



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, THURSDAY, SEPTEMBER 20, 2012

No. 128

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by the Reverend Dr. Douglas Gerdtts, Senior Pastor of First and Central Presbyterian Church in Wilmington, DE.

The guest Chaplain offered the following prayer:

Would you pray with me, please.

Holy God, little can be said that doesn't add to the cacophony of prayer that arises from humanity. Surely from this august Chamber the volume and intensity is at times deafening. Yet these, O God, are the servants of the people and of You. So like Solomon we pray, "Here's what we want: Give us a God-listening heart so we can lead Your people well, discerning the difference between good and evil. For who on their own is capable of leading Your good people?"

Who indeed, O God.

Our prayer this morning is quiet and simple: Instill wisdom and compassion, the quest for peace and the drive for justice, the humility to recognize our ignorance and the grace to welcome another's point of view, and the awe of the responsibility conveyed upon us and the gratitude to relish our part in shaping the future. Most of all, let us never think that we travel this road alone, for who on their own is capable of leading Your good people?

Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 20, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I yield to my friend from Delaware and ask that I be recognized when he finishes his remarks.

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

The Senator from Delaware is recognized.

WELCOMING THE GUEST CHAPLAIN

Mr. COONS. Mr. President, I rise today to express my gratitude to Leader REID and to Chaplain Black, to all of us in the Chamber, and my gratitude to the Reverend Dr. Douglas Gerdtts. It is my honor and privilege to welcome him to our Chamber this morning as one of Delaware's strongest and finest faith leaders.

Reverend Gerdtts leads the congregation at First and Central Presbyterian

Church in Wilmington. Each time I join with him on Sunday mornings, I am uplifted by the stirring music, I am challenged by his passionate sermons, and I leave engaged for the week, rooted in my faith and moved forward by his words and by his leadership.

But Reverend Gerdtts' leadership extends far beyond the walls of his church. It touches those most in need in our community. The church literally opens its doors every Saturday, welcoming in homeless Delawareans as well as welcoming in schoolchildren who need smaller class sizes and better instruction to succeed.

I have had the pleasure of knowing Reverend Gerdtts for more than a dozen years. In my own service in county government I knew him as chair of the Diversity Commission, and he helped lead the charge for equality and civil unions in Delaware last year. He has made a real and lasting contribution to our community. He and his wonderful wife Walle are part of what makes Delaware a great place.

As he shared with us in his prayer, he is exactly the sort of person who, through a listening heart, has become a powerful and effective servant leader of faith in my home community.

My thanks to the Chaplain for allowing guest Chaplains, and my thanks to Rev. Doug Gerdtts for his friendship, his faith, and his leadership.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the Senator from Delaware has been such a great addition to the Senate. He is well respected on both sides of the aisle, and he is a man of spiritual quality. Among his other attributes, he has a divinity degree from Yale University. Without elaborating, I am just so pleased he is my friend and a Member of the Senate.

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



Printed on recycled paper.

S6475

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering the motion to proceed to H.J. Res. 117, which is the continuing resolution, postcloture. The next 2 hours will be equally divided between the two leaders or their designees with the Republicans controlling the first half and the Democrats the second half.

At 2 p.m., all postcloture time will be yielded back and there will be a roll-call vote on the motion to proceed to the continuing resolution.

I am hoping we can reach an agreement on our unfinished business and avoid a weekend session and a session in the early part of next week.

MEASURE PLACED ON THE
CALENDAR—S. 3576

Mr. REID. Mr. President, S. 3576 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for a second time.

The assistant legislative clerk read as follows:

A bill (S. 3576) to provide limitations on United States assistance, and for other purposes.

Mr. REID. I would object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

HISPANIC HERITAGE MONTH

Mr. REID. Mr. President, this month I join more than 52 million Latinos in Nevada and across the country to celebrate Hispanic Heritage Month.

Each year Hispanic Heritage Month is an opportunity to honor the contributions of a population that is so important to our national identity—a community that has contributed to our country's progress for centuries.

We see those contributions in every facet of our society: on the battlefield and in the boardroom, in the courtroom and the classroom, at the art gallery and in the recording studio, and on the playing field. In Nevada Hispanic influence is evident in the name of our State—Nevada, snowcapped Las Vegas, and the meadows.

Today, more than one-quarter of Nevada's population is Hispanic. Nationwide, Latinos are expected to make up 60 percent of the population growth in the coming decades. To ensure our country thrives, we need to make sure its Hispanic population thrives as well.

That is why President Obama and Democrats in Congress have fought for the policies that are making the Hispanic community stronger and more prosperous. Despite opposition, we have made progress on economic and educational issues that are important to Latinos and to all Americans. The Recovery Act, which included tax cuts for working families and improvements

in unemployment insurance, kept more than 2 million Hispanics out of poverty.

Unlike Governor Romney, we know Americans who access the employment benefits they have earned while working are not "victims" who are unwilling to take "personal responsibility" for their lives. "Victims" is Mitt Romney's word; "personal responsibility" are his words.

Democrats secured tax credits for more than 8 million Hispanic children and their families. Mitt Romney, on the other hand, believes tax credits for working parents struggling to make ends meet are a hand out, not a hand up.

