knowledge base. TANF funds may be used to fund an approved evaluation and state funds spent on an approved evaluation may be considered state maintenance-of-effort (MOE) expenditures. In addition, terms and conditions will require either interim targets for each performance measure or a strategy for establishing baseline performance on a set of performance measures and a framework for how interim goals will be set after the baseline measures are established. The terms and conditions will establish consequences for failing to meet interim performance targets including, but not limited to, the implementation of an improvement plan and, if the failure to meet performance targets continues, termination of the waivers and demonstration project.

HHS Priorities. In exercising her broad discretion for waivers, the Secretary is interested in approaches that seek to improve employment outcomes. Accordingly:

Waivers will be granted only for provisions related to section 402.

The purposes of TANF, the prohibitions contained in section 408 (including the time limits on assistance contained in that section), or any other provision of TANF other than those specified in section 402 will not be waived.

The Secretary will not approve a waiver for an initiative that appears substantially likely to reduce access to assistance or employment for needy families.

The Secretary will not use her authority to allow use of TANF funds to provide assistance to individuals or families subject to the TANF prohibitions on assistance.

The Secretary will not waive section 402(a)(5) relating to requirements to provide equitable access to Indians.

Waiver demonstration projects may be conducted in limited geographic areas or statewide. The Administration for Children and Families (ACF) is interested in more efficient or effective means to promote employment entry, retention, advancement, or access to jobs that offer opportunities for earnings and advancement that will allow participants to avoid dependence on government benefits. The following are examples of projects that states may want to consider—these are illustrative only:

Projects that improve coordination with other components of the workforce investment system, including programs operated under the Workforce Investment Act, or to test an innovative approach to use performance-based contracts and management in order to improve employment outcomes.

Projects that demonstrate attainment of superior employment outcomes if a state is held accountable for negotiated employment outcomes in lieu of participation rate requirements.

Projects under which a state would count individuals in TANF-subsidized jobs but no longer receiving TANF assistance toward participation rates for a specified period of time in conjunction with an evaluation of the effectiveness of a subsidized jobs strategy.

Projects that improve collaboration with the workforce and/or post-secondary edu-

cation systems to test multi-year career pathways models for TANF recipients that combine learning and work.

Projects that demonstrate strategies for more effectively serving individuals with disabilities, along with an alternative approach to measuring participation and outcomes for individuals with disabilities.

Projects that test the impact of a comprehensive universal engagement system in lieu of certain participation rate requirements.

Projects that test systematically extending the period in which vocational educational training or job search/readiness programs count toward participation rates, either generally or for particular subgroups, such as an extended training period for those pursuing a credential. The purpose of such a waiver would be to determine through evaluation whether a program that allows for longer periods in certain activities improves employment outcomes.

Note that this is not a comprehensive list, and HHS will consider other projects consistent with the statute and the guidance provided in this IM. HHS is especially interested in testing approaches that build on existing evidence on successful strategies for improving employment outcomes.

Waiver requests must include an evaluation plan. In order to provide the strongest evidence about the effectiveness of the demonstration, the preferred evaluation approach is a random assignment methodology, unless the Secretary determines that an alternative approach is more appropriate in light of the demonstration proposed. All evaluation plans and funds to support them must reflect an adequate level of effort and sound methods to produce credible findings. ACF anticipates actively engaging with states to ensure that evaluation plans are appropriate in light of the nature of the demonstration and that the evaluation findings can reasonably be expected to provide information that will enhance understanding of whether the initiative was successful in furthering HHS priorities. ACF staff members are available to work collaboratively with states to develop further or refine the evaluation plan.

Waiver requests must include a set of performance measures that states will track to monitor ongoing performance and outcomes throughout the length of the demonstration project, along with the evaluation. Waiver applications must specify interim targets for each performance measure, including a framework for how often the measures will be reported, or a strategy for establishing baseline performance on a set of performance measures and a framework for how interim goals will be set after the baseline measures are established. Performance measures must be designed to track improvement across the entire set of families targeted as well as appropriate subgroups. In developing the final terms and conditions for an approved waiver, ACF will work with the state to further refine the appropriate performance measures and interim targets as needed. All approved waivers will include a provision that requires timely reporting to HHS on the agreed upon performance measures and progress toward meeting established interim targets. States that fail to meet interim targets will be required to develop improvement plans. Repeated failure to meet performance benchmarks may lead to the termination of the waiver demonstration pilot.

The request must specify the proposed length of time for the demonstration project. The final terms and conditions will specify the approved length of the project. Absent special circumstances, the length of an approved project will not exceed five years.

A state will need to develop and submit a budget that includes the costs of program

evaluation. TANF and state MOE funds can be used for the costs of evaluation, including third party contributions counting toward meeting a state's MOE requirement.

HHS recognizes the importance of public input into the process of developing and implementing a waiver demonstration project. Therefore, the state must provide the public with a meaningful opportunity to provide input into the decision-making process prior to the time a proposal is approved by HHS. Further guidance concerning this requirement will be forthcoming.

Waivers are subject to HHS and Office of Management and Budget (OMB) approval and terms and conditions may include additional requirements, such as site visits, before implementation.

Terms and conditions will require periodic reporting on how the implementation and operation of the demonstration is progressing, including reporting on the performance measures, in addition to evaluation reports. To support learning and knowledge development, ACF staff may conduct on-site visits to observe demonstration operations and meet with relevant managers and staff.

Inquiries: Inquiries and applications for projects involving waiver requests should be directed to the appropriate Regional TANF Program Manager.

EARL S. JOHNSON,
Director, Office of Family Assistance.

JULY 12, 2012.

DEAR STATE HUMAN SERVICE OFFICIAL: Today, the Administration for Children and Families' Office of Family Assistance issued an Information Memorandum that informs states that the Department of Health and Human Services will use its statutory authority to consider waiver requests that strengthen the Temporary Assistance for Needy Families (TANF) program. This Information Memorandum reflects the Department's commitment to provide states, tribes, and territories with more flexibility to innovate in the TANF program with the goal of helping more families find jobs and move toward self-sufficiency.

On February 28, 2011, President Obama issued a Presidential Memorandum that directed federal agencies "to work closely with state, local, and tribal governments to identify administrative, regulatory, and legislative barriers in Federally funded programs that currently prevent states, localities, and tribes, from efficiently using tax dollars to achieve the best results for their constituents."

The Administration for Children and Families took this charge seriously and held a series of consultation meetings with states, tribes, and territories on a variety of topics including TANF. During those consultations, many jurisdictions expressed a strong interest in greater flexibility in TANF and indicated that greater flexibility could be used by states to improve program effectiveness. We also heard concerns that some TANF rules stifle innovation and focus attention on paperwork rather than helping parents find jobs. States offered a range of suggestions for ways in which expanded flexibility could lead to more effective employment outcomes for families. Two states—Utah and Nevada—submitted written comments that specifically identified waivers as one mechanism for testing new approaches to promoting employment and self-sufficiency, and a number of others states—including California, Connecticut, and Minnesota—have asked about the potential for waivers.

As described in more detail in the Information Memorandum, the Social Security Act provides the Secretary of the Department of Health and Human Services with the authority to grant states waivers of certain TANF

provisions for the purpose of testing new approaches to meeting the goals of the TANF statute. The Secretary is interested in using her authority to allow states to test alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families. The statute does not permit tribes to receive waivers under Section 1115, however we are committed to using the underlying flexibility in federal law to help tribes innovate in their programs.

TANF Waiver demonstration projects under Section 1115 must be accompanied by a high quality evaluation plan, which is critical to ensuring that the pilots result in rigorous evidence about what works and what doesn't in order to inform future decisions made by policymakers at the federal, state, tribal, territorial, and local levels. In addition, states that apply for a waiver must identify interim performance targets that will be used to hold states accountable for improving outcomes for families. We will work with states interested in developing waiver demonstration projects to design these performance measures and targets.

The Information Memorandum outlines the types of waivers that will and will not be considered. The Secretary is only interested in approving waivers if the state can explain in a compelling fashion why the proposed approach may be a more efficient or effective means to promote employment entry, retention, advancement, or access to jobs that offer opportunities for earnings and advancement that will allow participants to avoid dependence on government benefits.

States have shown their ability to innovate in ways that help parents find jobs. In 2009 and 2010, 42 states used the TANF Emergency Fund authorized under the American Recovery and Reinvestment Act to create 260,000 subsidized jobs for jobless parents and disadvantaged youth. Over a short period of time, states exhibited enormous creativity as they developed new subsidized employment initiatives that responded to an urgent need for jobs in communities across the country.

It is critical that we work together to develop effective employment strategies that prepare workers for the jobs of the 21st century. We stand ready to work with states interested in developing innovative demonstration projects that test new approaches to helping parents succeed in the labor market.

Sincerely,

GEORGE SHELDON,
Acting Assistant Secretary.

TRIBUTE TO RICHARD F. GRIMMETT

Mr. LUGAR. Mr. President, today I wish to recognize the extraordinary career achievements of Richard F. Grimmert, specialist in international security with the Foreign Affairs, Defense, and Trade Division of the Congressional Research Service, who is retiring on September 30, after 38 years of distinguished government service. A native of Akron, OH, Richard graduated with honors from Kent State University, where he also received a Ph.D. in American history with a focus on recent U.S. national security policy.

Since 1974, when he joined CRS, Richard has been involved in a wide range of major international security policy issues that have confronted the Congress, from questions involving intelligence community oversight, war pow-

ers, and the basing and use of U.S. military forces overseas, to the international arms trade and arms export controls. Through his nearly four decades as a staff adviser to the Congress and several of its major committees, his various appearances as a committee witness, and through his authoring of numerous in-depth CRS reports, Richard has become recognized as a national expert in these critical defense and foreign policy issues.

The broad sweep of his intellect is reflected in the substantive reports and memoranda he has written for the Congress. Yet an especially significant part of his contributions to congressional policy debates has been through the numerous consultations and briefings he has provided to major committees of the Senate and House on key issues before them. At the beginning of his career at CRS, Richard provided direct support to major congressional investigations of events of great consequence for U.S. national security interests. Among these were his analytical support for the Senate and House Select Intelligence Committees—the panels chaired by Senator Frank Church and Representative Otis Pike—charged with investigating the activities of the U.S. intelligence community during 1975 to 1976, investigations that ultimately led to the creation of permanent select committees in the House and Senate that oversee the budget and activities of the U.S. intelligence community today. Later, in 1985 to 1987, Richard was a senior coordinator of the support provided by CRS to the House and Senate joint committee investigating the Iran-Contra affair, personally providing advice and suggestions that focused attention on key deficiencies in U.S. law, several of which were later corrected by legislative enactment. Immediately after the attacks on the United States on September 11, 2001, he directly assisted the Senate and the House in clarifying its understanding of the legislative options available to the Congress to respond, through use of force, against those responsible for the attacks on this country. His comprehensive understanding of the War Powers Resolution and its provisions have proven invaluable to the Congress when it has needed to consider what actions it might take when the President has engaged the U.S. military in hostile operations overseas. In 2005 Richard provided the Congress with an analytical roadmap that highlighted the common policy suggestions for legislation that the 9/11 Commission and previous similar inquiries had made to bolster U.S. internal security against the threat of terrorism. Subsequently, several of these proposals were enacted into law.

Throughout his career Richard has been the leading specialist at CRS on issues relating to U.S. arms sales to foreign nations, U.S. arms export control law, and the international arms trade in general. From the mid-1970s to the present, he has advised the Congress and its policy committees on

issues associated with every controversial foreign arms sale proposal that has come before them. Since 1982 he has produced a comprehensive annual report for the Congress detailing the agreements and deliveries concluded by the world's conventional weapons suppliers, a work that has set the gold standard on this subject. Richard was also the editor and coauthor of the Senate Foreign Relations Committee print "Treaties and Other International Agreements: The Role of the United States Senate" the definitive reference document on this subject.

In the area of arms export control and oversight legislation, Richard has provided continuing expert support and advice to the Senate Foreign Relations Committee and the House Foreign Affairs Committee, from the original drafting of the Arms Export Control Act in 1976 through its various periods of amendment to the present day. More recently, he directly supported the Senate Foreign Relations Committee's exhaustive review of the Defense Trade Cooperation Treaty between the United States and the United Kingdom. In this endeavor, Richard provided his specialized expertise to the committee on the complex issues posed by this treaty, from its proposal by the President in 2007 through the Committee's consideration and the Senate's advice and consent to it in September 2010.

In all of the examples I have noted, Richard Grimmett's institutional memory and command of the substance of the issues for which he has been responsible has made him an invaluable resource for the U.S. Congress at large and the Senate Foreign Relations Committee in particular. I am confident that the Members of the Senate and the House join me in expressing our deepest appreciation to Richard for the extraordinary service he has provided to us over his long and distinguished career.

PRIVATE FLOOD INSURANCE

Mr. CRAPO. Mr. President, I would like to discuss a provision of the Biggert-Waters Flood Insurance Reform Act of 2012 which reaffirms that private flood insurance can be used to satisfy a mandatory purchase requirement. This provision defines the term "private flood insurance," and the definition makes a specific reference to private flood insurance from a surplus lines insurer in connection with non-residential commercial property coverage. I would note, however, that insurance provided by surplus lines insurers also can cover residential properties—particularly when licensed and admitted insurers are unwilling or unable to provide the desired coverage—and this is authorized under state insurance law. The provision defines private flood insurance to include insurance provided by an insurer "licensed, admitted, or otherwise approved" to engage in the business of insurance by a State. Surplus lines insurers, also

sometimes known as nonadmitted insurers, are approved to conduct such business by States. Is it the understanding of the Chairman that the "private flood insurance" definition includes surplus lines flood insurance coverage?

Mr. JOHNSON. I thank the Senator from Idaho for his question. The answer is yes—the definition of "private flood insurance" includes private flood insurance provided by a surplus lines insurer and is not intended to limit surplus lines eligibility to nonresidential properties. While the Senator is correct that surplus lines insurance is specifically mentioned in that context, overall the definition accommodates private flood insurance from insurers who are "licensed, admitted, or otherwise approved" in the State where the property is located.

Mr. CRAPO. I thank my friend from South Dakota for this important clarification. This is an important issue, particularly in those limited high-risk areas where surplus lines insurance serves as an essential part of the homeowners insurance market. I agree with his reading of the statute, because state law already sets the parameters as to when surplus lines insurance is acceptable.

HONOR FLIGHT 2012

Mr. BEGICH. Mr. President, I wish to recognize the Honor Flight Network and the four Alaskan World War II veterans who are participating in this year's flight: Robert J. Ingram, a veteran of the Navy from Fairbanks; and Louis E. Fessler, a veteran of the Army, Marc Stella, a veteran of the Marine Corps, and Joseph William Nugent, a veteran of the Army Air Corps, all from Anchorage.

The Honor Flight Network is a national program that provides free transportation to aging and ailing veterans to travel to Washington, DC, to visit and reflect at the memorials associated with the war in which they served.

Later this month, these four heroes are scheduled to go to military- and veteran-related museums and tour the Capitol. The highlight of this trip of a lifetime is a long anticipated visit to the World War II Memorial on the Mall. These veterans of the war to end all wars deserve our highest praise for their service. Like so many men of that great generation, they selflessly did their duty and are among the fortunate ones who were able to return to the civilian community and lead long and productive lives.

Mr. Ingram, Mr. Fessler, Mr. Stella, and Mr. NUGENT have our undying thanks and gratitude. Thanks are also in order to the Honor Flight Network for conceiving this program, to the flight guardians Julie Engfer and Heidi Matson from Fairbanks, and Val Stella from Anchorage, and to Alaska Airlines for donating airline tickets to all of the travelers.

I urge all Alaskans and Americans to reflect on the service of Bob, Louie, Marc, and Bill and our other remaining World War II vets and all veterans who have made sacrifices for our Nation throughout its history.

RECOGNIZING LOUISBURG COLLEGE

Mr. BURR. Mr. President, I am very proud to extend my recognition and congratulations to Louisburg College in Louisburg, NC as this wonderful academic institution celebrates 225 years of maintaining an engaging and enriching community for its students, faculty, and staff.

This year, marking the 225th anniversary of the founding of Louisburg College, we give the members of the Louisburg community as well as the State of North Carolina the opportunity to pay tribute and homage to a place of academic excellence that has impacted many and helped thousands continue on the journey of excellence in all academic fields.

Louisburg College traces its historical roots back to the 18th century during the American Revolution. Having evolved from three earlier institutions—Franklin Male Academy, Louisburg Female Academy, and Louisburg Female College—Louisburg College is the oldest two-year residential college in the Nation and the only one in North Carolina.

The college is praised for years for its value, personal teaching methods, diversity, familial environment, and the way it prepares its students for future success. Today, Louisburg College is led by Dr. Mark D. LaBranche, who became the College's 27th president in January of 2009.

I ask my colleagues to join me in paying tribute to Louisburg College in Louisburg, NC for its continued outstanding achievement in upholding, protecting, and pioneering academic standards and providing an enriching community for its students, faculty, and staff. May Louisburg College's achievements and successes be recognized and forever appreciated by the citizens of North Carolina as well as this Congress.

ADDITIONAL STATEMENTS

HONORING WILLIAM E. SCHULZE

• Mr. TESTER. Mr. President, today I wish to honor William E. Schulze, a veteran of World War II.

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

Bill was born in Milwaukee, WI. A Golden Glove Boxing Champion, Bill was working for the Pacific Bridge Company at Pearl Harbor as a welder when our Nation came under attack on December 7, 1941. Bill soon joined the Navy and put his skills to use in the

302nd Construction Battalion—known as the Sea-Bees. Bill and his unit went from island to island across the Pacific building floating bridges from cargo ships to landing areas so that supplies could reach American troops onshore. When one mission was complete, Bill and the Sea-Bees packed up their bridges and moved to the next island in support of America's victories in the Pacific. Bill supported U.S. troops in Guam, Saipan, New Guinea and the Philippines, just to name a few. Without Bill's efforts, our troops would have been left without needed arms and supplies as they battled Japan's Imperial Army.

Bill earned the medals we will present today for his service during World War II, but I would be remiss not to mention his service in support of veterans long after the war concluded.

After World War II, Bill headed back to Wisconsin, started a family, and worked for 45 years as an engineer and a welder.

After his wife's passing, his love for the outdoors brought him to Billings where he remarried and made the lives of his fellow veterans a little easier.

Mind you, Bill was getting up in years himself by this point, but that didn't stop him from volunteering as a driver for Disabled American Veterans. In fact, Bill's last award before retiring once again was for driving more than 10,000 miles, taking veterans back and forth to their medical appointments all over Montana.

But today we honor Bill's heroic service during World War II.

After his service, Bill Schulze did not receive all the medals he earned from the Navy. Earlier this month, it was my honor to finally present William's widow Betty with the American Campaign Medal, the Combat Action Ribbon, and the Sharp Shooter Rifle Ribbon.

It was also my honor to present the Navy Discharge Button, the Honorable Service Lapel Pin, and an additional Bronze Star to the Asiatic Pacific Campaign Medal.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

They are presented on behalf of a grateful nation.●

TRIBUTE TO LEWIS W. HOLZHEIMER

● Mr. TESTER. Mr. President, today I wish to honor Lewis W. Holzheimer, a veteran of World War II. Lewis, on behalf of all Montanans and all Americans, I thank you for your service to this Nation.

It is my honor to share the story of Lewis Holzheimer's service in World War II because no story of heroism should ever fall through the cracks.

Lewis was born in Neihart, MT.

He was working as a lineman's apprentice in Cascade County when Pearl Harbor was attacked. He tried to enlist

in Seattle but was turned away, because he did not have his birth certificate. He successfully enlisted in Montana and was sent to Fort Benning, GA, where he was trained to operate heavy weapons and was assigned to operate a Browning automatic rifle.

He was assigned to Company G, of the 60th Regiment of the 9th Infantry Division. He arrived in Normandy in early July 1944 on D-day plus 30. On August 8, 1944, Lewis was participating in the Battle of the Hedge Rows when he was wounded in the foot. After recovering, he headed back to his unit, only to find that they had been wiped out by what was believed to be a V-2 rocket attack. It turned out to be friendly fire.