Democrats fought to give small business loans to almost 9,000 Hispanic-owned businesses. Under a Romney administration, loans for small businesses would be a thing of the past—one more remnant of the dependency culture he loathes.

Mitt Romney was caught on tape telling wealthy donors he would be winning this election if he was Latino. That is what he said. But we know Mitt Romney's problem isn't that he is not Hispanic; his problem is that he opposes the commonsense policies that are good for Hispanic families.

Republicans have been paying lip-service to concerned Hispanic families in the months leading up to election day. Democrats are helping Hispanic families tackle the challenges they face every day.

To us, Hispanic Heritage Month isn't just about recognizing the incredible contributions Hispanic Americans make to our Nation; it is also about building a brighter future for Hispanic Americans in our Nation.

RECOGNITION OF THE MINORITY
LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

NEED FOR NEW LEADERSHIP

Mr. MCCONNELL. Mr. President, we all understand there is an election going on around here in a few months, but I would like to remind my colleagues on the other side that we also have a job to do right now. We have multiple crisis-level issues to deal with. Yet our Democratic friends don't seem to want to do a thing. Never before—never before—has a President and a Senate done so little to confront challenges so great.

We have a \$16 trillion debt. Democrats haven't bothered to pass a budget in 3 years. Every single American will get hit with a massive tax hike in just 3 months if we don't act to prevent it.

Democrats are saying we shouldn't do anything about it; just go off the cliff. Go off the cliff, and let's see what happens. The defense budget is about to suffer automatic cuts that the President's own Defense Secretary—the De-

fense Secretary in this administration—has described as devastating. But Democrats can't be bothered to figure out a way to avoid them.

The Middle East is in turmoil. We remain at war in Afghanistan and with al-Qaida, and Senate Democrats have not even bothered to pass the Defense authorization bill.

Gas prices have more than doubled over the past 4 years—doubled in just 4 years. Democrats responded by conspiring with the President to make sure a domestic pipeline didn't get built. They just let the debt grow, let taxes go up, let the defense cuts stand, and let gas prices get higher and higher. They don't pass a budget, don't pass any spending bills, don't do anything that involves making tough choices; just sit around and kill time in the hopes that the voters will focus on the other guys instead.

Look, our constituents didn't send us here to watch the clock or to offer running commentary on the Senate floor. They sent us here to make a difference. We have jobs to do. It is about time we did them. In these very challenging times, Americans deserve leadership. Never before—never before—has a President and a Senate majority party done so little when our challenges were so great. There is no excuse for it.

RESERVATION OF LEADER TIME

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

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the next 2 hours shall be equally divided and controlled between the two leaders or their designees with the Republicans controlling the first half of the time.

The minority leader.

Mr. MCCONNELL. Mr. President, we have a number of colleagues who will be speaking this morning during our 1-hour morning business time. Given the number of speakers, I ask the Chair to help remind colleagues when they have consumed roughly 1 minute, and I thank the Chair for doing so.

The ACTING PRESIDENT pro tempore. The Chair will do so.

The Senator from Tennessee.

SENATE LEADERSHIP

Mr. ALEXANDER. Mr. President, some say the reason for a do-nothing Senate—or the cure for it—is that we need to change the rules. I say we need a change in behavior, and I wish to offer a single example.

We have a big spending and borrowing problem: 42 cents out of every dollar we are borrowing. We are headed off a fiscal cliff. The minority leader has described that.

The Australian Foreign Minister has said the United States of America is

one budget deal away from restoring its global preeminence, so one would think we would have a budget. Then one would think we would deal with the appropriations bills which are the basic work of the Senate.

I and others on both sides of the aisle came to the floor earlier this year to compliment the majority and minority leaders for their decision to bring all 12 appropriations bills to the floor. The committee did its work; 11 of the 12 have been reported to the floor. The House did its work; 11 of the 12 were reported to the floor, and 6 were passed. But the majority leader said we are not going to consider any appropriations bills—no appropriations bills.

Being elected to the Senate and not being allowed to vote on appropriations bills is like being invited to join the Grand Ole Opry and not being allowed to sing. We need a Republican majority. If we have one we can have a budget, and if we have one we will bring appropriations bills to the floor. We will debate them, we will amend them, we will vote on them, and we will do our jobs.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, there is no question that the premier issue for most Americans is jobs and the economy. It is the issue that is on the minds of all Americans. They are pocketbook issues that impact middle-class Americans all across the country.

For the past 3½ years, the President and the Democrats here in the Senate have failed to provide the leadership America needs to make a stronger middle class. Middle-class Americans continue to face a bleak economic picture on this President's watch. We have seen gas prices more than double—the highest level in September that we have ever seen for the month of September. Middle-class income is down by nearly \$4,000 since the President took office. Just last week, a Kaiser Family Foundation study came out indicating worker health insurance costs have increased by 29 percent since the President took office. The President promised to lower health care costs by \$2,500 per family. Instead, average family premiums have increased by over \$3,000 since he took office.