Lewis said the blast made a hole in the ground that looked like a deep mine crater.

Lewis was reassigned to Company B in the same regiment. On December 12, his unit was responsible for an attack on the town of Hoven in Belgium for which they were awarded the Presidential Unit Citation.

Lewis demonstrated outstanding bravery during that attack and was promoted to staff sergeant.

His unit went on to see heavy action in the Battle of the Hurtgen Forest from late 1944 until early 1945. On the 1st of February 1945, Lewis's company was cut off from the rest of his regiment and was pinned down by sniper fire. The members of the company took turns running back toward the nearest American forces. When Lewis ran, he was shot under his left arm. When he informed his scout that he was wounded and would have to seek medical attention, a shell exploded near them. Despite being severely wounded, Lewis insisted that his scout be taken to the hospital first. He was informed that the scout was dead, was carried to a jeep, and was then taken to the nearest field hospital.

Lewis nearly lost his leg and underwent several years of surgery and rehabilitation. He still carries the shrapnel in him today.

After his service, Lewis Holzheimer never received the medals he earned from the Army.

Last month, in the presence of his family, it was my honor to finally present to Lewis his Bronze Star Medal, Purple Heart with one Bronze Oak Leaf Cluster, Combat Infantryman Badge, and his Presidential Unit Citation.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

These medals are presented on behalf of a grateful Nation.●

TRIBUTE TO HERBERT S. KINDSFATER

● Mr. TESTER. Mr. President, today I wish to honor Herbert S. Kindsfater, a veteran of World War II. Herb, on behalf of all Montanans and all Ameri-

cans, I thank you for your service to this Nation.

It is my honor to share the story of Herb Kindsfater's service to our Nation. Herb was born in Rocky Fort, CO. At the age of 17, he tried to join the Navy, but was turned away. He was told he could join the Army or work in the Butte silver mines, and he chose the Army.

Herb was a machine gunner in Company H, 172nd Regiment, 43rd Infantry Division—the "Green Mountain Boys" of Vermont. Herb's unit served in the Pacific Theater. He engaged in combat in the Solomon Islands and New Guinea, where he suffered injuries from shrapnel.

In the Philippines, Herb and his fellow soldiers fought mile-by-mile to reach Manila. They then took the island of Luzon. At Ipo Dam, Herb was badly wounded in both arms, and he spent months recuperating in a hospital.

After his military service, Herb moved to Billings where he married his wife Betty and worked for the railroad. During the first several years of their marriage, he still suffered from malaria that he had contracted in the war.

After serving his country with honor, Herb never received all of the medals he earned from the Army.

Earlier this month, in the presence of his wife Betty and his son Bruce, it was my honor to finally present to Herb his Bronze Star, a Purple Heart, and a Good Conduct Medal.

It was also my honor to present a Presidential Unit Citation, an Asiatic-Pacific Campaign Medal with three Bronze Service Stars, and a World War II Victory Medal.

Earlier this month, I also presented to Herb a Combat Infantry Badge First Award, a Philippine Liberation Ribbon with one Bronze Service Star, and a Honorable Service Lapel Button.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

These medals are presented on behalf of a grateful nation.●

TRIBUTE TO NICHOLAS J. WELLS

● Mr. TESTER. Mr. President, today I wish to honor Nicholas J. Wells, a veteran of Operation Iraqi Freedom. Nicholas, on behalf of all Montanans and all Americans, thank you for your service to this Nation.

It is my honor to share the story of Nicholas Wells' service in Operation Iraqi Freedom.

After graduating high school in Darby, MT, Nicholas completed basic training at Fort Knox and trained at Camp Irwin, CA. He became an Army scout assigned to the 3rd Brigade Combat Team, 4th Infantry Division, 2-9 Cavalry Regiment.

Nicholas arrived in Iraq in October 2005. He served in the north and central zones near Baghdad, Mosul, Adwar and

Tikrit. While in country, Nicholas survived gunshots, 24 I.E.D. blasts, and a helicopter crash. He continues to be treated for injuries that he suffered in the war.

Since retiring from the Army in 2008, Nicholas attended the University of Montana and now drives trucks in North Dakota.

After serving his country with honor, Nicholas Wells never received all of the medals he earned from the Army.

Earlier this month, in the presence of his family, it was my honor to finally present to Nicholas his Iraq Campaign Medal with two Bronze Stars. This decoration is a powerful symbol of true heroism, sacrifice, and dedication to service. This Iraq Campaign Medal is presented on behalf of a grateful nation.●

RECOGNIZING PROLITERACY

● Mrs. GILLIBRAND. Mr. President, today I wish to recognize ProLiteracy, the world's oldest and largest member organization of adult literacy and basic education programs in the United States representing more than 1,100 community-based organizations and adult basic education programs, which collectively serve more than 286,000 adult learners.

For more than 50 years, ProLiteracy has been headquartered in a suburbanized industrial park in Syracuse, New York. Now, ProLiteracy is moving to the Near West Side of Syracuse. The renovated building is an environmentally and technologically advanced facility that allows the organization to produce and test new and better curricula and educational materials, as well as to develop and implement local training, technical assistance, and professional development projects. The knowledge, best practices, and key findings ProLiteracy will generate through these efforts will be shared locally, nationally, and globally.

Because ProLiteracy's headquarters will be located in an area readily accessible to adult learners, the organization is providing learning experiences such as an adult literacy library housing New Readers Press materials and other resources.

ProLiteracy is to be commended for the work they do and the efforts they support every day to help increase the quality of and access to adult literacy services. An estimated 30 million adults nationwide do not yet have the basic literacy skills to read or write above a fifth-grade level. An additional 60 million American adults do not read or write better than the eighth-grade level. Every day, ProLiteracy works to enable these Americans to receive the necessary resources and skills they need to succeed in postsecondary education, occupational training, and establishing a career pathway.

Thank you to ProLiteracy for being the leader in ending the adult literacy crisis in Syracuse, New York—and in communities around the Nation.●

TRIBUTE TO LLOYD JACKSON

● Mr. ROCKEFELLER. Mr. President, today I would like to take a moment to recognize a fellow West Virginian who has devoted himself to the service of our State and the advancement of our education system. As a former college president, I know how invaluable education is to building our communities, growing our economy, and raising and inspiring the next generation. I commend West Virginia State school board member Lloyd Jackson for his enduring commitment to such an important cause.

My friend, Lloyd Jackson served as a State senator for 12 years and he has been a leader in improving both the early and higher education systems of West Virginia. While a senator, he was the primary sponsor of the PROMISE scholarship legislation, a merit-based financial aid program that has helped thousands of West Virginians afford college.

He has also been a vocal advocate for prekindergarten care, and his dedication has led to vast improvements in our State's preschool education. He began his fight through personal experience; his wife had to drive their children long distances to a private day care because of the lack of access in their area. Mr. JACKSON believed that all children should have the same chance to receive a quality early education.

As State senate education chairman, Mr. Jackson championed comprehensive early childhood legislation. In 2002, he helped create West Virginia Universal Pre-K and put the State on track to have universal access by 2012. Thanks to his efforts, West Virginia is today considered a leader in providing public and universal preschool education. In the 2011–12 school year, over 15,000 children were enrolled in prekindergarten, and this year every 4-year-old in the State will have access to quality schooling. In a 2011 report, West Virginia ranked fifth in the Nation in preschool access for 4-year-olds and fourth in spending on prekindergarten programs.

Lloyd Jackson has fought long and hard to make sure our children are receiving the education they deserve. I applaud his commitment to education, and I am proud of the success he has helped West Virginia achieve. Providing our children with a strong education is the greatest investment we could make in the future of our State and of our Nation. Lloyd Jackson deserves our appreciation, and I am proud to have worked with him for years and I am delighted to congratulate him for all he has done for education in West Virginia.●

TRIBUTE TO KENNETH AND VANESE CEDAR

● Mr. ROCKEFELLER. Mr. President, every year I have the honor, as a member of the Congressional Coalition on

Adoption Institute, to recognize a West Virginia family for its efforts to promote adoption and provide homes for our Nation's vulnerable children. It is a wonderful program that highlights the change one couple can make in the life of a child.

Throughout my career, I have been a strong advocate of legislation that supports adoption and other permanency efforts. I am inspired by the men and women who devote their lives to caring for these children. Today, I would like to recognize one such West Virginian family: Kenneth and Vanese Cedar, who are truly angels in adoption.

Kenneth and Vanese have cared for 57 children over the years, including two biological sons of their own. Currently, they have adopted three children and serve as guardians for two teenagers. They also care for a foster child. They have raised their children in a close and devoted family, taking them to church, teaching them gardening and cooking, and playing sports together.

Even when challenges have arisen, Kenneth and Vanese have remained dedicated to helping their own family and other children in need. In 2009, Kenneth lost his job. Yet the couple took the obstacle as an opportunity to go back to school and earn regents bachelor of arts degrees, which they hope to use in social work and child protective services. When one of their sons nearly passed away from acute respiratory disease syndrome, they stood together as a family until he recovered, and he recently welcomed a child of his own.

Kenneth and Vanese Cedar are a selfless and giving couple who deserve our respect and admiration. They have provided so many children with not simply a home but a family. I would like to thank these angels in adoption for the love and care they have provided to so many. They are truly an inspiration.●

TRIBUTE TO DAVE AND LAURA WHELCHER

● Mr. JOHANNIS. Mr. President, today I wish to pay tribute to a remarkable foster couple from Harrisburg, NE, whom I recently nominated to be 2012 'Angels in Adoption' recipients. Dave and Laura Whelcher are the parents of two grown biological children, Chance and Jenna, as well as four adopted children, Reuben, Josefina, Arielle and San Juan, who are siblings. They are hoping to finalize the adoption of a fifth sibling, Kayleigh, by the end of the year. Each of the adopted children has come into their home with special physical, occupational or speech therapy needs.

Dave and Laura's dedication to providing these children with the love and support they need is incredible. As I witnessed firsthand during a visit to their family farm in August, the Whelchers are doing an outstanding job ensuring their children are able to live full and happy lives.

But the Whelchers' kindness and compassion does not stop with their

children. Three years ago, the couple created Camp Grace, a summer camp for other children with special needs. Held monthly at the Whelchel farm, the camp is designed to help children work toward specific therapy goals. They also donate countless hours of their time coordinating with volunteers, therapists, and other families to ensure the camp's success.

It is an honor to nominate Dave and Laura as 'Angels in Adoption'. The award, which honors those who have enriched the lives of foster and adopted children in the U.S., is a small token of appreciation for the love and compassion they have shown their children over the years. I could not think of a more deserving family for this award. My hope is that more families will follow the wonderful example set by the Whelchels by providing loving homes to deserving children.●

TRIBUTE TO RYAN AND AMBER JOHNSON

● Mr. THUNE. Mr. President, today I wish to recognize Ryan and Amber Johnson of Sioux Falls, SD, as my nominees for the 2012 Angels in Adoption Award. Since 1999, the Angels in Adoption program through the Congressional Coalition on Adoption Institution has honored more than 1,800 individuals, couples, and organizations nationwide for their work in providing children with loving, stable homes.

After being married for only a short time, Ryan and Amber Johnson began to consider expanding their family. After overcoming initial personal setbacks, the Johnson family decided to open their home to children in need by becoming foster parents. The couple quickly accepted the opportunity to become long-term foster parents of three siblings between the ages of 7 months and 6 years, and later, the Johnsons provided a temporary, loving home for a 4-year-old foster child. The Johnsons were soon blessed again with two Native American half-brothers as foster children. It quickly became evident to Ryan and Amber how wonderful the addition of these two boys was to their family. Shortly after, Ryan and Amber adopted Lukias, age 3, and are in the process of finalizing the adoption of his younger brother. During the adoption process, the Johnson family learned that they were pregnant, and on May 1, 2011, welcomed their newest family member, Sophia. The young family now consists of 3 siblings, ages 1, 2, and 3.

Foster homes regularly see children come and go, staying for varying lengths of time. The changing environment often places an emotional toll on the caregivers who develop deep, personal relationships with their foster children. Despite the challenges that foster parents face, the Johnsons have used their life lessons to create a warm, loving home for children in need of a nurturing environment to grow and develop. Ryan and Amber plan to

continue taking in foster children and possibly even expand their family by giving other children a place to call home.

National Adoption Day is around the corner, and it is important to recognize the compassionate families who bring joy to the lives of children as foster and adoptive parents. It brings me great pride to be able to honor South Dakotans Ryan and Amber Johnson, my nominees for the 2012 Angels in Adoption Award.●

TRIBUTE TO ALAN HAMEL

● Mr. UDALL of COLORADO. Mr. President, today I wish to pay tribute to a true leader of Colorado's water community, Mr. Alan Hamel. Alan retired from his position on the Board of Water Works of Pueblo, CO, at the end of August after more than 50 years of service for the board.

Alan began his career as a student helper in 1960 working summers for the board. He returned after graduating from Colorado State University in Pueblo to become a full-time pump station operator. Over the next 20 years, Alan worked his way up the ladder through various management positions until he was appointed executive director in 1982.

Under Alan's direction, Pueblo has built one of the most modern water infrastructure systems in the Nation. Because of his leadership, the Pueblo area's future water supplies are sufficient and secure, which is truly impressive given all of the water challenges facing Colorado. The board has also benefited from extraordinary continuity during Alan's 29-year tenure at the helm, which I am confident will continue under new executive director Terry Book's guidance.

Alan has also been a water leader statewide. He is a member of the Colorado Water Conservation Board, CWCB, Colorado Water Congress, CWC, and Statewide Water Supply Initiative. He has also held leadership positions on the Southeastern Colorado Water Conservancy District and Arkansas Basin Roundtable among many others. He also received CWC's top award in 2010, the prestigious Wayne Aspinall Water Leader of the Year Award, for his lifetime of achievement.

On a more personal level, Alan has earned the respect and admiration of the Colorado water community because he is a true public servant in the best sense of the word. He is unflappable, a fountain of knowledge about water, and always seeks common ground with opposing views while fighting fiercely and fairly for the needs of his community. He cares deeply about Pueblo and Colorado and has served both remarkably.

And above all, Alan is a family man who knows none of this could be possible without the support of his wife Mary Kay and children. While he lives and breathes water, his family comes first and foremost.

As with most water warriors, Alan's retirement will only be partial. He will continue his work on CWCB and the Arkansas Basin Roundtable, and I am sure many of us will still call upon his wisdom and experience often. I suppose after more than 50 years of service he has earned the right to switch to part-time work.

I wish him well in his next endeavors and congratulate him on an impressive career.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on August 3, 2012, during the adjournment of the Senate, received a message from the House of Representatives that the Clerk is directed to inform the Senate that the House of Representatives failed to agree to the resolution of the Senate (S. Con. Res. 56) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on August 3, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 3510. An act to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies, and for other purposes.

The message also announced that pursuant to 20 U.S.C. 2103(b), and the order of the House of January 5, 2011, the Speaker appoints the following individual from private life to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House of Representatives for a term of 6 years: Mr. C. Kurt Dewhurt of Michigan.

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on August 7, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the

House has agreed the following concurrent resolutions, without amendment:

S. Con. Res. 58. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4240.

S. Con. Res. 59. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on August 7, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. THORNBERRY) had signed the following enrolled bills:

S. 3510. An act to prevent harm to the national security or endangering the military officers and civilian employees to whom internet publication of certain information applies, and for other purposes.

H.R. 1402. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the House of Representatives at no net cost to the Federal Government.

H.R. 3670. An act to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

H.R. 4240. An act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

Under the authority of the order of the Senate of January 5, 2011, the enrolled bills were subsequently signed on August 7, 2012 by the Acting President pro tempore (Mr. WEBB).

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 8. An act to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

H.R. 6233. An act to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assistance offset by changes to certain conservation programs, and for other purposes.

The message also announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 127. Concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multi-stakeholder governance model under which the Internet has thrived.

MEASURES REFERRED

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

H.R. 6233. An act to make supplemental agricultural disaster assistance available for fiscal year 2012 with the costs of such assist-

ance offset by changes to certain conservation programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 127. Concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multi-stakeholder governance model under which the Internet has thrived; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3519. A bill to require sponsoring Senators to pay the printing costs of ceremonial and commemorative Senate resolutions.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 8. An act to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

S. 3522. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

S. 3525. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on August 3, 2012, she had presented to the President of the United States the following enrolled bills:

S. 270. An act to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon.

S. 271. An act to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes.

S. 739. An act to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

S. 3363. An act to provide for the use of National Infantry Museum and Soldier Center Commemorative Coin surcharges, and for other purposes.

The Secretary of the Senate reported that on August 7, 2012, she had presented to the President of the United States the following enrolled bill:

S. 3510. An act to prevent harm to the national security or endangering the military officers and civilian employees to whom Internet publication of certain information applies, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7135. A communication from the Administrator, Rural Utilities Service, Depart-

ment of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Water and Waste Disposal Loans and Grants" (RIN0572-AC26) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7136. A communication from the Secretary of the Commission, Division of Clearing and Risk, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Swap Transaction Compliance and Implementation Schedule: Clearing Requirement Under Section 2(h) of the CEA" (RIN3038-AD60) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7137. A communication from the Secretary of the Commission, Division of Clearing and Risk, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "End-User Exception to the Clearing Requirement for Swaps" (RIN3038-AD10) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7138. A communication from the Secretary of the Commission, Office of General Counsel, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Further Definition of 'Swap,' 'Security-Based Swap,' and 'Security-Based Swap Agreement'; Mixed Swaps; Security-Based Swap Agreement Record-keeping" (RIN3038-AD46) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7139. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Paraquat Dichloride; Pesticide Tolerances" (FRL No. 9357-1) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus thuringiensis eCry3.1Ab Protein in Corn; Exemption from the Requirement of a Tolerance" (FRL No. 9357-4) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Residues of Didecyl dimethyl ammonium chloride; Exemption from the Requirement of a Tolerance" (FRL No. 9356-6) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutriafol; Pesticide Tolerances" (FRL No. 9348-8) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7143. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “S-Metolachlor; Pesticide Tolerances” (FRL No. 9356-9) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7144. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Fludioxonil; Pesticide Tolerances” (FRL No. 9357-5) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7145. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Flutriafol; Pesticide Tolerances for Emergency Exemptions” (FRL No. 9349-6) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7146. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Cyprodinil; Pesticide Tolerances” (FRL No. 9359-7) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7147. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Didecyl Dimethyl Ammonium Carbonate and Didecyl Dimethyl Ammonium Bicarbonate; Exemption from the Requirement of a Tolerance” (FRL No. 9359-5) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7148. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Pesticide Tolerance Crop Grouping Program III; Revisions to General Tolerance Regulations” (FRL No. 9354-3) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7149. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Air Force and was assigned Air Force case number 10-04; to the Committee on Appropriations.

EC-7150. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, the Department of Defense’s 2012 report to Congress entitled “The Worldwide Nuclear, Biological, and Chemical Weapons and Ballistic and Cruise Missile Threat” (DCN OSS 2012-1272); to the Committee on Armed Services.

EC-7151. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Craig R. McKinley, Air National Guard of the United States, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-7152. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved

retirement of Lieutenant General Frank A. Panter, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7153. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral David Architzel, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7154. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Admiral John C. Harvey, Jr., United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-7155. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Dirk J. Debbink, United States Navy Reserve, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7156. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of five (5) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7157. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to export control regulations; to the Committee on Banking, Housing, and Urban Affairs.

EC-7158. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to Cote d’Ivoire; to the Committee on Banking, Housing, and Urban Affairs.

EC-7159. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program” (RIN2506-AC29) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7160. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Supplemental Standards of Ethical Conduct for Employees of the Department of Housing and Urban Development” (RIN2506-AC55) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7161. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to United Arab Emirates (U.A.E.); to the Committee on Banking, Housing, and Urban Affairs.

EC-7162. 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 Deter-

minations” ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7163. 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-2012-0003)) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7164. 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 during adjournment of the Senate in the Office of the President of the Senate on August 10, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7165. 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 during adjournment of the Senate in the Office of the President of the Senate on August 10, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7166. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Suspension of Community Eligibility” ((44 CFR Part 64) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-7167. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled “2012 Annual Plan: Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources Research and Development Program”; to the Committee on Energy and Natural Resources.

EC-7168. A communication from the Secretary of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to granting the North American Electric Reliability Corporation (NERC) a 30-day extension of time to file its quarterly reports; to the Committee on Energy and Natural Resources.

EC-7169. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Segregation of Lands—Renewable Energy” (RIN1004-AE19) received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2012; to the Committee on Energy and Natural Resources.

EC-7170. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Administration of Mining Claims and Sites” (RIN1004-AE27) received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2012; to the Committee on Energy and Natural Resources.

EC-7171. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Standards for

Business Practices of Interstate Natural Gas Pipelines” (RIN1902-AE46) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Energy and Natural Resources.

EC-7172. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC-7173. A communication from the Chief of the Recovery and State Grants Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Revising the Special Rule for the Utah Prairie Dog” (RIN1018-AW02) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Environment and Public Works.

EC-7174. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Changes to the Generic Aging Lessons Learned (GALL) Report Revision 2 Aging Management Program (AMP) XLM41, ‘Buried and Underground Piping and Tanks’” (LR-ISG-2011-03) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7175. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Endorsement of Nuclear Energy Institute Guidance for Using an Alternative Method to Manage Cumulative Fatigue at Nuclear Power Reactor Sites” (RIS 2012-09) received during adjournment of the Senate in the Office of the President of the Senate on August 13, 2012; to the Committee on Environment and Public Works.

EC-7176. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Guidance for Evaluation of Diversity and Defense-in-Depth in Digital Computer-Based Instrumentation and Control Systems” (BTP 7-19 Rev. 6) received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2012; to the Committee on Environment and Public Works.

EC-7177. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Endorsement of Nuclear Energy Institute Guidance for Developing Seismic Hazard Information Requested in the 50.54(F) Letter Dated March 12, 2012” received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2012; to the Committee on Environment and Public Works.

EC-7178. 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; State of Hawaii; Update to Materials Incorporated by Reference” (FRL No. 9712-2) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7179. 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 Implementation Plans; Hawaii; Infrastruc-

ture Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards” (FRL No. 9711-1) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7180. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Oklahoma: Incorporation by Reference of Approved State Hazardous Waste Management Program” (FRL No. 9701-7) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7181. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, Mojave Desert, Northern Sierra, Sacramento Metropolitan and San Diego Air Pollution Agencies” (FRL No. 9687-8) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7182. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District” (FRL No. 9687-3) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7183. 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; Wisconsin; Volatile Organic Compound Emission Control Measures for Milwaukee and Sheboygan Ozone Non-attainment Areas” (FRL No. 9689-8) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Environment and Public Works.

EC-7184. 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 Federal Implementation Plan for Oil and Natural Gas Well Production Facilities; Fort Berthold Indian Reservation (Mandan, Hidatsa, and Arikara Nations), North Dakota” (FRL No. 9710-4) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Environment and Public Works.

EC-7185. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “New Source Performance Standards Review for Nitric Acid Plants” (FRL No. 9667-3) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Environment and Public Works.

EC-7186. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Determination of Failure to Attain the One-Hour Ozone Standard by 2007, Determination of Current Attainment of the One-Hour Ozone Standard, Determinations of Attainment of the 1997 Eight-Hour Ozone Standards for the New York-Northern New Jersey-Long Island Nonattainment Area in Connecticut, New Jersey and New York” (FRL No. 9696-2) received during adjourn-

ment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Environment and Public Works.

EC-7187. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “South Dakota: Final Authorization of State Hazardous Waste Management Program Revisions” (FRL No. 9712-3) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Environment and Public Works.

EC-7188. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Significant New Use Rules on Certain Chemical Substances” (FRL No. 9358-1) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7189. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Final Confidentiality Determinations for Nine Subparts and Amendments to Subpart A and I under the Mandatory Reporting of Greenhouse Gases Rule” (FRL No. 9706-6) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7190. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Arkansas: Final Authorization of State Hazardous Waste Management Program Revision” (FRL No. 9713-3) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7191. 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 and Operating Permits Program; Commonwealth of Puerto Rico; Administrative Changes” (FRL No. 9714-5) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7192. 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 and Designation of Areas for Air Quality Planning Purposes; Illinois; Ozone” (FRL No. 9712-8) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7193. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Source Specific Federal Implementation Plan for Implementing Best Available Retrofit Technology for Four Corners Power Plant; Navajo Nation” (FRL No. 9715-9) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2012; to the Committee on Environment and Public Works.

EC-7194. 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 Hampshire; Hot Mix Asphalt Plants” (FRL No. 9719-1) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7195. 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 Hampshire; Regional Haze” (FRL No. 9716-7) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7196. 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; Tennessee; Knoxville; Fine Particulate Matter 2002 Base Year Emissions Inventory” (FRL No. 9717-5) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7197. 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; Connecticut, Massachusetts, and Rhode Island; Reasonable Further Progress Plans and 2002 Base Year Emission Inventories” (FRL No. 9672-5) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7198. 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; Nevada; Regional Haze State and Federal Implementation Plans; BART Determination for Reid Gardner Generating Station” (FRL No. 9700-4) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7199. 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; State of Oregon; Regional Haze State Implementation Plan” (FRL No. 9718-9) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7200. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District” (FRL No. 9691-1) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on Environment and Public Works.

EC-7201. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “LAND DISPOSAL RESTRICTIONS: Site-Specific Treatment Variance for Hazardous Selenium-Bearing Waste Treated by U.S. Ecology Nevada in Beatty, NV” (FRL No. 9715-3) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Environment and Public Works.

EC-7202. 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 Pollutant Emissions: Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; and Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants” (FRL No. 9709-9) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Environment and Public Works.

EC-7203. 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 “Deductions for Entertainment Use of Business Aircraft” ((RIN1545-BK34) (TD 9597)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Finance.

EC-7204. 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 “Fast Track Settlement for TE/GE Taxpayers” (Announcement 2012-34) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2012; to the Committee on Finance.

EC-7205. 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 “Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates” (Notice 2012-53) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2012; to the Committee on Finance.

EC-7206. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Medicare Competitive Acquisition Ombudsman’s 2010 Annual Report to Congress; to the Committee on Finance.

EC-7207. A communication from the Senior Counsel for Regulatory Affairs, Departmental Offices, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Department of the Treasury Acquisition Regulation; Internet Payment Platform” (RIN1505-AC41) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Finance.

EC-7208. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System—Update for Fiscal Year Beginning October 1, 2012 (FY 2013)” (RIN0938-AR22) received in the Office of the President of the Senate on August 2, 2012; to the Committee on Finance.

EC-7209. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities for FY 2013” (RIN0938-AR20) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Finance.

EC-7210. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Inpatient Rehabilitation Fa-

cility Prospective Payment System for Federal Fiscal Year 2013” (RIN0938-AR21) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Finance.

EC-7211. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Administrative Simplification: Adoption of Operating Rules for Health Care Electronic Funds Transfer (EFT) and Remittance Advice Transactions” (RIN0938-AR01) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Finance.

EC-7212. A joint communication from the Deputy Assistant Administrator for Legislative and Public Affairs, U.S. Agency for International Development (USAID) and the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled “Joint Summary of Performance and Financial Information for Fiscal Year 2011”; to the Committee on Foreign Relations.

EC-7213. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012-0097—2012-0111); to the Committee on Foreign Relations.

EC-7214. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of a Danger Pay Allowance for Mali; to the Committee on Foreign Relations.

EC-7215. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Labor Organization Recommendations concerning Decent Work for Domestic Workers (Nos. 189 and 201), adopted by the 100th session of the International Labor Conference at Geneva; to the Committee on Foreign Relations.

EC-7216. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-069, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel’s Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7217. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-101, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel’s Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7218. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-066, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel’s Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7219. A communication from the Assistant Secretary, Bureau of Political-Military

Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-091, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7220. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12-096, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7221. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, notice of proposed permanent transfer of significant military equipment pursuant to section 3(d) of the Arms Export Control Act (Transmittal No. RSAT-12-2993); to the Committee on Foreign Relations.

EC-7222. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, notice of proposed permanent transfer of significant military equipment pursuant to section 3(d) of the Arms Export Control Act (Transmittal No. RSAT-12-2991); to the Committee on Foreign Relations.

EC-7223. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, notice of proposed permanent transfer of significant military equipment pursuant to section 3(d) of the Arms Export Control Act (Transmittal No. RSAT-12-2992); to the Committee on Foreign Relations.

EC-7224. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-075); to the Committee on Foreign Relations.

EC-7225. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-110); to the Committee on Foreign Relations.

EC-7226. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-034); to the Committee on Foreign Relations.

EC-7227. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-039); to the Committee on Foreign Relations.

EC-7228. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-052); to the Committee on Foreign Relations.

EC-7229. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-057); to the Committee on Foreign Relations.

EC-7230. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-063); to the Committee on Foreign Relations.

EC-7231. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-097); to the Committee on Foreign Relations.

EC-7232. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-076); to the Committee on Foreign Relations.

EC-7233. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12-101); to the Committee on Foreign Relations.

EC-7234. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-081); to the Committee on Foreign Relations.

EC-7235. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-085); to the Committee on Foreign Relations.

EC-7236. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-099); to the Committee on Foreign Relations.

EC-7237. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-073); to the Committee on Foreign Relations.

EC-7238. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's 2012 Annual Report for fiscal year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-7239. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Food Facilities, Food Imports, and FDA Foreign Offices Provisions of the FDA Food Safety Modernization Act"; to the Committee on Health, Education, Labor, and Pensions.

EC-7240. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Performance Report of the Food and Drug Administration's Office of Combination Products for fiscal year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-7241. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Implementation of Device Registration and Listing Requirements Enacted in the Public Health Security and Bio-

terrorism Preparedness and Response Act of 2002, the Medical Device User Fee and Modernization Act of 2002, and Title II of the Food and Drug Administration Amendments Act of 2007" (RIN0910-AF88) (Docket No. FDA-2009-N-0114) received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7242. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7243. A communication from the Director, Directorate of Construction, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Cranes and Derricks in Construction: Demolition and Underground Construction" (RIN1218-AC61) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7244. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research Training Center (RRTCs) on Vocational Rehabilitation (VR) and Developing Strategies to Meet Employer Needs in Changing Economic Environments" (CFDA No. 84.133B-1) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7245. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7246. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of a rule entitled "Cost Accounting Standards: Cost Accounting Standards 412 and 413—Cost Accounting Standards Pension Harmonization Rule" (48 CFR Part 9904) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7247. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, (4) four reports relative to vacancies within the Office of Management and Budget, received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7248. A communication from the Executive Director for Operations, Nuclear Regulatory Commission, transmitting, pursuant to law, the Uniform Resource Locator (URL)

for the Commission's commercial activities inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-7249. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board's Fiscal Year 2011 Annual Report on The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-7250. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-416, "Wrongful Death Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7251. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-431, "8th Street Plaza Condominium Association, Inc. Clarification Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7252. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-432, "Closing of Public Alleys in Square 901, S.O. 11-5228, Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7253. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-433, "Downtown BID Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7254. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-434, "Sign Regulation Temporary Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7255. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-435, "Residential Parking Protection Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7256. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-436, "Criminal Penalty for Unregistered Motorist Repeal Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7257. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-437, "Taxicab Service Improvement Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7258. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-438, "Collaborative Care Expansion Amendment Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-7259. A communication from the Senior Counsel to the Deputy Attorney General, Office of the Attorney General, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "National Standards To Prevent, Detect, and Respond to Prison Rape" (RIN1105-AB34) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on the Judiciary.

EC-7260. A communication from the Assistant General Counsel, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Federal Bureau of Investigation

Anti-Piracy Warning Seal Program" (RIN1110-AA32) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on the Judiciary.

EC-7261. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revision of Patent Term Adjustment Provisions Relating to Appellate Review" (RIN0651-AC63) received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2012; to the Committee on the Judiciary.

EC-7262. A communication from the Deputy General Counsel, Office of Surety Guarantees, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Surety Bond Guarantee Program—Quick Bond Application and Agreement" (RIN3245-AG39) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Small Business and Entrepreneurship.

EC-7263. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Kemah Boardwalk Summer Season Fireworks, Galveston Bay, Kemah, TX" ((RIN1625-AA00) (Docket No. USCG-2012-0240)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7264. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Alexandria Bay Chamber of Commerce, St. Lawrence River, Alexandria Bay, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0353)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7265. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Alexandria Bay Chamber of Commerce, St. Lawrence River, Alexandria Bay, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0353)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7266. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Tonawanda July 4th Celebration, Niagara River, Tonawanda, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0352)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7267. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Electric Zoo Fireworks, East River, Randall's Island, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0588)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7268. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Village Independence Day Fire-

works, Lake Erie, Bay Village, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0553)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7269. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Independence Day Fireworks Celebration for the City of Richmond, Richmond Inner Harbor, Richmond, CA" ((RIN1625-AA00) (Docket No. USCG-2012-0419)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7270. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Tonawanda July 4th" ((RIN1625-AA00) (Docket No. USCG-2012-0352)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7271. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Belle Pass Dredge Operations, Belle Pass, Mile Marker 1.0 to Mile Marker (-0.2), Prot Fourchon, Lafourche Parish, LA" ((RIN1625-AA00) (Docket No. USCG-2012-0392)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7272. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; International Bridge 50th Anniversary Celebration Fireworks, St. Mary's River, U.S. Army Corps of Engineers Locks, Sault Sainte Marie, MI" ((RIN1625-AA00) (Docket No. USCG-2012-0200)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7273. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River, Mile 183.0 to 183.5" ((RIN1625-AA00) (Docket No. USCG-2012-0315)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7274. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Olcott Fireworks, Lake Ontario, Olcott, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0351)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7275. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marine Week Cleveland, Lake Erie, Cleveland, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0462)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7276. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Ogdensburg Fireworks, St. Lawrence River, Ogdensburg, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0608)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7277. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Port Valdez, Alaska Maritime Highway System Ferry Terminal" ((RIN1625-AA00) (Docket No. USCG-2012-0641)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7278. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Village of Sodus Point Fireworks Display, Sodus Bay, Sodus Point, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0355)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7279. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; NOBLE DISCOVERER, Outer Continental Shelf Drillship, Chukchi and/or Beaufort Seas, Alaska" ((RIN1625-AA00) (Docket No. USCG-2012-0024)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7280. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Sellwood Bridge Project, Willamette River; Portland, OR" ((RIN1625-AA00) (Docket No. USCG-2012-0131)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7281. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; KULLUK, Outer Continental Shelf Mobile Offshore Drilling Unit (MODU); Beaufort Sea, Alaska" ((RIN1625-AA00) (Docket No. USCG-2011-1143)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7282. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Skagway Harbor, Skagway, Alaska for 4th of July Fireworks" ((RIN1625-AA00) (Docket No. USCG-2012-0512)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7283. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Temporary Change for Recurring Fifth Coast Guard District Fireworks Displays, Cavalier Golf and Yacht Club Independence Day Fireworks Display, Broad Bay; Virginia Beach, VA" ((RIN1625-AA00) (Docket No. USCG-2012-0227)) received during adjournment of the Senate in the Office of the

President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7284. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Village of Sackets Harbor, Lake Ontario, Sackets Harbor, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0464)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7285. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Mentor Harbor Yachting Club Fireworks, Lake Erie, Mentor, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0356)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7286. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone for Fifth Coast Guard District Fireworks Display Currituck Sound; Corolla, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0358)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7287. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Wrangell Harbor, Wrangell, Alaska for 4th of July Fireworks" ((RIN1625-AA00) (Docket No. USCG-2012-00565)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7288. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Port of Dutch Harbor; Dutch Harbor, Alaska" ((RIN1625-AA00) (Docket No. USCG-2012-0545)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7289. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Newburgh to Beacon Swim, Newburgh, Hudson River, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0538)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7290. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sacramento River Closure for Aerial Cable Installation, Sacramento, CA" ((RIN1625-AA00) (Docket No. USCG-2012-0376)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7291. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks for NC NENA/APCO Conference, Cape Fear River, Wilmington, NC" ((RIN1625-AA00) (Docket No. USCG-

2012-0624)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7292. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks for NC NENA/APCO Conference, Cape Fear River, Wilmington, NC" ((RIN1625-AA00) (Docket No. USCG-2012-0699)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7293. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Conneaut 4th of July Festival, Lake Erie, Conneaut, OH" ((RIN1625-AA00) (Docket No. USCG-2012-0480)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7294. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Canal Fest of the Tonawandas, Erie Canal, Tonawanda, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0609)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7295. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Flying Magazine Air Show, Lake Winnebago, Oshkosh, WI" ((RIN1625-AA00) (Docket No. USCG-2012-0635)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7296. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Tom Graves Memorial Fireworks, Port Bay, Wolcott, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0584)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7297. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Buffalo July 4th Fireworks, Lake Erie, Buffalo, NY" ((RIN1625-AA00) (Docket No. USCG-2012-0554)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7298. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sea World San Diego Fireworks, Mission Bay; San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2012-0497)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7299. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Diego Symphony POPS

Fireworks; San Diego, CA'' ((RIN1625-AA00) (Docket No. USCG-2012-0490)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7300. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Keweenaw Waterway, Hancock, MI'' ((RIN1625-AA00) (Docket No. USCG-2012-0469)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7301. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Can-Am Festival Fireworks, Black River Bay, Sackets Harbor, NY'' ((RIN1625-AA00) (Docket No. USCG-2012-0617)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7302. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Old Fashioned 4th of July Fireworks, Presque Isle Bay, Erie, PA'' ((RIN1625-AA00) (Docket No. USCG-2012-0465)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7303. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Cleveland Yachting Club Fireworks, Lake Erie, Rocky River, OH'' ((RIN1625-AA00) (Docket No. USCG-2012-0567)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7304. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Wicomico Community Fireworks Rain Date, Great Wicomico River, Mila, VA'' ((RIN1625-AA00) (Docket No. USCG-2012-0425)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7305. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone and Special Local Regulation; 2012 Macy's 4th of July Fireworks and Spectator Viewing Areas, Hudson River, NY'' ((RIN1625-AA00 and RIN1625-AA08) (Docket No. USCG-2012-0405)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7306. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Hudson Valley Triathlon, Ulster Landing, Hudson River, NY'' ((RIN1625-AA00) (Docket No. USCG-2012-0537)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7307. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sea World San Diego Fireworks, Mission Bay; San Diego, CA'' ((RIN1625-AA00) (Docket No. USCG-2012-0435)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7308. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, Naval Helicopter Association Reunion Helicopter Demonstration, Elizabeth River, Norfolk, VA'' ((RIN1625-AA00) (Docket No. USCG-2012-0255)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7309. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones: Catawba Island Club Fire Works Catawba Island Club, Port Clinton, OH; Pacing for Recovery, Lake Erie, Sterling State Park, Monroe, MI; Put-In-Bay Fireworks, Fox's the Dock Pier, South Bass Island, Put-In-Bay, OH'' ((RIN1625-AA00) (Docket No. USCG-2012-0374)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7310. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Seafair Blue Angels Air Show Performance, Seattle, WA'' ((RIN1625-AA00) (Docket No. USCG-2012-0699)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of August 2, 2012, the following reports of committees were submitted on August 28, 2012:

By Ms. STABENOW, from the Committee on Agriculture, Nutrition, and Forestry:

Report to accompany S. 3240, An original bill to reauthorize agricultural programs through 2017, and for other purposes (Rept. No. 112-203).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1002. A bill to prohibit theft of medical products, and for other purposes (Rept. No. 112-204).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1515. A bill to permit certain members of the United States Secret Service and certain members of the United States Secret Service Uniformed Division who were appointed in 1984, 1985, or 1986 to elect to be covered under the District of Columbia Police and Firefighter Retirement and Disability System in the same manner as members appointed prior to 1984 (Rept. No. 112-205).

H.R. 915. A bill to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and com-

munities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes (Rept. No. 112-206).

By Mr. AKAKA, from the Committee on Indian Affairs, without amendment:

S. 3193. A bill to make technical corrections to the legal description of certain land to be held in trust for the Barona Band of Mission Indians, and for other purposes (Rept. No. 112-207).

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3521. An original bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions (Rept. No. 112-208).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3524. An original bill to deter the evasion of antidumping and countervailing duty orders, and for other purposes (Rept. No. 112-209).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

On August 28, 2012, under the authority of the order of the Senate of August 2, 2012, the following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAUCUS:
S. 3521. An original bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions; from the Committee on Finance; placed on the calendar.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself, Mrs. BOXER, Mrs. FEINSTEIN, Mr. WYDEN, Mr. DURBIN, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. STABENOW, Mr. REED, Mr. LAUTENBERG, Mr. FRANKEN, Mr. MERKLEY, and Mr. SANDERS):

S. 3522. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; read the first time.

By Mr. SCHUMER (for himself, Mr. HATCH, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. GRAHAM, Mr. BLUMENTHAL, Mr. KOHL, Mr. CARDIN, Ms. SNOWE, and Mrs. BOXER):

S. 3523. A bill to amend title 17, United States Code, to extend protection to fashion design, and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS:
S. 3524. An original bill to deter the evasion of antidumping and countervailing duty orders, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. TESTER:
S. 3525. A bill to protect and enhance opportunities for recreational hunting, fishing,

and shooting, and for other purposes; read the first time.

ADDITIONAL COSPONSORS

S. 32

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 32, a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 35

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 35, a bill to establish background check procedures for gun shows.

S. 202

At the request of Mr. PAUL, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Georgia (Mr. ISAKSON) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 503

At the request of Mr. INHOFE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 503, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 565

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 565, a bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States.

S. 641

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 645

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 645, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 697

At the request of Mr. CASEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 778

At the request of Mr. MORAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 778, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 845

At the request of Mr. ENZI, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 845, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule.

S. 932

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 932, a bill to amend the Internal Revenue Code of 1986 to allow a \$1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations.

S. 998

At the request of Mr. AKAKA, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 998, a bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60.

S. 1108

At the request of Mr. SANDERS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1108, a bill to provide local communities with tools to make solar permitting more efficient, and for other purposes.

S. 1171

At the request of Mr. SCHUMER, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1278

At the request of Ms. SNOWE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1278, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services.

S. 1301

At the request of Mr. LEAHY, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1463

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1463, a bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers and to provide for reasonable break time for nursing mothers.

S. 1512

At the request of Mr. CARDIN, the names of the Senator from Montana (Mr. TESTER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1723

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1723, a bill to provide for teacher and first responder stabilization.

S. 1872

At the request of Mr. CASEY, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from New Mexico (Mr. UDALL), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1872, a

bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1882

At the request of Mr. BINGAMAN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1882, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 1910

At the request of Mr. LIEBERMAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1910, a bill to provide benefits to domestic partners of Federal employees.

S. 1983

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor 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. 2160

At the request of Mr. MORAN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2160, a bill to improve the examination of depository institutions, and for other purposes.

S. 2234

At the request of Mr. BLUMENTHAL, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2234, a bill to prevent human trafficking in government contracting.

S. 2246

At the request of Mr. BOOZMAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2246, a bill to direct the Secretary of Labor to provide off-base transition training, and for other purposes.

S. 2346

At the request of Mr. PRYOR, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2346, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term "biobased product".

S. 2364

At the request of Ms. SNOWE, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2364, a bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2374, a bill to amend the He-

lium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 2620

At the request of Mr. SCHUMER, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2620, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 3192

At the request of Mr. ALEXANDER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3192, a bill to amend the Immigration and Nationality Act by establishing an F-4 nonimmigrant visa for aliens pursuing an advanced degree in mathematics, engineering, technology, or the physical sciences in the United States, to authorize such aliens to become permanent residents if they obtain employment in the United States related to their field of study, and for other purposes.

S. 3235

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3235, a bill to amend title 38, United States Code, to require, as a condition on the receipt by a State of certain funds for veterans employment and training, that the State ensures that training received by a veteran while on active duty is taken into consideration in granting certain State certifications or licenses, and for other purposes.

S. 3243

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3243, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the low-income housing credit that may be allocated in States damaged in 2011 by Hurricane Irene or Tropical Storm Lee.

S. 3378

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 3378, a bill to establish scientific standards and protocols across forensic disciplines, and for other purposes.

S. 3391

At the request of Ms. KLOBUCHAR, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3391, a bill to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the name of the Senator

from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 3394, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection, and for other purposes.

S. 3442

At the request of Ms. LANDRIEU, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3442, a bill to provide tax incentives for small businesses, improve programs of the Small Business Administration, and for other purposes.

S. 3452

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3452, a bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions.

S. 3457

At the request of Mr. NELSON of Florida, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Michigan (Ms. STABENOW), the Senator from Oregon (Mr. MERKLEY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3463, a bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries.

S. 3472

At the request of Ms. LANDRIEU, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3472, a bill to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

S. 3486

At the request of Mr. LEAHY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3486, a bill to implement the provisions of the Hague Agreement and the Patent Law Treaty.

S. 3498

At the request of Mr. CASEY, the names of the Senator from Delaware (Mr. COONS), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 3498, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 3516

At the request of Ms. SNOWE, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) was added as a cosponsor of S. 3516, a bill to encourage spectrum licenses to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage.

S. J. RES. 39

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. J. Res. 39, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. CON. RES. 48

At the request of Mr. LEAHY, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. Con. Res. 48, a concurrent resolution recognizing 375 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces.

S. CON. RES. 50

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

S. RES. 88

At the request of Ms. SNOWE, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Wyoming (Mr. ENZI) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Res. 88, a resolution expressing the sense of the Senate that businesses of the United States should retain the option to organize as those businesses choose, including as flow-through entities, and not be forced to reorganize as C corporations.

S. RES. 448

At the request of Mrs. BOXER, the names of the Senator from Florida (Mr. NELSON), the Senator from Michigan (Mr. LEVIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Oregon (Mr. WYDEN), the Senator from California (Mrs. FEINSTEIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Res. 448, a resolution recognizing the 100th anniversary of Hadassah, the Women's Zionist Organization of America, Inc.

S. RES. 543

At the request of Mrs. BOXER, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. CASEY), the Senator from Kansas (Mr. MORAN), the Senator from Oregon (Mr. WYDEN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

S. RES. 546

At the request of Mrs. MURRAY, the name of the Senator from Arkansas

(Mr. BOOZMAN) was added as a cosponsor of S. Res. 546, a resolution designating the week of September 10, 2012, as "National Adult Education and Family Literacy Week".

AMENDMENTS SUBMITTED AND PROPOSED

SA 2780. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2780. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. —. CREDIT FOR STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSES ARISING BY REASON OF A PERMANENT CHANGE IN THE DUTY STATION OF THE MEMBER OF THE ARMED FORCES TO ANOTHER STATE.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 30D the following new section:

"SEC. 30E. STATE LICENSURE AND CERTIFICATION COSTS OF MILITARY SPOUSE ARISING FROM TRANSFER OF MEMBER OF ARMED FORCES TO ANOTHER STATE.

"(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the qualified relicensing costs of such individual which are paid or incurred by the taxpayer during the taxable year.

"(b) MAXIMUM CREDIT.—The credit allowed by this section with respect to each change of duty station shall not exceed \$500.

"(c) DEFINITIONS.—For purposes of this section—

"(1) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means any individual—

"(A) who is married to a member of the Armed Forces of the United States at the time that the member moves to another State under a permanent change of station order, and

"(B) who moves to such other State with such member.

"(2) QUALIFIED RELICENSING COSTS.—The term 'qualified relicensing costs' costs—

"(A) which are for a license or certification required by the State referred to in paragraph (1) to engage in the profession that such individual engaged in while within the State from which the individual moved, and

"(B) which are paid or incurred during the period beginning on the date that the orders referred to in paragraph (1)(A) are issued and ending on the date which is 1 year after the reporting date specified in such orders."

(b) CLERICAL AMENDMENT.—The table of sections for such subpart A is amended by inserting after the item relating to section 30D the following new item:

"Sec. 30E. State licensure and certification costs of military spouse arising from transfer of member of Armed Forces to another State."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

NOTICES OF HEARINGS

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 Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, September 12, 2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 3469, the Nuclear Waste Administration Act of 2012.

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, Washington, DC 20510-6150, or by email to Abigail_Campbell@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on September 13, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a business meeting to consider S. 675, the Native Hawaiian Government Reorganization Act of 2011; S. 1345, the Spokane Tribe of Indians of the Spokane Reservation Grand Coulee Dam Equitable Compensation Settlement Act; and S. 1684, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011 to be followed immediately to conduct a hearing entitled "Addressing the Costly Administrative Burdens and Negative Impacts of the Carcieri and Patchak Decisions".

Those wishing additional information may contact the Indian Affairs Committee (202) 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on September 14, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing on the President's Nomination of Kevin K. Washburn to be Assistant Secretary-Indian Affairs, U.S. Department of the Interior".

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Courtney Zinter and Jessica Cullen be granted floor privileges for the duration of today's proceedings.

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

Mr. HARKIN. Madam President, I ask unanimous consent that Mac LeBuhn and Ladimir Geake of my staff be granted floor privileges for the duration of today's session.

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

ORDER FOR STAR PRINTING

Mr. DURBIN. Mr. President, I ask unanimous consent that Senate report No. 208 be star printed with the changes at the desk.

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

MEASURE PLACED ON THE CALENDAR—S. 3519

Mr. DURBIN. Mr. President, I understand that S. 3519 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3519) to require sponsoring Senators to pay the printing costs of ceremonial and commemorative Senate resolutions.

Mr. DURBIN. I would object to any further proceedings with respect to the bill.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

MEASURES READ THE FIRST TIME—H.R. 8, S. 3522, S. 3525

Mr. DURBIN. Mr. President, I understand there are three bills at the desk. I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 8) to extend certain tax relief provisions enacted in 2001 and 2003, and to provide for expedited consideration of a bill providing for comprehensive tax reform, and for other purposes.

A bill (S. 3522) to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

A bill (S. 3525) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Mr. DURBIN. I now ask for a second reading en bloc and I object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, SEPTEMBER 11, 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., on Tuesday, Sep-

tember 11, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized, and that the first hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that at 11 a.m. there be a moment of silence in observance of the 11th anniversary of the attacks on September 11, 2011; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. DURBIN. Mr. President, the first rollcall vote will be at 2:15 p.m. on the motion to invoke cloture on the motion to proceed to S. 3457, the Veterans Jobs Corps Act.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. 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 7:54 p.m., adjourned until Tuesday, September 11, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE (APHIS) FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER COUNSELOR:
GARY T. GREENE, OF GEORGIA

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF COMMERCE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MICHAEL LEWIS, OF VIRGINIA
GEORGE LIN, OF VIRGINIA
SCOTT LINDSAY, OF MICHIGAN
JARED RAGLAND, OF MARYLAND
CAROLYN SHUCKEROW, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

BRIDGET C. BITTLE, OF NEW YORK
CHRISTOPHER CANELLAKIS, OF MASSACHUSETTS
DANIEL MICHAEL PATTARINI, OF VIRGINIA
DAVID A. BROCK, OF CALIFORNIA
DONALD BURTON CORDELL, OF VIRGINIA
EDWARD HOWARD WINANT, OF WEST VIRGINIA
HOLLY D. WILKERSON, OF TENNESSEE
JENNIFER G. HANDOG, OF NEVADA
KRISTINA R. HAYDEN, OF VIRGINIA
REBECCA CATHERINE ALPER, OF FLORIDA
SKYE SPENCER JUSTICE, OF WEST VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

KATIE MARIE ADAMSON, OF COLORADO
ANI A. AKINBITI, OF MARYLAND

CARLTON B. AMMONS, OF VIRGINIA
LAURA ANIKOW, OF VIRGINIA
BENJAMIN D. ARTERBURN, OF KENTUCKY
OSCAR ALEJANDRO BAEZ MEJIA, OF MASSACHUSETTS
GROVER R. BATTLE, OF NORTH CAROLINA
DREW DAVID BAZIL, OF COLORADO
DANIEL ALEXANDER BOEHMER, OF MASSACHUSETTS
EVELINA BOZEK, OF CALIFORNIA
DIANA BRAUNSCHEWIG, OF CALIFORNIA
SHANNON S. BROWN, OF FLORIDA
ELISE BRUMBACH, OF PENNSYLVANIA
SEAN THOMAS BUCKLEY, OF THE DISTRICT OF COLUMBIA

NATALIE CALVANO, OF KENTUCKY
BARRAK JEFFREY CHAABAN, OF VIRGINIA
SCOTT I. COHEN, OF VIRGINIA
JAMES TRENTON CORE, OF UTAH
SYDNEY ALEXIS CROSS, OF MISSOURI
THOMAS LOUIS CZERWINSKI, OF TEXAS
RANYA DAHER, OF VIRGINIA
ALEKSANDER DAIGLE, OF VIRGINIA
EION MICHAEL DANDO, OF MINNESOTA
QUAZI RUMMAN DASTGIR, OF THE DISTRICT OF COLUMBIA

JAMES DAVIS II, OF THE DISTRICT OF COLUMBIA
PAUL W. DEGENNARO, OF VIRGINIA
MERRICA DOMINICK, OF ILLINOIS
ALEXANDER FAIRBANKS DOUGLAS, OF VIRGINIA
DANIEL A. DURAZO, OF CALIFORNIA
BRIAN B. DUTY, OF CALIFORNIA
PATRICK R. ELLIOT, OF VIRGINIA
CHRISTOPHER FRANK ESTOCH, OF FLORIDA
CAVAN FABRIS, OF CALIFORNIA
REBECCA E. FOX, OF ARIZONA
DESTINY L. FREEMAN, OF VIRGINIA
JOSEPH FREEMAN, OF VIRGINIA
KATHERINE DIANE GARRY, OF THE DISTRICT OF COLUMBIA

JONAS B. GIL, OF NEVADA
BRIAN GILLIGAN, OF VIRGINIA
GAYSHIEL FAYANDY GRANDISON, OF NEW YORK
JULLA GROEBLACHER, OF KANSAS
JOSHUA J. HACK, OF VIRGINIA
MATTHEW J. HAFNER, OF MISSOURI
CAITLIN B. HARTFORD, OF WASHINGTON
THOMAS M. HARTMAN, OF VIRGINIA
JEFFREY W. HENRY, OF VIRGINIA
MARK JAMES HITCHCOCK, OF CALIFORNIA
GREGORY EARL HOLLIDAY, OF VIRGINIA
NINA ELIZABETH HOROWITZ, OF VIRGINIA
PHILIP CHRISTOPHER HUGHIEY, OF VIRGINIA
IRINA ITKIN, OF INDIANA
SHAYMA JANNAT, OF CONNECTICUT
ANTON PHILIP JONGENEEL, OF CALIFORNIA
JEHAN KHALEELI, OF THE DISTRICT OF COLUMBIA
TRACI THIESSEN KIDWELL, OF THE DISTRICT OF COLUMBIA

DANIEL EDWARD KIGHT, OF OHIO
JOSEPH KIM, OF MICHIGAN
ERIN EIGH KIMSEY, OF NORTH CAROLINA
ERICA SAMONA KING, OF TEXAS
KRISTINE M. KNAPP, OF SOUTH DAKOTA
LEANNE N. KOONTZ, OF VIRGINIA
SHEELA E. KRISHNAN, OF VIRGINIA
JON R. LARSON, OF THE DISTRICT OF COLUMBIA
JAMES E. LASTER, OF VIRGINIA
KRISTIN R. LASTER, OF VIRGINIA
JOSEPH N. LEAVITT, OF OREGON
JAMES S. MANLOWE, OF NEW MEXICO
MICHAEL JOHN MARBLE, OF VIRGINIA
MICHAEL MARCOUS, OF FLORIDA
BRIA MATHIEWS, OF MISSOURI
DWAYNE T. MCDAVID, OF NEVADA
SHAUN M. MCGUIRE, OF NEVADA
SEAN P. MCKEATING, OF TEXAS
MICHAEL JAMES MITTHOD II, OF ALASKA
SHAY SUZANNE MILLER, OF THE DISTRICT OF COLUMBIA
M D MITCHELL, OF MAINE
ANGELA C. MOREUR, OF THE DISTRICT OF COLUMBIA
JOSEPH M. MORBACH, OF VIRGINIA
KHANH P. NGUYEN, OF MASSACHUSETTS
KEVIN J. O'CONNOR, OF CALIFORNIA
MATTHEW D. PARRY, OF ALASKA
DREW NATHANIEL PETERSON, OF VERMONT
STEPHANIE W. PETERSON, OF MINNESOTA
RICHARD T. PHILLIPS, OF SOUTH DAKOTA
MARISSA JOY POLNEROW, OF NEW JERSEY
DANIEL CHARLES RHODES, OF THE DISTRICT OF COLUMBIA

LOIS L. RIBICH, OF VIRGINIA
MIRNA S. RIVAS, OF VIRGINIA
AMANDA ROBERSON, OF ARIZONA
WILLIAM L. ROMINE, OF FLORIDA
STEPHEN V. SASS, OF NEW JERSEY
BRYAN SCOTT SCHILLER, OF FLORIDA
SHLOH ANNE SCHILUNG, OF ALASKA
JILLIAN SCHMITT, OF MONTANA
LYNN MARIE SEGAS, OF CALIFORNIA
SHAN SHI, OF WISCONSIN
COLLEEN SMITH, OF WASHINGTON
ERIC L. SMITH, OF VIRGINIA
MARCO SHERWOOD SOTELINO, OF MASSACHUSETTS
HANNAH TABER, OF MICHIGAN
JETT THOMASON, OF TENNESSEE
MICHELLE B. THORNBURGH, OF VIRGINIA
KHARMIKA K. TILLERY, OF NORTH CAROLINA
THAO AHN NGUYEN TRAN, OF THE DISTRICT OF COLUMBIA

HOLLY D. TURNER, OF THE DISTRICT OF COLUMBIA
MELISSA P. TYBROWSKI, OF CONNECTICUT
STEPHEN E. WALSON, OF VIRGINIA
DAVID KARL WESSEL, OF NORTH CAROLINA
JAMES L. WEST, OF VIRGINIA
BRAD MICHAEL WILKINSON, OF VIRGINIA
LISA MARIE WILKINSON, OF VIRGINIA
ANTON LEE WISHIK II, OF WASHINGTON
ANGELA JEAN WYSE, OF MICHIGAN

DUDEN YEGENOGLU, OF GEORGIA
 MATTHEW JUNE YI, OF CALIFORNIA
 STEVEN D. ZACK, OF VIRGINIA
 DAVID J. ZANNI, OF VIRGINIA

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. DONALD P. DUNBAR

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. CALVIN H. ELAM
 COL. NATHANIEL S. REDDICKS

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. GERARD F. BOLDDUC, JR.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. MATTHEW P. JAMISON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. MICHAEL R. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DAVID J. CONBOY

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. FREDERICK B. HODGES

THE FOLLOWING NAMED 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. JODY J. DANIELS

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. MARK S. BOWMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. URAL D. GLANVILLE

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be colonel

STEPHEN P. ROBERTS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JASON R. PURVIS

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

GEORGE C. STURGES

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 lieutenant colonel

DAVID W. ACKER
 WILLIAM A. ADLER
 JAMES R. ALBANO
 CLINTON D. ALEXANDER

CHRISTOPHER S. ALFEIRI
 RANDY G. ALFREDO
 SCOTT ALLEN
 MARK W. ANDERS
 BRANDON C. ANDERSON
 BRIAN E. ANDERSON
 ERIC D. ANDERSON
 ANTHONY J. ASBORNO
 WILLIAM C. ASHMORE
 JOHN A. ATILANO II
 ANDREW G. ATTAR, JR.
 ALBERT A. AUGUSTINE, JR.
 JULIAN E. AVENT
 NICHOLAS E. AYERS
 BRYAN L. BABICH
 TIMOTHY M. BAER
 MICHAEL D. BAGULLY
 ANTHONY I. BAILEY
 MARK C. BAILEY
 MICHAEL J. BAIM
 EDWARD J. BALLANCO
 FRANKLIN F. BALTAZAR
 DANIEL T. BARD
 JOHN M. BAREFIELD
 DEREK C. BARKER
 WILBUR L. BARNES, JR.
 ROBERT L. BARNEY, JR.
 JEREMY A. BARTEL
 GABRIEL W. BARTON
 FREDERICK D. BASKIN
 WALLACE K. BATES
 KEVIN S. BEAGLE
 GARY W. BEARD, JR.
 ERIC D. BEATY
 ANTHONY J. BEHRENS
 JAMES P. BEKURS
 JESSE W. BELL III
 MICHAEL P. BENTLEY
 JEFFREY S. BERGMANN
 VALENT P. BERNAT III
 BRADLEY S. BIGGS
 MICHAEL R. BINETTI
 JAMES B. BIRD
 MARC C. BLAIR
 MICHAEL J. BLANKARTZ
 JAMES P. BLANTON
 MICHAEL A. BLISS
 W. M. BOCHAT
 THOMAS J. BOCZAR
 PETER C. BONIN
 JASON BORO
 ROBERT G. BORN
 STEPHANIE L. BOUNDS
 BRADLEY L. BOYD
 THOMAS K. BREDE
 GARLAND L. BRIAN, JR.
 DEANNA L. BRIDENBACK
 JOHN B. BROAM
 WILLIAM P. BRODANY
 DEKTER M. BROOKINS
 KOREY L. BROWN
 LELAND B. BROWN, JR.
 MATTHEW W. BROWN
 STEVEN U. BRUNER
 JAY A. BRUNS
 MICHAEL D. BUCHHEIT
 KENNETH J. BURGESS
 THOMAS F. BURRELL IV
 VIDA T. BURRELL
 BRADFORD M. BURRIS
 DAVID P. BURRIS
 TERRY L. BUTCHER
 JASON A. BYRD
 CHRISTOPHER O. CADIGAN
 MYLES B. CAGGINS III
 JONATHAN A. CAMPBELL
 TOMMY L. CARNONE, JR.
 BRIAN J. CARLSON
 SCOTT W. CARPENTER
 BRADLEY M. CARR
 RAY A. CARR
 JOHN G. CARVAN
 DEAN J. CASE II
 JOHN H. CATHPELL
 SHANE P. CELEBN
 MATTHEW G. CHAMBERS
 JUANITA A. CHANG
 DOUGLAS F. CHIMENTI
 VERONICA A. CHINN
 JONATHAN M. CHUNG
 TERRY L. CLARK
 TODD J. CLARK
 GLEN E. CLUBB
 MICHAEL W. COBB
 MATTHEW D. COBURN
 JOHN H. COCHRAN
 TIMOTHY L. COCHRAN
 FRANK S. COLASANTO
 LISA D. COLEMAN
 DANIEL T. COLLINS
 JAMES M. COLLINS
 RICHARD L. COMITZ
 JASON W. CONDREY
 SEAN S. COOK
 JOAQUIM O. CORDEIRO
 JACK D. CRABTREE III
 RICHARD T. CRANFORD
 CHRISTOPHER W. CRARY
 CLIFTON B. CRIBB
 GREGORY C. CROMWELL
 HOBY F. CUPP
 KEVIN R. CUTRIGHT
 PATRICK J. DAGON
 JEFFREY S. DAHLGREN
 CHRISTOPHER R. DANBECK
 ANTHONY E. DANIELS
 JULIE A. DANNUNZIO

PATRICK S. DAULTON
 MARTY R. DECKARD
 DAVID M. DEFELICE, JR.
 HENRY E. DELACRUZ
 BRIAN V. DELEON
 DAVID A. DEMARTELAERE
 RICHARD K. DEMBOWSKI
 SHANE A. DENTINGER
 BRIAN P. DESANTIS
 LINN K. DESAULNIERS
 JOSEPH A. DEWEY
 BRANDON L. DEWIND
 FRED I. DIXON
 JAMES R. DOEMEL
 SAMUEL T. DONNELLY
 SHAVOKA D. DOUGLAS
 JON A. DRAKE
 WILLIAM D. DRIVER
 TIMOTHY E. DRUELLE
 JONATHAN L. DUE
 MELANIE A. DUGAR
 BRADFORD T. DUPLESSIS
 J. K. DURKIN
 JAMES P. DYKES
 WILLIAM R. EDMONDS
 NATHANIEL M. EDWARDS
 JAMES T. ELDRIDGE
 DANIEL L. ELLIOTT
 BURLIN L. EMERY
 JEFFREY G. ERTS
 EDWIN H. ESCOBAR
 JOSEPH M. EWERS
 STEVEN C. FAHLINKAMP
 STUART L. FARRIS
 KONE C. FAULKNER
 GRANT S. FAWCETT
 ALBERTO R. FELICIANO
 DAVID E. FIELDER, JR.
 BRADLEY M. FISHER
 JOHN A. FIVIAN
 RICHARD J. FONNY
 DAMIEN E. FOSMOE
 CHRISTOPHER D. FOUST
 DAVID A. FOWLES
 ALRIC L. FRANCIS
 WILLIAM E. FREEMAN
 JASON R. FREIDT
 KENNETH J. FREY
 THOMAS L. GALLI
 JAMES K. GANT
 ROGELIO J. GARCIA
 WHITNEY B. GARDNER
 RONALD A. GARST
 RICHARD J. GASH
 LARRY V. GEDDINGS, JR.
 HISE O. GIBSON
 STEPHEN M. GILBERTSON
 MARK A. GILMORE
 ISSAC G. GIPSON
 JEREMY T. GLAUBER
 BURTON C. GLOVER
 JOSEPH C. GOETZ II
 KEVIN R. GOLINGHORST
 TRINIDAD GONZALEZ, JR.
 MICHAEL A. GORRECK
 SCOTT D. GOULD
 CHAD D. GOYETTE
 MATTHEW R. GRAGG
 CAREY R. GRAHAM
 PAUL GREEN
 SCOTT C. GREENBLATT
 WILLIAM J. GRIFFIN
 MICHAEL T. GRISSOM
 MONIQUE G. GUERRERO
 GUILLERMO GUILLEN
 NIKOLAUS F. GURAN
 ALLEN G. HAHN
 WAYNE A. HALEY
 GREGG M. HALEY
 ETHAN L. HALL
 TIMOTHY D. HAMILTON
 JAMES J. HANURA
 WILLIAM C. HANNAN, JR.
 KEVIN F. HANRAHAN
 GREGORY P. HARDY
 MICHAEL G. HARRIS
 DAVID P. HARVIE
 JONATHAN P. HASTINGS
 PAUL R. HAVERSTICK, JR.
 DOUGLAS J. HAYES
 JAMES A. HAYES
 REBECCA D. HAZELETT
 SHAWN M. HELM
 GLENN A. HENKE
 BART G. HENSLENER
 ARMANDO HERNANDEZ
 PATRICK W. HERRIFORD
 JOHN J. HERRMAN
 PAUL J. HILASKI
 ADAM W. HILBURGH
 TREVOR W. HILL
 ROBERT A. HILLIARD
 GERALD E. HILLES, JR.
 JADE E. HINMAN
 TIMOTHY D. HOCH
 DERIC J. HOLBROOK
 SCOTT J. HOLLAND, JR.
 EDWARD K. HOOKS
 MARK H. HOOVESSTOL
 RYKER E. HORN
 HARRY A. HORNBUCKLE
 CHRISTOPHER G. HOSSFELD
 THOMAS M. HOUGH
 MARTIEN G. HOUTKOOPER
 CHRISTOPHER L. HOWSDEN
 EDWARD C. HUDSON III
 JAMES W. HUFFMAN III

FRED L. HUH
 MARK E. HUHTANEN
 SHANNON S. HUME
 MICHAEL L. HUMMEL
 TIMOTHY D. HUMMEL
 BRYAN W. HUNT
 KENNETH F. HUTCHISON
 KEVIN D. INGRAM
 VINCENT P. INTINI
 IAN J. IRMISCHER
 MATTHEW L. ISAACSON
 MICHAEL R. IVY
 KEVIN L. JACKSON
 STUART M. JAMES
 KARL D. JANSEN
 JOSEPH D. JASPER
 KEVIN E. JEFFERSON
 JEREMY E. JELLY
 BARTON L. JOHNSON
 DAVID D. JOHNSON
 DERRICK T. JOHNSON
 JENNIFER R. JOHNSON
 PETER H. JOHNSON
 THEODORE A. JOHNSON
 TIMOTHY W. JOHNSON
 WILLIAM A. KAHMANN
 JAMES A. KARCANES
 CHRISTOPHER J. KEESAL, JR.
 KEVIN D. KELLER
 JOSHUA C. KENNEDY
 JASON E. KERR
 MICHAEL W. KIELPINSKI
 JOHN P. KILBRIDE
 MICHAEL J. KIMBALL
 ADAM J. KIMMICH
 LATONDR A. KINLEY
 IOANNIS E. KIRIAZIS
 MERRELL D. KNIGHT, JR.
 SCOTT P. KNIGHT, JR.
 SIDNEY A. KNOX
 MICHAEL J. KOLINSKI
 DONALD A. KORPI
 MICHAEL J. KOVACEVIC
 GLENN E. KOZELKA
 PAUL T. KRATTIGER
 KEVIN M. KRIEJE
 CHARLES E. KRIEGER, JR.
 DAVID M. KRZYCKI
 JOHNATHON M. KUPKA
 JACKSON A. KURTZMAN
 DONALD B. LAUWE
 CHESS P. LAMM
 GORDON LANDALE
 ANDREW H. LANIER IV
 RONALD M. LARGÉ
 JACOB J. LARKOWICH
 JONATHAN C. LAUER
 BROOK G. LEE
 STEPHEN H. LEE
 FRANCISCO J. LEJJA
 MARK S. LENT
 PHILLIP V. LENZ
 PHILLIP E. LENZ
 THEODORE J. LEONARD
 VYLIUS M. LESKYS
 MARK S. LESLIE
 MAURICE S. LEWIS
 ROBERT S. LEWIS
 MARTIN E. LEWTON
 JASON S. LIGGETT
 ROSS F. LIGHTSEY
 JOHN D. LITCHFIELD
 ERIC E. LOCHNER
 JAMES R. LOCKRIDGE II
 BRYAN L. LOGAN
 LUIS O. LOMAS
 EDWARD M. LOPACIENSKI
 JEFFREY A. LOVELL
 DAVID M. LOW
 CHRISTOPHER W. LOWE
 JAMES F. LOWE
 JOHN W. LUBAS
 SONISE LUMBACA
 BENJAMIN R. LUPER
 TIMOTHY J. MACDONALD
 CORY J. MACK
 OSCAR MALAVE
 MARTY MALDONADO
 JOSEPH J. MALIZIA, JR.
 MICHAEL C. MANNER
 DANIEL K. MARK
 DAVID A. MARKIEWICZ
 JASON L. MARQUISS
 BRAD K. MARTIN
 GRANT M. MARTIN
 TIMMY R. MARTIN
 NOMATHEMBI MARTINI
 SCOTT B. MASSON
 CHARLES L. MATALLANA
 LEE C. MATTHEWS
 COLLIS D. MAYFIELD
 PHILLIP W. MAZINGO
 RYAN E. MCCORMACK
 ROBERT L. MCCORMICK
 DAVID P. MCCOY
 KELLIE J. MCCOY
 MATTHEW Y. MCCULLEY
 JOHN F. MCDANIEL
 JACKIE D. MCDOWELL
 JAMES T. MCGAHEY
 DENNIS J. MCGEE
 THOMAS M. MCGRATH
 JOHN A. MCCLAUGHLIN
 DAVID M. MCNEILL
 AARON M. MCPHAKE
 CLAYTON D. MEALS
 BRANDON G. MENO

JEFFREY P. MERSIOWSKY
 EDWARD MEYERS
 MARK D. MILLER
 ZACHARY L. MILLER
 NATHAN A. MINAMI
 MATTHEW C. MOBLEY
 WILLIAM B. MOEN
 JERRY A. MOON
 TOBIN C. MOORE
 ANDREW J. MORGAN
 KEALII T. MORRIS
 SCOTT B. MORRIS
 RUSSELL W. MORTON
 JUSTIN T. MUFALLI
 TIMOTHY R. MUNGIE
 STEPHEN F. MURPHY
 ANTHONY T. MURTHA III
 JON P. MYERS
 SCOTT A. MYERS
 JUAN P. NAVA
 ALEXIS A. NEAL
 JOHN J. NEAL
 BYRON C. NEEDEUM
 CHAD B. NEIDIG
 ROSS F. NELSON
 DON A. NESTOR, JR.
 JOEL D. NEWSOM
 LOI M. NGUYEN
 KURT R. NIELSON
 FRANK L. NIETO
 ERIC M. NOE
 EDWIN W. NORDAN, JR.
 RONALD G. NOVAK, JR.
 ANDREW J. NOVITSKE
 BRIAN J. NOVOSIELICH
 JACK W. NOYES
 CHRISTOPHER M. NYLAND
 JAMES M. O'BRIEN II
 RYAN P. O'CONNOR
 ERIC A. OGBORN
 SHERIFF A. OSALEKAN
 MARK A. OLSEN
 RICHARD B. ONDERKO
 JEFFREY ORTOLI
 RALPH W. OVERLAND
 JEFFREY O. PAINE
 JAMES G. PANGELINAN
 JASON M. PAPE
 ANDREW Y. PARK
 DIANE M. PATIN
 PAUL E. PATTERSON
 TIMOTHY P. PAYMENT
 MICHAEL L. PEELER
 THEODORE J. PELZEL
 FELIX A. PEREZ
 JOHN M. PERRINE
 JACOB A. PETERSON
 ERIC J. PLAZZA
 CHRISTOPHER L. PITMAN
 WILLIAM D. PITTMAN
 STEPHEN J. PLATT
 DAVID M. POLIZZOTTI, JR.
 CARL A. POPPE
 VINSTON L. PORTER, JR.
 CHRISTOPHER D. PRATT
 SCOTT S. PRESTON
 WILLIAM H. PRIVETTE
 TOBY W. PRUDHOMME
 JOSEPH A. PUSKAS II
 RICHARD J. RACHOW
 FRANZ L. RADEMACHER
 RALPH W. RADKA
 MICHAEL J. RADKE
 JOSHE E. RAETZ
 TAGE J. RAINSFORD
 ROBEL RAMIREZBERRIOS
 DARRIN A. RAPAPORT
 BRIAN R. RAUEN
 JAMES S. RAWLINSON
 NATHANIEL S. REDDEN
 BETH C. RICHARDSON
 JOSEPH C. RICHEY
 JAMES G. RIELY
 TREVOR O. ROBICHAUX
 TERRY D. ROBISON
 CHRISTOPHER L. ROBISHAW
 WILLIAM A. ROCKEFELLER III
 WILLIAM A. RODGERS
 RAFAEL A. RODRIGUEZ
 ELLIOTT L. ROGERS
 SAMUEL E. ROGERS III
 AARON K. ROOF
 ROBERT J. ROULEAU
 EDWARD D. ROUSE
 DAVID M. ROZELLE
 PETER S. RUSSO
 RENEE D. RUSSO
 JONATHAN P. RUTGERS
 KEVIN G. SAATKAMP
 AMADO SANCHEZ, IV
 MELVIN E. SANDERS
 JOHN W. SANNE
 ANDREW O. SASLAV
 ERIC G. SAYER
 CHRISTOPHER L. SCHILLING
 TODD A. SCHMIDT
 TROY A. SCHNACK
 JENNIFER M. SCHROEDER
 JENNIFER L. SCHULKE
 TODD SCHULTZ
 JASON A. SCHUYLER
 JOHN G. SCHWEMMER, JR.
 DANIEL A. SEGURA
 ERIC C. SELF
 MICHAEL L. SELLERS, JR.
 DAVID S. SENTELL
 SCOTT A. SHAW

TIMOTHY R. SHAW
 JOHN T. SHERWOOD
 JONATHAN A. SHINE
 ANDREW J. SHORT
 BILLY D. SIEKMAN
 JONATHAN K. SIMMONS
 APRIL D. SKOU
 ANNA M. SLEMP
 TIMOTHY A. SLEMP
 JARED A. SLOAN
 KENNETH D. SLOVER
 CHRISTOPHER W. SMITH
 DIRK H. SMITH, JR.
 KURT J. SMITH
 MICHAEL R. SMITH
 RANDY A. SMITH
 RICHARD F. SMITH
 STEVE M. SMITH
 JOSEPH A. SOKOLOSKI
 TRAVIS C. SOUTHWICK
 JAMES R. SPIES
 MICHAEL T. SQUIRES
 SAIPRASAD SRINIVASAN
 CHRISTOPHER M. STALLINGS
 ROBERT W. STEFFEL
 NICHOLAS A. STERNBERG
 TERRY L. STEWART
 PATRICK T. STICH
 MARK W. STOUFFER
 CHARLES S. STRICKLER
 LEVI J. SUTTON
 STEVEN L. TABAT
 JOHN D. TABB
 JASON C. TALIAFERRO
 ANDREW K. TAPSCOTT
 MICHAEL R. TAYLOR, JR.
 WILLIAM B. TAYLOR
 BRANDON S. TEAGUE
 JONATHAN D. TESSMANN
 DARRIN E. THERIAULT
 CHEVELLE THOMAS
 SCOTT THOMAS
 TODD G. THORNBURG
 MICHAEL S. THORNTON
 PATRICK G. TOBEY
 NILDA T. TORO
 JOSEPH M. TORRAIN
 FREDERICK J. TOTI
 PHILIP S. TOWNSEND
 MICHAEL F. TREMBLAY
 TIMOTHY G. TRIMBERGER
 JOHN C. TUCKER
 JOHN T. TUCKER III
 KATHLEEN T. TURNER
 STEVEN A. TURNER
 JASON B. TUSSEY
 DONALD R. TWISS
 CHADWICK L. UHL
 TRENT D. UPTON
 TIMOTHY R. VAIL
 LANCE K. VAN ZANDT
 KRAIG S. VANVLECK
 JOSE M. VARGAS
 ANIBAL VAZQUEZCARRASQUILLO
 JAMES P. VELESKY
 JONATHAN M. VELISHKA
 DANIEL J. VOGEL
 MICHAEL J. VOLPE
 DAVID L. WAKEFIELD
 MERLE T. WALKER
 JAMIE L. WALLACE
 BENJAMIN M. WALLLEN
 JAMES N. WALSER
 GEORGE WALTER
 KEITH R. WALTERS
 LAWRENCE R. WALTON
 DAVID R. WATERS
 ANDREW J. WATSON
 CHRISTOPHER M. WEATHERS
 WILLIAM D. WEAVER
 BRYAN T. WEBINGER
 MATTHEW J. WEINRICH
 CHRISTOPHER B. WELLS
 JOHN T. WELSHAN, JR.
 CHRISTINE M. WHITMER
 ERIN A. WHITNEY
 GEOFFREY A. WHITTENBERG
 STEPHEN A. WICKERSHAM
 PAUL J. WILCOX
 RUSE M. WILEY
 WILLIAM H. WILKINS III
 CATHERINE T. WILKINSON
 WILLIAM T. WILLEY
 COLIN L. WILLIAMS
 JASON T. WILLIAMS
 KEVIN D. WILLIAMS
 KEVIN J. WILLIAMS
 JEREMY R. WILLINGHAM
 JENNIFER R. WILLIS
 MICHAEL S. WILLIS
 CHRISTOPHER W. WILLS
 JAMES T. WILSON
 LUCINDA R. WILSON
 THOMAS G. WILSON, JR.
 ARMIN K. WINDMUELLER
 ERIC J. WINTERBROWD
 MALCOLM L. WISE
 MICHAEL L. WISER
 THADDEUS A. WOJTUSIK
 DAVID C. WOODRUFF, JR.
 SOLOMON WOODS
 STEPHEN N. WOODSIDE
 CHRIS A. WOODY
 RYAN L. WORTHAN
 ERIC M. WRIGHT
 LEO J. WYSZYNSKI
 MATTHEW J. YANDURA

DAVID G. YOUNGBLOOD
KEVIN C. ZAMMERT
JEFFREY S. ZANELOTTI
JAMES E. ZOPELIS
STEVEN P. ZYNDA
D010514
D010185
D006007
D011310
D005484
D010893
D010090
D011058
D006335
D010133
D006311
D004464
D011235
D011031
D006284
D011083
D010630
D004938
D006293
D002849
D003917
D003093

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JOSEPH R. NEWCOMB

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MOROHUNRANTI O. OGUNTOYE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

AUGUST SEEBER

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

JEFFREY R. ALTHOFF
MARSHALL S. HUMES

To be major

GREGORY T. MCCAIN

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

ERIC J. ALBERTSON
SAMUEL K. GODFREY
PAUL K. HURLEY
JOSEPH H. MELVIN
MARK B. NORDSTROM
MATTHEW P. PAWLIKOWSKI
CHARLES E. REYNOLDS
RAYMOND A. ROBINSON, JR.
PETER R. SNIFFIN
SCOTT A. STERLING
JEFFREY L. VOYLES
JEFFREY D. WATTERS
JEFFREY L. ZUST
D010088
D011234

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

STUART N. BURRUSS
PERRY A. CARTER
TONI L. COATS
MICHAEL L. JOHNSON
JOHN P. MORETH
CAROL K. OLSON
ROBERT J. QUINKER III

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 lieutenant colonel

ANDRE B. ABADIE
WILLIAM T. ADAMS
JEREMIAH A. ABSCHLEMAN
ADAM A. ALBRICH
LUIS G. ALVARADOCOLON
MATTHEW A. ANDERSON
SCOTT D. APPLGATE
JOEL R. ARELLANO
MATTHEW J. ARMSTRONG
ROBERT C. ARMSTRONG

JORGE A. ARREDONDO
KARL M. ASMUS
ADONTIS ATKINS
PACE R. AVERY
JEFFREY B. BACON
KEVIN S. BADGER
FRANCISCO R. BAEZ
RICHARD R. BALESTRI
BENJAMIN S. BANE
CARRIE L. BARHORST
CHRISTOPHER B. BARKER
DANIEL J. BARNARD
AARON A. BAZIN
RONALD BEADENKOPF
JOSEPH D. BECKER
MICHAEL R. BELTON
AMOS R. BENNETT
CLAUDE A. BENNETT, JR.
JOHN R. BILLMYER
DUSTIN D. BISHOP
BENJAMIN L. BLACKMAN
CHARLES R. BOLES
KEVIN G. BOLKE
HESTON F. BOWER
BRIAN J. BRANDT
DAN R. BRUE II
REGINALD E. BRYANT
MICHAEL P. BUCHKOSKI

JUSTIN W. BUDD
DAVID L. BUFFALOE
GEOFFREY R. BULL
WILLIAM W. BURCH
ANDRE L. BURKS
CURTIS R. BURNS
PHILLIP G. BURNS
DEREK F. BURT
JON A. BUSHMAN
JOHN R. BUSSOLARI
MICHELE P. CALLAHAN
VICTORIA J. CAMPBELL
CRAIG B. CARDON
GILBERT M. CARDONA
GWYN A. CARVER
ELIZABETH A. CASELY
DAVID J. CHANG
TEDROSE H. CHARLES
JAMES F. CHASTAIN, JR.
JOHN C. CHECCO
GABRIEL A. CHINCHILLA
KEITH A. CHISOLM
SUNG H. CHON
JAMES E. CHRISTMAN
JAMES B. COGBILL
CECILIO R. COLEMAN
TONYA L. COLLINS
TERENCE J. CONNOLLY
CHRISTOPHER H. CONWAY
REX A. COPELAND
RANDY R. COTE
ROBERT E. CROFT
PATRICK E. CURRY
JARED K. CZAP

MATTHEW F. DABKOWSKI
ANDRE W. DANCY
ROBERT S. DAVIDSON
SOPHIA L. DAVISREID
WAYNE T. DAWSON
DAVID L. DE ATLEY
MICHAEL E. DEBOER
AIMEE S. DEJARNETTE
DOROTHY L. DELEON
JASON W. DICKERMAN
BRIAN S. DIETZMAN
ALAN H. DINERMAN
LUKE R. DONOHUE
RODNEY E. DRAYTON
ALYSSA G. DREW
ANTHONY R. DUBAY
JOHN A. DUDA, JR.
SEAN D. DUNCAN
DAVID S. EATON
KEITH D. ELLIOTT
PAUL F. EVANGELISTA
EDIE M. FAIRBANK
MICHAEL J. FEELEY
BRAD D. FENSKE
JONATHAN E. FLANAGAN
MATTHEW J. FOULK
GREGORY FREY
JOHN A. FRICK
LUIS G. FUCHU
JOSHUA J. FULMER
DANIEL M. GADE
ANDREW P. GAMBLIN
CHARLES V. GATES II
JOSEPH C. GELINEAU
RICHARD L. GEREN
CHAD A. GIACOMOZZI
DAVID W. GILL
ANTHONY G. GLAUDE
ROBERT A. GLECKLER
ADELAIDO GODINEZ III
LUCIANO GONZALEZ
GARY L. GOOD
JAMES I. GREENLEE II
EUGENE J. GREGORY
LEMER R. HALL
JAMES M. HALLORAN
STEWART S. HAMBLEN
SANG D. HAN
MARILYN HARRIS
REGINALD M. HARRIS
JOSH W. HELMS
EDWARD R. HERRMANN
JASON L. HESTER
JAMES N. HICKMAN III
PAUL D. HICKS

JAMISON R. HINES
BRETT J. HISSAM
CHARLES L. HITER
RANDALL W. HOBERECHT
DANIEL A. HOLLAND
ANDREW M. HOLMES
ROBERT E. HOLMES
RICHARD A. HOOVER
KRISTOFER D. HOPKINS
WILLIAM W. HORN
CHARLES E. HORNICK, JR.
ALBERT S. HORVATH III
TREVOR W. HOUGH
JOEL L. HOUK
THOMAS H. HOWARTH
BLUE HUBER
HARRY D. HUNG
CHRISTOPHER A. INGELS
KIRK A. INGOLD
FRANCIS W. IRWIN III
HEATHER A. JACKSON
MARCUS W. JACKSON
ERIC M. JAMISON, JR.
JAMES E. JENKINS II
JEREMIAH J. JETTTE
GREGORY J. JOHANEK
ANTHONY N. JOHNSON
BRAD A. JOHNSON
CHRISTOPHER G. JOHNSON
TIMMY E. JOHNSON
CHRISTOPHER P. JONES
DANIEL D. JONES
GARRETT P. JONES
STEVEN J. JONES
DEXTER A. JORDAN
CARLA T. JOYNER
DOUGLAS C. JUDICE
CHRISTOPHER E. KEESHAN
DANIEL W. KIDD
MINDY A. KIMBALL
LARRY D. KIMBRELL, JR.
CATLA W. KING
DAVID M. KIRKLAND
ERIC T. KISS
DAVID C. KNAPP
MARK D. KOLVA
JACK L. KOONS III
CHRISTOPHER M. KORPELA
GARY R. KRAMLICH II
MICHELLE A. KRAWCZYK
MICHAEL J. KUZARA
KRISTOFER S. LABOWSKI
ROBERT A. LAFLAMME
JEFFREY T. LAKEY
JAMES A. LAMBORN
SEAN M. LAVIGNE
NORMAN S. LAWRENCE
BRYAN C. LECLERC
JAMES W. LEE
JAMIE E. LEONARD
STEVEN W. LIBBY
SHANE F. LIPTAK
JEFFERY L. LONG
ALJON D. LOPES
BRYAN M. LOVE
AARON B. LUCK
CHRISTOPHER S. LUTZKANIN
H C. LYLE
KEVIN M. MACNEIL
MARK H. MADDEN
MARY L. MAGSINO
AMANDA L. MANLEY
BENJAMIN J. MARLIN
LAWRENCE D. MARTIN
CARLOS I. MARTINEZ
ERIAN J. MARZAN
ERIC P. MCALLISTER
SIM J. MCARTHUR
THOMAS J. MCCARRON III
JOSHUA MCCAW SR.
DEMETRIUS R. MCLARTY
RAY D. MCDONALD III
WILLIAM C. MCDOWELL
THOMAS J. MECCIA
JOHN W. MEEK
ROBERT E. MEINE
GLENN O. MELLOR
CHASE G. METCALF
BENJAMIN D. MILLER
TERREL L. MILLER
DARIN W. MILLS
KEVIN L. MITCHELL
TODD A. MOE
DAVID J. MOLINARI
DELFIN L. MONROY, JR.
RICK L. MONTANDON
HAROLD S. MONTTOYA
JOHN C. MOORE
BRENT D. MORROW
LAWRENCE A. MULLANY
RONALD F. MYERS
RICHARD J. NAMETH
WALD R. NASR
OCTAVIO NAVEDOCORTES
PAMELA A. NEWBERN
JASON B. NICHOLSON
WAYNE O. NITZSCHNER
DELTON NIX, JR.
PAUL NIX
BRIAN C. NORTH
CURTIS W. NOWAK
DEXTER C. NUNNALLY
LUIS G. OAKLEY, JR.
CANDICE E. O'BRIEN
CHRISTOPHER M. O'BRIEN
BUCKLEY E. ODAY III
JACQUELYN K. OLSA

ERIC R. OLSON
 MATTHEW N. OLSON
 JASON B. ORLICH
 OSVALDO N. ORTIZ
 SANTIAGO J. OTEROORTIZ
 CHRISTOPHER E. OXENDINE
 TYLER J. OXLEY
 ROBERT J. OZANICH
 REBECCA D. PATTERSON
 MICHAEL K. PAVEK
 ANDREW F. PEKALA
 PHILIPPE R. PERSAUD
 JESSE A. PHILLIPS
 RODGER PITT
 ALANA L. POMPA
 MICHAEL J. PONCHAK
 COREY S. PRESSLEY
 SCOTT L. PREUSSER
 TERRENCE C. PURNELL
 ROBERT C. RAMSEY
 CHRISTOPHER C. RANKIN
 DAVID J. RAPONE
 MARK G. RASMUSSEN
 JOSEPH D. REAP
 MICHAEL A. REARDON
 MICHAEL C. REMBOLD
 WESLEY P. RICHARDSON
 DAVID M. RICHKOWSKI
 WILLIAM RILEY
 BENJAMIN A. RING
 STUART C. RINKLEFF
 ARMANDO RIVERON
 JENNIFER K. ROBERSON
 GLENN S. ROBERTSON
 CHRIS E. ROBINSON
 ISMAEL R. RODRIGUEZ
 ALBERTO RODRIGUEZCRUZ
 JONATHAN W. ROGINSKI
 JAE C. ROOD
 GREGORY S. ROSS
 JASON L. ROSS
 AMANDA M. ROSSI
 MARK W. ROWELL
 ANTHONY J. RUFFO
 DANIEL W. RUECKING
 ANDRA RYGALESKI
 JACK W. SANDER III
 ADAM R. SANDERSON
 BLAIR J. SAWYER
 TODD A. SCATTINI
 ANTHONY SCHEVALIER
 MICHAEL P. SCHOCK
 TODD A. SCHOEBERL
 JEFFREY L. SCHULTZ
 GREGORY E. SCHWARZ
 MANUEL D. SEPULVEDA
 DAVID A. SETTLE
 GREGORY K. SHARPE
 ERIC A. SHAW
 MICHAEL A. SHEKLETON
 BRIDGETTE K. SIMMONS
 CHRISTIAN J. SIMON
 ANTHONY W. SIPPERT
 LAWRENCE E. SKELLY III
 JAMES L. SMALLWOOD
 SUSAN A. SMELTZER
 CANDY S. SMITH
 CRAIG C. SMITH
 ERIC J. SMITH
 JENNIFER J. SMITHEYS
 JAMES L. SNYDER
 MATTHEW C. SOBER
 KHOT SOUIMANIPHANH
 BRYANT D. SPRINGER
 GREGORY D. STALLINGS
 THOMAS M. STEVENSON
 JOSHUA W. STEWART
 SEAN F. STINCHON
 BRADY L. STOUT
 ERIC N. STROM
 JOHN D. SUGGS, JR.
 CHARLES A. SULEWSKI, JR.
 STEVEN S. SWANSON
 STEVEN J. SWINGLE
 THOMAS E. SWITAJEWSKI, JR.
 JOHN P. SWOOPE
 JOHN T. TATOM
 MICHAEL D. TAYLOR
 MICHAEL F. TEASTER, JR.
 SIRANOSAC THEPSOUMANE
 GERALD S. THOMPSON
 LARRY E. TINDELL
 JAHAN TOLLIVER
 CHRISTOPHER L. TOMLINSON
 MANUEL A. UGARTE
 THADDEUS L. UNDERWOOD
 TIMOTHY VALADEZ
 JOHN F. VANSTEENBURGH
 GILBERTO R. VAZQUEZ
 BRETT J. VERNETTI
 CRAIG W. VIEH
 TOBIAS O. VOGT
 ERIC C. VOIGT
 ROBERT D. WAGNER
 DARRELL E. WALKER
 JASON E. WARNER
 KRISTA L. WATTS
 STEPHEN T. WELLEN
 JONATHAN M. WILEY
 BLAIR S. WILLIAMS
 DAVID M. WILLIAMS, JR.
 JOSEPH E. WILLIAMS
 KENNETH A. WILLIAMS
 TROY H. WINCAPAW
 STEVEN M. WINKLEMAN
 SUNG H. WON
 MANUEL S. WONG

ROBYN D. WOOD
 JOHN H. WOODCOCK, JR.
 GEOFFREY W. WRIGHT
 DILLARD W. YOUNG
 MATTHEW M. ZAIS
 ROBERT C. ZANCA
 JONATHAN L. ZAVORZA
 DAVID M. ZELKOWITZ
 DANIEL M. ZERBY
 TODD S. ZWOLENSKY
 D010902
 D011200
 D004451
 D010534
 D005833
 D003656
 G001164
 G001407
 G001052
 D001273
 D010657
 D010354
 D011140
 D010729
 D005697
 D010196
 D005349
 G001060

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 lieutenant colonel

JOHN J. ACEVEDO
 FREDDY L. ADAMS II
 JOHN D. ADAMS
 RYON F. ADAMS
 JASON P. AFFOLDER
 KEVIN J. AGEN
 ALEXANDER B. ALEJO
 MARK L. ALLEN
 KATHY L. ALLISON
 MAURICE O. ALSING
 LEITH A. AMES
 MICHAEL C. ANDERSON
 WYETH S. ANDERSON
 ALEXANDER D. ARNOLD
 EDWARD P. AUSTIN
 KENNETH J. BABCOCK
 HEIDI A. BAIRD
 KEVIN M. BAIRD
 TERRIE L. BAISLEY
 JASON L. BAKER
 RAYMOND T. BANKS
 FREDRICK L. BARBER
 MARTIN A. BARR, JR.
 DANIEL A. BARTLETT
 STEPHANIE A. BARTON
 ARCHIE L. BATES III
 GARY A. BATHRICK
 JULIA BELL
 MYRON L. BELL
 CORY N. BERG
 ARICAI M. BERRY
 PATRICK J. BERRY
 JEFFREY BIGGANS
 JOSEPH R. BLANTON
 CYNTHIA J. BLEVINS
 HECTOR M. BONETGUTIERREZ
 ANTHONY J. BONIFACE, JR.
 CRAIG P. BOSTON
 RICHARD M. BRATT
 MICHAEL A. BRAULT
 MATTHEW S. BRESKO
 JOHN R. BRETTHORST
 ANGEL M. BRITO
 ZARA R. BROADENAX
 STEPHEN H. BROCK, JR.
 DEMETRIUS D. BROOKS
 CLARENCE T. BROWN IV
 HALBERT BROWN
 JOSEPH D. BROWN
 KATHY M. BROWN
 JOHN T. BRYAN
 MICHAEL D. BURCHAM
 JAMES T. BURGESS
 CHRISTOPHER M. BYRD
 COLEEN CARR
 LISA L. CARTER
 RAYMOND C. CASHER
 JAMES C. CERVANTES
 JAMES Y. CHONG
 ROBERT B. CHURCH
 ROBES L. COFF
 JOSEPH M. COLACICCO
 STEPHEN M. COLLINS
 JOHN S. COMBS
 JOHN M. COOPER
 MALCOLM S. CORNISH
 MICHAEL C. CROSSLEY
 JUSTIN C. CRUPPER
 WILLIAM T. CUNDY
 BOBBY H. DAVIS
 V. J. DEBOER
 DARYL G. DEVERAWADEN
 PATRICK A. DISNEY
 MITZI L. DIX
 STEPHEN P. DONDERO
 MARC C. DORRER
 STEPHEN D. DORRIS
 KEISHA R. DOUGLASS
 MARY O. DRAYTON
 WILLIAM P. ECKSTEIN
 RONALD L. EGGELSTON
 REBECCA L. EGGERS
 CHRISTINE V. ENRIQUEZ

STEVEN A. ERICKSON
 PHILIP J. ETZKORN
 ERIC J. EVERTS
 STEPHEN A. FABIANO
 DONALD A. FAGNAN
 CARL J. FAISON
 SYLVIA FARMER
 STEVEN R. FARRELL
 DONALD R. FERGUSON, JR.
 CHARLES A. FISHER, JR.
 MICHAEL S. FLEMING
 AMANDA H. FLINT
 JOEL D. FRANKLIN
 TIMOTHY B. FRANKLIN
 ALEXANDER GALLEGOS
 BENJAMIN C. GARNER, JR.
 GREGORY S. GATRELL
 KERRY L. GEORGE
 GREGORY K. GIBBONS
 DERERICK D. GILES
 RANDY J. GILLESPIE
 ANDREW L. GILMAN
 TROY S. GLASSMAN
 SAMUEL B. GLOVER, JR.
 AMY L. GOUGE
 JOHN F. GOVAN III
 JOSEPH W. GREENLEE
 LADD O. GREGERSON
 GREGORY J. GRUSENMEYER
 BARBARA G. HAINES
 BRIGITTE R. HAMPTON
 JOHN W. HANKINS
 KENNETH S. HANLEN
 COREY W. HARRIS
 JEFFERY D. HARRIS
 MICHAEL J. HARVEY
 NICOLE B. HAYES
 DAWN D. HAYMAN
 GORDON A. HEAP
 KENNETH G. HECKEL
 COREY P. HEMINGWAY
 MARTIN J. HENDRIX III
 DAVIEN L. HEYWARD
 ERIK E. HILBERG
 DAVID T. HILLS
 YOLANDA M. HINES
 KRISTA M. HOFFMAN
 THOMAS J. HOLLAND III
 SHAWN R. HOLZHAUSER
 JASON R. HOUSE
 DANIEL R. HUBERD
 ADRIAN L. HUGHLEY
 JOHNATHAN M. HURWITZ
 JAMES E. INGUACIATO
 ROBERT S. JARZYNA
 JON E. JECKERL
 JEREMY J. JEFFERY
 BENJAMIN F. JOHNSON
 CHRISTOPHER R. JOHNSON
 HERMAN L. JOHNSON, JR.
 MICHAEL W. JOHNSON
 HUMBERTO I. JONES
 SAMANTHA M. JONES
 GBENGA B. KAFFO
 THEOPHILE KANG
 GARY L. KASAVICHA
 JEFFREY L. KEATING
 THOMAS D. KELLEY
 JOSEPH D. KELLY
 TINA KIM
 MATTHEW J. KIME
 SCOTT B. KINDBERG
 CLETIS R. KING, JR.
 LOUIS L. KING
 RANDALL L. KLINGENSMITH
 BRANDON C. KLINK
 PAUL A. KOPELEN
 JASON K. KRISTOLAITIS
 KEITH R. KRUELSKI
 CURT E. KUETEMEYER
 ROBERT K. LAMBERT
 TIMOTHY J. LANCASTER
 CALVIN J. LANE
 ERIC D. LARSEN
 MARC P. LEDUC
 JAMES R. LEE
 ARTURO Z. LINCON
 DONALD T. LOGSDON
 JEFFERY P. LUCAS
 DAVID E. LUTTRELL
 JAMES F. LYNN
 HEATHER L. MACK
 FREDRIC R. MADDOX
 LANDIS C. MADDOX
 YOLANDA B. MADDOX
 SUSAN E. MANION
 WHEELER R. MANNING
 BRYON L. MANSFIELD
 SCOTT E. MARIHUGH
 JEANETTE A. MARTIN
 REGINALD G. MARTIN
 JOHN T. MASTERNAK
 BRIAN D. MATTHEWS
 MICHAEL P. MCCLEISH
 JOHN W. MCDONALD
 ROBERT L. MCDONALD, JR.
 DAVID H. MCDOWELL
 REBECCA B. MCELWAIN
 SCOTT L. MCKEE
 MONDREY O. MCCLAURIN
 JASON A. MEAD
 CHRISTIAN B. MEISEL
 ROBERTO J. MERCADOROMERO
 MARC D. MILLER
 MICHAEL F. MINAUDO
 TODD D. MITCHELL
 GEORGIA E. MONCAYO

BUCKY L. MOORE
 FELICIA R. MOORE
 FRANK A. MOORE
 KEVIN L. MOORE
 LARRY D. MOORE, SR.
 LARRY R. MOORE
 WENDELL S. MOORE
 RAYMOND H. MORGAN III
 ROBERT C. MORRIS III
 DARYL R. MORSE
 JOHN M. MOTSZKO
 MICHAEL G. MOURITSEN
 KURT A. MUELLER
 AUGUST MULLER IV
 JASON J. MURPHY
 CHARLES A. MUSANTE
 TODD A. MYERS
 KIMBERLY D. NASH
 KATHLEEN P. NEUMANN
 CHRISTOPHER D. NOE
 BRIAN S. OLSON
 GARY R. OSULLIVAN
 CARL R. OTT
 LUIS A. PARILLI
 JOHN R. PARKER
 MICHAEL A. PATRICK
 SCOTT A. PEACHEY
 SCOT D. PEARS
 JAMES R. PECKHAM, JR.
 JASPER E. PENNINGTON
 BRENDA F. PERRY
 JUSTIN C. PERUSEK
 KARL R. PFUETZE
 MATTHEW A. PHELPS
 FREDERICK R. PHILIPP
 SHARLENE M. PIGG
 KENNETH D. PINDELL, JR.
 CYNTHIA L. PITTMAN
 WARREN L. PITTMAN
 DANIEL R. POWERS
 BRYAN K. PRER
 SEAN P. PUTNAM
 STEVEN E. PUTTHOFF
 SHELLEY A. RAYMOND
 HATTIE L. RICHARDSON
 JOHN E. RICHARDSON
 KIRK M. RINGBLOOM
 MICHAEL E. RIVERA
 ANGEL D. ROJAS
 PHILIP J. ROOT
 JASON W. ROSS
 PHILIP G. ROTTENBORN
 CHRISTOPHER J. RUGA
 TERRY S. RUSSELL
 MICHAEL A. SABB
 BOBBY L. SADLER, JR.
 SANDRA J. SANCHEZ
 EARL B. SCHONBERG, JR.
 STEVEN P. SCHULTZ
 STEVEN D. SCHWANTES
 DOMINIC M. SCOLA
 JOHN H. SENSLLEY
 BRADY M. SEXTON
 SHERRI L. SHADROCK
 MARC N. SHAFER
 JEFFREY A. SHANER
 MARGARET J. SHARPBACK
 JONATHAN C. SHEPARD
 ANDREW D. SHERMAN
 JACK E. SHIELDS III
 SEAN M. SMITH
 ROBERT J. SOLITIS
 PATRICK A. STAMM
 BRIAN P. STEELE
 THOMAS W. STOCKS
 ANTHONY A. STOEGER
 JONATHAN L. STUDER
 MARCOS J. SUAREZMORALES
 JOE J. SUDITH, JR.
 MICHAEL G. SUMMERS
 ELIZABETH A. SWENEY
 BRADLEY C. TANDE, JR.
 JACK S. TAYLOR
 JOSE R. TERRONES
 JASON P. TOEPFER
 DAVID E. TOMPKINS, JR.
 FON V. TRAN
 ANDREW P. TURNER
 JOHN T. TURNER, JR.
 STEPHEN D. TURNER
 DOUGLAS M. TWITTY
 SHANE M. UPTON
 MARK W. VANDERSTEEN
 DAMON S. VARNADO
 WILLIAM R. VENABLE
 CLINTON D. VERGE
 JOSHUA S. VOGEL
 MARVIN L. WALKER
 YOLANDA M. WALKER
 ANTHONY T. WALTERS
 BENJAMIN J. WALTERS
 CHARLES W. WARD
 DAVID A. WARE
 YULONDA D. WASHINGTON
 WALLACE E. WEAKLEY, JR.
 LATHESHA A. WHITEAKER
 JEFFREY R. WHITE
 CHRISTOPHER W. WHITMARK
 ROBERT D. WIGGINS
 ISAAC A. WILLIAMS
 JOSEPH WILLIAMS, JR.
 ROBERT M. WILLIAMS
 DAVID C. WOOD
 TROY W. WORCH
 GREGORY R. WORLEY
 J.B. WORLEY III
 WILLIAM B. WYLES

GUY YELVERTON III
 ABEL E. YOUNG
 MARK E. YOUNG
 ALEXANDER R. ZEHNDER
 TIMOTHY R. ZETTERWALL
 D010977
 D011277
 D011097
 D010780
 D010778
 D004271
 D010397

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

JEFFREY S. BELL
 DANIEL R. BURRIS
 ERIC L. EBB
 SAMUEL C. GIESE
 THERON E. GUNN
 WILLIAM D. JENKINS
 MARK R. THORNTON

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

STEVEN E. BATTLE
 FRANK T. BRYANT
 MARIAISABEL HERRAN
 RAFAEL NUNEZ

To be major

OWEN M. GROSSMAN
 PAUL B. HILL
 LUZMIRA A. TORRES

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

ANTHONY H. ADRIAN
 GLEN D. CHANCELLOR
 JAMES P. COLEMAN
 JOE C. COMBS
 WILLIAM T. CONWAY
 ROBERT J. M. HARRIS
 BENJAMIN F. JONES III
 NORMAN P. C. LIMTIACO
 DEREK N. LIPSON
 ERIC D. MAXON
 CYNTHIA A. MILLONZI
 KATRINA G. PILLOW
 RODNEY G. SWANN
 JOHN F. WOYTE

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

FREDRIC N. AMIDON
 JAMES E. ANDERSON, JR.
 JAMES R. ARNESON
 JERRY H. BARTLETT
 HOWARD H. BOND
 MICHAEL J. BOYKIN
 FLOYD M. BURGHER, JR.
 VITO CIARAVINO
 WILLIAM G. COSTELLO
 FRANK J. DEANGELO
 GREGORY E. DOERFLER
 DAVID J. DOLLENS
 DAVID A. DOUD
 EDWARD M. DRAPER
 LAWRENCE A. EDWARDS
 CONSTANCE A. ESSEX
 ROBERT J. FERRY, JR.
 LARRY D. FLETCHER, JR.
 DELBERT FORD
 JOHN W. GALLASPY
 JOHN T. III GANT
 TIMOTHY P. GARNER
 ANDREA D. GAYLEBENNETT
 ROBERT L. III GEAR
 BETTY K. HATFIELD
 KONARD O. HAUFFE
 CARL F. HAUSLER
 SUSANNE J. HILLMAN
 JESSE T. HUFF
 MICHAEL A. JACQUES
 DEBORAH M. KENNEDY
 VICTORIA S. KILCAWLEY
 JOHN A. KING
 RODNEY K. KOERBER
 MICHAEL K. LANDADIO
 THOMAS E. LEE
 ARNOLD B. LEEKS
 MATTHEW M. LUKE
 PERRY R. MALCOLM
 CRISTOBAL V. MANDRY
 RICHARD J. MOKIM
 PHILLIP B. MONAGHAN
 PATRICIA A. NEFLAND
 ALAN S. NELSON
 TIMOTHY R. NEWCOMB
 DARRELL R. OVER
 JOHN K. PETRERA
 RICHARD W. PINSKER
 RYAN R. REICHENBACKER
 KEVIN J. REICHMUTH

STEPHEN A. ROBERTS
 ARTHUR A. RUSSELL
 JANET L. SAWYER
 REBECCA A. SEGOVIA
 DAVID M. SENESE
 JAMES M. SHELLEY
 DWAIN A. SIADE
 CHALLIS H. SMITH
 JAMES A. SMITH
 PATRICK J. TANGNEY
 DEANNA L. THOMAS
 MARIVEL VELAZQUEZ
 DUANE E. WESTBERG
 MATHYN D. WILLIAMS
 DANIEL J. WILTZ
 MARK S. WRIGHT
 ANNE E. YOUNG

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

ELIZABETH A. BAKER
 TANYA S. BAKER
 AVA C. DAVIS
 JOHN P. EDDY
 GREGORY A. KOLB
 JIMMY R. PERKINS
 KATHRINE S. PONDER
 IAN J. TOLMAN

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

PATRICK M. ARIDA
 MICHAEL A. ARIZMENDI
 MICHAEL J. BACHMANN
 PERRY A. BALL
 DEBORAH C. BARRETTE
 ROBERT W. BATTS, JR.
 DONALD L. BECKETT
 CATHERINE J. BENHAM
 SANDRA V. BERMUDEZ
 JERRY L. BETLER
 NARENDRA S. BHAGWANDIEN
 HENRY E. BOHNE
 SANJEEV R. BONGU
 JOE M. BRAY
 JAMES M. BRUCE
 JAMES R. BRUCE, JR.
 DENNIS B. CALLENDER
 BENIS G. CANES
 DAVID K. CASSIDY
 GLORIA J. CHAFMANSCOTT
 BELINDA J. COAKLEY
 DIANE P. COOPER
 WILLIAM A. COOPER
 TAMMY J. COST
 ADA M. COSTA
 CHARLES C. CUMISKEY
 DWAYNE N. DAMBA
 KENNETH W. DAVIS
 DUANE B. DEVANCE
 DANIEL P. DICHERA
 DAVID D. DORSEY
 JUDITH A. DRISCOLL
 YOLANDA P. DUNCAN
 DIETER J. DUPONT
 GEORGE A. EAPEN
 JAMES R. EDWARDS
 THOMAS W. ENGLEHART
 RONALD J. EVERSON
 KATHLEEN D. FARR
 HOPE D. FAVREAU
 DAVID P. FOLEY
 STANLY J. FOSTER
 SANDRA L. FRESH
 JUDY A. FRYOVER
 STEPHANIE K. GERBER
 GERRY R. GERRY
 RONALD F. GIFFLER
 STEPHEN W. GOLDSMITH
 DAVID GOODSPEED
 NANCY A. HARELD
 SCOTT K. HARRISON
 GINGER D. HILL
 CONCETTA R. HOLLOWAY
 LINDA J. HOLLOWAY
 LACEY K. HOMAN
 EDWARD C. HORWITZ
 PAUL M. HUDDLESTON
 JENIFER J. HUG
 ALICE H. HUNTSMITH
 RENE N. JACOB
 KEITH J. JACOBY
 ANTHONY A. JAMES
 MARVIN F. JENSEN
 GRANVILLE JOHNSON
 WALTER S. JOHNSTON
 ROGER A. JONES
 JACQUELYN D. KIMBALL
 MARY P. KING
 THEODORE C. KOUTLAS
 LINDA A. KRAMER
 MURRAY R. KRAMER
 MARILYN K. LAZARZ
 RUSSELL S. LEWOOD
 PHILIPPE H. LEMOINE
 ELIZABETH L. LOHSE
 JOSEPH M. LUZ
 WILLIAM S. LYNN
 JOHN D. MALIA
 CHAITANYA S. MANGALMURTI

MICHELE M. MANGO
TIMOTHY Q. MAPLES
JOSEPH A. MARSIGLIA
MITCHELL M. MATUNDAN
ANN E. MCELFRESH
JOHN A. MCFADYEN
DAVID F. MCKEE
JOSEPH P. MCMAHON
TERRY A. MESSMER
GEISELE E. MILES
DAVID H. MOIKEHA
ROGER A. MYERS
GEORGE W. NEWTON
DANIEL C. NG
KEVIN J. OLIVER
SALLY A. OLLIO
HADLEY C. OSRAN
RICHARD PADRON
SARA J. PASTOOR
MARIE A. PATTI
GURNEY F. PEARSALL
ROBERT E. REDFERN
SYLVEN B. REED
ROBERT K. ROUSE
GILBERT R. ROWLEY
JOSEPH J. RUBELOWSKY
JACQUELYN A. RUSSELL
ANTHONY E. RUSSELL
BETH A. SALISBURY
HENRY L. SANDERS
DIDAR S. SARAI
HENRY L. SCARBROUGH
TIMOTHY R. SCHLEY
MARTIN A. SCHREIBER
BRADLEY F. SCHWARTZ
MARSHA D. SHIVLEY
DEAN A. SHOUCAIR
KATHERINE A. SIMONSON
VENICE SMILEY
CHRISTOPHER P. SMITH
STEPHEN M. SOKOLOFF
DIANA L. STEWART
RYUNG SUH
LINDA R. SUMERLIN
LON E. SUNSHINE
PATRICIA L. TUGGLE
VINCENT VALINOTTI
KIRK M. VINCENT
JAMES R. WILLIAMS, JR.
MARETHIA A. WILLIAMS
ARTHUR L. WOMBLE
MARY J. WRIGHT
KITRICK E. WULF
KATHLEEN L. YACOVELLI
KIYOTAKA A. YAZAWA
LINDA K. YEE
SHARON K. YENNY
JOCELYN E. YU
ALI S. ZAZA

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DEMETRIA L. AARON
LISA L. ABELS
VINCENT L. ACKERMAN
MICHAEL A. AJAO
PAUL J. ALBERICO
TRACY J. ALEXANDER
JOHN D. ALLEN
CELINA C. ALUOTO
CHRISTOPHER J. AMANN
JEANNETTE L. ANDREWS
ARRIEL E. ATTENZA
CHRISTOPHER W. BAILEY
DAVID F. BAILEY
GEORGE C. BALAZS
RUSSELL P. BALMER
BRETT A. BANKS
TAYLOR A. BANKS
JEREMY P. BARAN
MICHAEL J. BARRA
EMILY C. BAUM
BRETT F. BECHTEL
WILLIAM M. BEER
DONALD R. BENNETT
ROBERT E. BENOWICZ
TIMOTHY J. BERGAN
VERONICA E. BIGORNIA
ASHLEY R. BJORKLUND
ERIN M. BLEVINS
MICHAEL J. BLOIR
JONATHAN A. BOLANOS
GWENDOLYN E. BOWERS
BRIAN A. BOYD
ERIC J. BRANTLEY
MATTHEW L. BRASLOW
JESSICA R. BRAWLEY
MEGAN A. BRELSFORD
ERIK D. BRINK
STEPHEN M. BRONAUGH
DAVID J. BURNIKEL
JESSICA L. CALMAN
MATTHEW P. CAMERON
AILEEN CANGIANOHEATH
SHANNON M. CAPP
TIFFANY D. CARTNER
NICOLE M. CASLER
BRETT M. CHAMBERLIN
VINCENT G. CHAMPION
JENNY P. CHEN
GREGORY T. CHESSNUT
ROBERT D. CHIARUTTINI

MATTHEW E. CHRISTY
CADE C. CINNAMOND
MICHAEL J. CIRIVELLO
GRETCHEN A. COADY
BRIAN J. COLSANT
WILLIAM K. CONLEY II
JERALD L. COOK
MARK P. COSEO
TIFFANY C. COX
MICHAEL L. CRANDALL
HAMPTON A. CRIMM
RAYMOND J. CUDNIK III
ADRIAN M. CUELLAR
MICHAEL E. CUNNINGHAM
NATHAN S. CUTLER
EMAD H. DANIEL
ROXANNE N. DANIELSON
ERIK E. DAVILAMORIEL
BENNETT L. DAVIS
DANIEL W. DAVIS II
DANIEL P. DECECCHIS
MEGAN M. DECECCHIS
AMBER N. DECHAMBEAU
GABRIEL DELATORRE
DAVID R. DONAHUE
KATHLEEN M. DONAHUE
TIMOTHY J. DONAHUE
MICHAEL K. DONNELLY
SUPRIYA R. DONTHAMSETTY
MICHAEL L. DOXEY
MARY L. DRYER
MICHELLE R. DUNLAVY
CASSANDRA M. EAKIN
ROBERT S. EBERLY
MICHAEL P. ELLIS
JOANNE P. ELSTON
TYLER C. ENSLEY
RICHARD J. EPPEY
HEATHER FEAGINSFLETCHER
DALIA FIGUEROA
JAMIE L. FITCH
AARON W. FLANDERS
AMY E. FLISCHEL
BRIAN C. FOLEY
DEIDRA S. FOREMAN
CRAIG T. FOSSEE
JANELLE A. FOX
CARL R. FREEMAN
JAMES D. GENDERNALIK
RYAN C. GIBBONS
EMILY A. GILLEY
DAVID M. GLASSMAN
ROSS A. GLINECKI
JENNIFER H. GOLDBERG
WILLIAM D. GOLDENBERG
AARON J. GONZALEZ
KATHERINE GOOD
ROBERT B. GOY
SARAH L. GRANGER
ROLF E. GRANING
ANDREW D. GRAVES
DALLIS L. GREEN
THOMAS J. GREEN
BRETT W. HAAKE
JOSHUA D. HANDBURY
JACOB D. HARRIS
THOMAS J. HAYES
JUSTIN L. HEATH
MARK D. HEITZMANN
GREGORY S. HENDERSON
KENNETH A. HENDRICKS
ANATOLY K. HERNANDEZ
BENJAMIN R. HERSHEY
BENJAMIN D. HOGGLAND
MATTHEW F. HOEFLER
AMANDA B. HOOPER
MATTHEW A. HUMPHREYS
ANDREW P. HURVITZ
LANG O. JACOBSON
DINCHEN A. JARDINE
CHRISTOPHER M. JOHNSON
JAMIE Y. JOHNSON
KEVIN D. JOHNSON
LUCAS A. JOHNSON
MARK S. JOHNSON
REBECCA L. JOHNSON
ALISHA L. JOHNSTON
VICTOR J. JOURDAIN
JAMES A. JOWDY
KEVIN D. KEITH
MATTHEW W. KELLER
ANDREW M. KELLERMANN
BENJAY J. KEMPNER
AMANDA S. KENT
ERIC L. KENT
RHAIANNON KENT
JOSHUA B. KENTOSH
ANGELA M. KEON
BRIAN M. KEUSKI
MICHAEL J. KILKELLY
CHRISTINE Y. KIM
TIM I. KIM
LEVI K. KITCHEN
SHELDON M. KNIGHT
MATTHEW M. KOEHLER
BRIAN R. KRAUSE
JOANNA R. KRAUSE
KARL A. KUERSTEINER
CYNTHIA M. KULIK
ASHEESH KUMAR
ANDREW C. KUNG
MICHAEL D. LANKER
DOUGLAS E. LAUTHAM
LAURA M. LAUER
MICHELLE P. LAWRENCE
NHLEN M. LE
MICHAEL R. LEADER
IVY Z. LI
DAMIAN J. LIEBHARDT
JONATHAN T. LIEBIG
ANDREW L. LIZEK
DUSTIN A. LORENTZ
DEBRA M. LOWRY
NICOLE L. LUNCEFORD
JOHN M. LYDON
MICHELLE M. LYNCH
THOMAS J. MACKEY
GREGORY C. MALLO
PETER A. MANCINI
EDWIN MANLEY, JR.
CHRISTY L. MANTANONALEE
JAMIE MARKO
MARTIN R. MARQUEZ
JAMES D. MATHEWS
EVAN E. MAY
MICHAEL K. MCCARTHY
JAMES A. MCCOMBS
MICHAEL L. MCCONNON
PATRICK R. MCKENNA
PATRICK M. MCLAUGHLIN
SANDRA S. MCLAUGHLIN
PAUL D. METZGER
MATTHEW M. MICHALOWICZ
JOSEPH D. MICKELSON
JASON A. MIHALCIN
JESSICA M. MILLER
KYLE E. MILLER
RUSSELL J. MILLER
THOMAS C. MILLER
ERIN K. MOORE
MATTHEW D. MOORE
COLLEEN E. MULLIN
MEREDITH R. NEAL
MERRILYN E. NELSON
STEPHEN L. NOBLE
THIDA N. NUNTHIRAPAKORN
MONICA D. ORMENO
NEAL E. PALMREUTER
SANDEEP R. PANDIT
ADRIENNE L. M. PARAD
BILLIE K. PARK
ANDREW M. PARSONS
SHWETA V. PATEL
DAVID A. PENNINGTON
ANGEL J. PEREZ
JAMAL A. PHILLIPS
BRYAN J. PLATT
JACOB R. PLETCHER
SARA M. POPE
RAY PORTIER
JOSHUA A. POTOCKO
DAVID J. POWELL
KEVIN S. PRESTON
TRENT K. PRICE
AMY M. PRITCHARD
AMANDA G. QUERRY
ROBERT QUINTON
ZOE G. RAFAAT
WILLIAM S. RAGON, JR.
ABIGAIL M. RAMSEYER
RAHIM A. REMTULLA
SHANNON L. RIGLER
VICTOR A. RIVERA
SEAN M. ROARK
LANGAN P. ROBBINS
KRISTINA M. ROGISH
RYAN C. ROMANO
ADRIANA N. ROSALES
LISA R. D. RSE
LINDSEY E. ROSEN
CRYSTAL A. RUSSELL
DAVID J. RUSSELL
JOHN W. SAENZ
FATIMA L. SALAS
STEVEN B. SAPIDA
ERIK M. SASOVETZ
JULIA A. SAVITZ
ROBERT C. SCALLISE
BRUNO A. SCHMITZ
MICHAEL S. SCULLY
BRETT M. SEBASTIAN
ANN E. SHAFER
ERIC C. SHAFER
HEATHER L. SHIBLEY
BRIAN W. SHIPPERT
CARTER H. SIGMON
ADAM C. SISCHY
ERIN H. SJOSTROM
JODIE M. SKRZAT
KENNETH V. SLACK
JORDAN D. SMITH
STEPHANIE M. SMITH
CANDICE M. SNYDER
ROBERT B. SPENCER
CHERYL M. STARETTKELLER
NATHANIEL L. STEPP
CHRISTOPHER A. STETLER
SHANNON STOUT
ALAN A. STRAWN
JONATHAN M. STUART
FAYE E. SUNDAHL
DOUGLAS W. TALK
ERIC R. TERPSTRA
DENISE M. THIGPEN
DARREN D. THOMAS, JR.
THOMAS W. THOMAS, JR.
JOHN M. TINJUM
SHELBY G. TOPP
EDWARD M. TRACY III
TUAN M. TRAN
ADELAINE D. TRASK
SCOTT A. TRASK
JAMES D. TU
RYAN D. TUCKER

OBINNA N. UGOCHUKWU
EDWARD R. UTZ
ERIN J. VANCE
ADAM M. VANDENBOOM
SAMUEL J. VASELICH
SARA I. VEIGA
ANGELA G. VIERS
DAVID M. VOLK
CHRISTOPHER J. I. WARNER
ALICIA L. WARNOCK
AMY L. WATKINS
ERIN M. WATSON
LAUREN A. WEBER
JUSTIN L. WEPPNER
SONJA M. S. WHITAKER
DENNIS A. WHITE
JUDD A. WHITING
SUSAN M. WHITMER
BRADLEY J. WILLIAMS
KEVIN W. WILSON
MARIE A. WOJCIKOWLANIN
ALFRED J. WOLANIN III
JAIME A. WONGLOPEZ
KAREN S. WOO
ZEPHYRINUS G. WYLIE
COLIN R. YOUNG
ELIZABETH L. YOUNG
JERRY YUAN
HEATHER G. YURKA
STEPHEN M. ZANONI
JAMES L. ZIMMERMAN
AMY J. ZWETTLER

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

TIMOTHY M. FRENCH

To be lieutenant commander

KENNETH V. HOANG
BRYAN E. WOOLDRIDGE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CEDRIC J. ABRON
KYLE E. ADKINS
TODD A. ADKINS
GARTH W. ALDRICH
JAMES D. ALLEN
LYNDA S. AMELL
JACQUELINE R. ANDERSON
BENEDICT A. BAIDOO
CHARLES E. BAKER
LUIS T. O. BARRAMEDA
WENDY K. BARTOSIK
DAVID R. BIRD
JOSHUA E. BLACKBURN
DEREK BOYD
HEATHER M. BOYD
HENRY L. BRADBURY III
DANYELL L. BRENNER
EDWARD BRINSTON
JOSEPH A. BUCKNER
JONATHAN F. BULLMAN
TIFFANY K. CALISTE
LISSETH C. CALVIO
CHANDRA P. CARNEY
NELL D. CASCARDO
ALAN D. CHRONISTER
DENIS G. COLOMB, JR.
ASHLEY S. COLVIN
ELIZABETH A. CORALES
VINCE E. D. DEGUZMAN
JEFFREY A. DELZER
MICHAEL A. DISIMONE
MICHAEL E. DOMERY
KORRINA R. DONALD
JASON M. DUFF
CHRISTON J. DUHON
TRENT K. FREEMAN
JOHN J. GARDNER III
GREGORY O. GIBSON
DAVID D. GROW
OCTAVIUS P. HARRIS
PAUL I. HARRIS
DUSTIN J. HARRISON
SHERRY L. HAYES
CHARLES S. HITCHCOCK
SYED M. HUSAIN
CHRISTINA M. HYATT
VICTOR E. INNISS II
KATHERINE L. JAUDON
BRIAN R. JOHNSON
CONNIE R. JOHNSON
JENNIFER L. JOHNSON
SCOTTY R. JONES
BYRON L. JORDAN
JAMES M. KEENER
YULIYA KORCHNOY
BRENDEN T. LE
HOLLY M. LEE
BRADLEY R. LESTER
MARK R. LONG
CATHY L. A. LOPEZ
RAMAUD D. LOVE
JOANN MARTINEZ
JULIA L. MASSY
FREDERICK A. MATHEU
BRADLEY G. MCLAUGHLIN
CHRISTIAN J. MILLER
MICHAEL A. MITCHELL

VISHWESH P. MOKASHI
JENNIFER J. MUELLER
MARKEECE L. MURRIEL
EMERSON A. MUTUC
THOMAS W. NELSON
ANGELA M. NIPPER
KAREN A. NORDINE
PEDRO A. ORTIZ
CHRISTOPHER L. OWSTON
CINDI L. PALACIOS
KARA L. PEREZ
ULDA J. PEREZ
JASON A. PETERS
ALLEN M. PHELPS
MICHAEL G. PROUTY
CHRISTOPHER L. PULLIAM
JESSIE C. PURYEAR
EPHRAIM V. J. RAGASA
CHARLES E. RAINEY II
MATHEW B. RARIDEN
CRAIG M. ROWLAND
JENIFER M. SCANCELLA
FRED O. SCRUGGS, JR.
KENNETH A. SHAW III
JONATHAN G. SHEA
MARK P. SIMONS
AMIT SOOD
IAN W. SUTHERLAND
HANH M. TANG
CHRISTOPHER S. THOMPSON
MIKAYLA R. UPHOFF
KIRSTEN E. VESEY
MARGARET A. WALKER
SHAWN A. WEBER
TRACY D. WEILER
TIMOTHY T. WELSH
JEREMY H. WESTCOTT
RICHARD A. WHITEHEAD
NICOLE J. WILLIAMS
ROBERT J. WISHMEYER
STANLEY C. WONG
CHADWICK Y. YASUDA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

AMY H. ADAIR
JASON S. ALLEN
CHRISTOPHER N. BEALE
JASON B. BLUNDELL
WILLIAM P. BOGGESS
MARTIN J. BRAUD
JASON N. BURKES
LORA L. CHOW
RYAN P. COLOSI
BENJAMIN J. CROWLEY
ANDREA L. DECERCE
CORINNE C. DEVIN
DANIKA J. DOWNEY
DAVID J. DYER
BENJAMIN D. FITZHARRIS
JARED A. GELLER
EDUARDO GOMEZ
PAUL D. GUNDEY
FRED J. HARPER III
ANDREW L. HIGGINS
ANDREW W. HIMM
DAVID D. HWANG
TIMOTHY P. INOUE
DAMON T. JENSEN
ARTHUR C. KALFUS
MICHAEL L. KING
ROBINSON T. KISER
BENJAMIN J. LAGO
JOHN F. LANDIS
JOHN J. LEE
KALEN Y. P. LEE
JOHN P. MALLAN
BRADLEY D. MARTINSEN
JENNIFER L. MCGUIRE
GEOFFREY L. MCMURRAY
MATTHEW M. MILLER
VANESSA D. MOTOS
HOAN B. NGHIEM
RICARDO M. ORTIZ
WILFREDO PALAUHERNANDEZ
ANDREW C. PARK
JEREMY A. PATELZICK
BRIAN D. PORTER
MATTHEW D. QUILLEN
ELISA M. ROTH
FREDERICK J. RUMFORD IV
THOMAS J. SANCHEZ
JOSHUA L. SECREST
POOJA V. SHAH
DEREK D. SODEN
SARA A. STIRES
KAIKE K. S. STOKES
KELLY N. STONE
THOMAS P. SURANYI
KELLI J. SWENSON
CLARENCE S. TANG
ANDREW J. TELLINGTON
KENNY T. TRAN
BILLY D. TURLEY
ADAM J. VEIT
JAMES K. VICK
STEPHEN M. WADE
BRETT J. WALCOTT
MARY N. WILLIAMSTREESH
DONAVON A. YAPSHING

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

VINCENT M. J. AMBROSINO
STEVEN R. CHMIELEWSKI
HUNG V. DANG
KEVIN T. DAVIS
DANNY J. HEADRICK
JAVIER LOPEZMARTINEZ
BENIGNO T. RAZON, JR.
MICHAEL R. STAMERRA
JOHNNIE W. THOMPSON, JR.
MARK VERHOVSHEK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

KORY A. ANGLESEY
JASON O. BOATRIGHT
CHRISTOPHER S. CASNE
RUBEN D. CHONNA
MARK J. CHRISTENSEN
ADAM W. CHRISTOPHER
MICHAEL S. COLLINS
LUKE A. COWLEY
JAYSON M. DOOLEY
JOSEPH A. DUNAWAY
MARCIA C. FERNANDES
JASON M. GABBARD
OMAR K. HASAN
KELLEN K. HEADLEE
ANDREW B. HUNT
STERLING P. INGRAM IV
BOBBY G. KENDALL
MICAH J. KILETTICO
ADAM G. KUSHNER
NICHOLAS R. LEINWEBER
ERIC L. MARTENS
TATE L. METTEN
GARETH A. MONTGOMERY
DAWN C. MOORE
NICHOLAS E. MUELLER
BRENT D. RICHARDSON
ROBERT C. RUTHERFORD
JAMES T. STEWART
FRANCIS J. TAY, JR.
ARTEMIO TREVINO
BENNY P. VOLKMAN
BENJAMIN C. WAITE
ROBERT J. WARREN
JEREMY L. WEIKEL
ADAM G. ZAJAC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

EVAN D. ADAMS
DAVID W. ALEXANDER
JEFFREY M. AUGUSTIN
JOHN D. AULT
JEFFREY BENSON
KIMBERLY CAIN
VICTORIA A. CHAPPELL
AMMIE L. DAVIS
WILLIAM D. DORWART
JOHN J. EASTMAN
DEMETRIC FELTON, SR.
GLENN A. FLEMING
GARY W. FOSHEE
DAVID J. JELTEMA
ROBERT D. JOHNSON
ROBERT J. KEENER
RICHARD S. LEE
RUSSELL D. MARTIN
BENNY L. MATHIS, JR.
SUNNY MITCHELL
CARL B. MUEHLER
THOMAS H. PERDUE
ROBERT W. PETERS
RANDAL K. POTTER
KAREN J. RECTOR
PHILLIP E. RIDLEY
AARON D. ROBERTSON
JON E. SETTLEMOIR
MICHAEL J. TAGALOA
JOHN C. VANDYKE
STEPHEN L. WARNE
CHRISTOPHER J. WEST
JOSEPH E. WILBURN
HAROLD B. WOODRUFF

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WALTER B. BLACKWELL
SUQUON D. COMBS
ROBERT R. CULLINAN
DIANA I. DALPHONSE
DUNCAN R. ELLIS
IVORY ERVIN, JR.
KENNETH E. FINDLEY
DANIEL J. GREASER
CHRISTOPHER R. KADING
BRENNAN J. KEMPER
MICHAEL A. KIDD
GENE M. LATTUS, JR.
MICHAEL J. MILLERHEIM
CHRISTOPHER P. OCONNOR
THURMAN B. PHILLIPS
JARRED L. FOSADA
ROBERT D. SALIRE
JOHN TAMEZ

BLAKE A. WHITTLE
JARETT B. WOLFE
JAMES P. ZAKAR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ELIZABETH A. ABAN
JANE J. ABANES
GREGORY J. ADDISON
DAWN R. AGUERO
JOEL M. ALBRIGHT
REBECCA A. ARMIGER
CARMELO AYALA
EDUARDO F. BARNET
REBECCA L. BARTHEL
JAMES R. BIRKLA
BRYAN G. BLAZINA
COLLEEN C. BLOSSER
AMY L. BOUVIER
JASON M. BOYCE
CONNIE J. BRAYBROOK
KATHLEEN M. BRENNAN
HASSAN A. BROWN
JOANNA T. BROWN
SHARON L. BROWN
JAMES T. BUCHANAN
BRIAN K. BURDICK
PATRICIA D. BUTLER
RHONDA H. CANTU
SOTERAS C. CAYANAN
MARCELO A. CENTAURE
DORIS CHEN
MOLLY A. COOK
MICHAEL J. CORNELL
ULANDERS A. CRAIG
JAMES D. CROFT
ROBERT F. CUENITO
CANDACE R. DAURORA
KARIE A. DAVIS
JOHN T. DEBOER
RONALD J. DELEON
ELIZABETH M. DRAKE
ERIC J. ELLINGTON
TATIANNIA T. ELLSWORTH
MICHELLE R. EVANS
EBONY J. FERGUSON
SUZANNE N. FIERROS
DANIELLE K. FISCHER
KAREN A. FLANAGAN
TAWANDA M. FORD
ABDON F. GALERA
DANILO A. GARCIA DUENAS
SARAH E. GENTRY
JASON A. GOFF
PETER M. GOLDBECK
KAREN L. GORLEWSKI
LOUIS H. GRASS III
ANN M. GRIMSHAW
DENISE A. GRIPKA
JASON M. GUZMAN
TIMOTHY W. HALL
ERIK M. HARDY
DEAN R. HAWKINS
GLENDA A. HEDSTROM
PENELOPE J. HEIGES
ANDREA M. HERNANDEZ
MICHAEL J. HEVRIN
KEDRIN N. HODGES

ELIZABETH B. HOLMES
AMY L. HOLZER
CAROLYN A. HOWARD
JOHN A. HOYOS
MOLLY P. HURDA
ANN E. IANNITTO
AMANDA E. JARMUSCH
DAVY J. JENKINS
JAMES A. KAUP
MARIA KENNEDY
ROBERT J. KIMBERLING
HEATHER L. KIRK
YVETTE S. KONEMANN
TRACY R. KRAUSS
DUANE J. LAMPERT
SCOTT J. LAPANNE
LYLA E. LAW
REGINA R. LEASSEAR
DERRICK LEBEAU
JONATHAN D. LEVENSON
MARLOW LEVY
MEEDEESSA O. LIVINGSTON
JULIE A. LOFTUS
JENNIFER J. MAGUIRE
JENNIFER L. MANZOOR
THOMAS O. MATELLA, JR.
KATHLEEN S. MAY
MICHAEL J. MCCARTY
SCOTT A. MCGILL
MATTHEW P. MCMAHON
JACOB M. MEARSE
JOSE A. MERCADO
REGINALD MIDDLEBROOKS
TIJUANA T. MILTON
DONALD E. MITCHELL
CHAD B. MOORE
THERESA D. MORRIS
MARY C. MURPHY
SARA L. NACZAS
LOREN A. NEDELMAN
AARON D. NIKOLAUS
PETER I. NYLAS
VIRGILIO OCAMPO
SHELLEY M. OEHRLEIN
ROBERT ORGILL
PAUL D. PELROY
KENDRA L. PENNINGTON
JEFFREY A. PETERSON
TRAVIS J. PETERSON
WENDYALINE PHILIPCPRIEN
ROBIN L. PROVENCHER
MARKO RADAKOVIC
MATTHEW V. REZA
JENNIFER RICKERSON
GINA D. ROMANO
ROBERT R. ROOD
SHANNAN C. ROTRUCK
STELLA Y. SABOURIN
BRITNEY E. SAITO
NICK A. SALTZMAN
REBECCA A. SCHROEDER
KATIE E. SCHULZ
ALAYNA L. SCHWARTZ
DAVID S. SHARE
JOSEPH P. SHERIDAN
MARC A. SILFIES
FREDDIE L. SIMPKINS II
TERESA C. SIMPSON
MARRISA C. SISCHY
SEAN K. SKINNER
JAMIE M. SORENSON

JULIE A. SPRING
CHRISTINE M. STASZEK
ANDREAS STILLER
VIRGINIA C. SULLIVAN
DUSTIN A. TAYLOR
AILISA N. TERRY
RANDY L. TOLBERT
KELLY A. TROUT
JERMAINE M. WHITE
TIMOTHY G. WHITING
THOMASENA P. WICKER
DANA K. WILEY
NEIL T. WILLIAMS
SONIA R. WILLIAMS
MICHAEL L. WILSON
KEVIN WONG
AMY P. ZAYCEK
ELIZABETH M. ZULOAGA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

THOMAS M. BROWN
LOUIS E. BUTLER
JAEWON CHOI
GUY W. EDEN
ERIKA C. GEHLEN
STEVEN P. GONZALES
BRIAN A. HAHN
DAVID J. HAMMOND
HOLLY E. HIGGINS
MICHAEL J. HUSSEY
CHRISTOPHER P. JETER
PATRICK K. KORODY
COURTNEY E. LEWIS
RYAN C. MATTINA
ROBERT A. MCELHOSE
JONATHAN C. MCKAY
CRAIG C. MORRIS
TOREN G. MUSHOVIC
CAMERON R. NELSON
SARA A. ONEIL
JEFFREY J. PIETRZYK
AARON M. RIGGIO
IAN SANTICOLA
RYAN SANTICOLA
ABIGAIL L. STILES
CRAIG S. THEDWALL
SEAN M. THOMPSON
TEMPERANCE H. TYSK
LENA E. WHITEHEAD
GRAHAM C. WINEGEART
RAY L. WOLCOTT
RALPH G. S. YOUNG

CONFIRMATION

Executive nomination confirmed by
the Senate September 10, 2012:

THE JUDICIARY

STEPHANIE MARIE ROSE, OF IOWA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF IOWA.