Republicans have solutions to grow the economy and to help the middle class, strengthen the middle class. We support commonsense solutions such as increasing domestic energy, reforming our Tax Code, and stopping the job-killing regulations that are killing our small businesses. We hope to have the opportunity to work on those solutions for America's future.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, the President, the administration, and the Senate majority have failed to govern during a crucial time for our Nation. There is a willingness to kick our problems down the road, with the hopes

that the next election will suddenly inspire action. Rome burned while Nero fiddled. We have had enough fiddling.

The President's answer to jobs and the economy was to have his failed budget. Three times it was voted on without a single vote in favor—not even a single Democrat in favor.

Over 23 million Americans are unemployed or underemployed. Government regulations and redtape stunt business growth. That is not leadership, that is being asleep at the wheel. Their answer to jobs is a bill with a good title and a poison pill that comes right to the floor, and it is set up so the poison pill cannot be amended out, and then they wonder why the bill does not pass. That is politics. That is not legislating.

What is their plan for America? We have yet to see one. The lack of a budget shows they do not have a plan, and inaction remains the status quo. Republicans are prepared to lead today and in the future.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, when I talk to employers in my State about what Washington could do to get people back to work, they inevitably point to the flood of excessive regulation as a major barrier. Many of us have offered proposals to reform the regulatory process. Even the President's own Jobs Council has put forth ideas such as strengthening cost-benefit analysis. This just makes common sense. But, regrettably, the Senate has failed to act. Meanwhile, the burden of Federal regulation grows ever larger. Right now, Federal agencies are at work on 2,700 new rules. These rules will go on top of a pile of regulations measuring millions of pages. If we want to put people back to work, we have to cut the redtape that is strangling our job creators.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, if you look at any objective measure, whether it is unemployment numbers, gas prices, middle-class income, college tuition, manufacturing production, home values, and the list goes on and on, we are clearly not headed in the right direction. So what is the cause of this? The primary cause is lack of leadership coming from the administration and from the leadership in the Senate. The administration's policies have led to the worst recovery since World War II.

Over 23 million people are unemployed or underemployed. One of the main reasons they cannot find work is the economic uncertainty Washington has created, stopping the hiring process. Our businesses are frozen. As a former small business owner, I understand firsthand how economic uncertainty hampers business growth. If you do not know what your taxes are going to be, if you do not know what your energy costs are going to be, if you do not know what your health costs are going

to be, the last thing in the world you are going to do is hire a bunch of people.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BLUNT. Mr. President, the No. 1 job of this Congress domestically should have been more private sector jobs. The President's long-held view of redistribution as a goal for the government is not going to accomplish that. What is going to accomplish that is more opportunity, more independence, as my friend from Arkansas just said, more certainty, more American energy.

These problems are big, but they are not necessarily that complicated. We just have to have the willpower to deal with them. This Congress has not done that. This Senate, more importantly, has not done that. The House has passed bills. The House has passed a budget. The House has passed appropriations bills. The House has passed bills to get regulation under control. The Senate has not.

I hope when we get back here—we should stay and do those things, but when we get back, we need to be focused on the No. 1 job for the country today, which is more American jobs.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. DEMINT. Mr. President, President Obama, when you took office almost 4 years ago, you promised to create jobs and reduce our deficit. Yet 4 years later we have fewer Americans working than in the last 30 years and we have historic debt and deficits. Now you say raising taxes will solve our problems. But those who create jobs disagree.

Yesterday a businessman from South Carolina came to Washington to present a very simple proposition. He had built his business from his garage to 150 workers, putting every dime he could back into his business. His plan was to add 25 workers next year if we keep taxes the same but to do nothing if we follow your plan to raise taxes.

Mr. President, if you really want to create jobs, help our economy, and reduce our deficit, stop threatening to raise taxes.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, we have just heard from a number of my colleagues about issues with our jobs and the economy. We have heard about the \$16 trillion deficit. Unemployment has been over 8 percent for over 43 months. These are unprecedented problems. We have again learned a lesson we have learned time and time again in America: You cannot tax and regulate your way to prosperity.

Republicans in the Senate have provided an alternative. As this chart shows, this is the Republican Senate jobs plan. All 47 Republican Senators have supported it. We have introduced legislation that incorporates these

ideas, and yet we have not gotten a hearing on the Senate floor.

It is pretty simple. We believe we ought to live within our means. Fiscal discipline is part of getting the economy back on track. Reforming the Tax Code to spur economic growth—we know we can create millions of new jobs in this country by getting the Tax Code straightened out. The economic situation will not be improved in this country until we deal with regulatory relief. My colleagues have talked about that. Our ideas include having a more competitive force, changing the worker retraining program in this country, improving education to have a competitive workforce, increasing exports to create more jobs but also to level the playing field, powering America's economy by using the energy in the ground in America, and, finally, commonsense approaches to health care to get the costs down. These are the solutions that Republicans have offered that have not gotten a fair hearing on this floor for us to begin to turn this economy around and get America back on track.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, today I join my colleagues in expressing my disappointment in President Obama, in his failure to provide real leadership when our Nation needed it the most. While his failures can be observed across the board, when it comes to taxes and the impending fiscal cliff, the President has put our entire economy in jeopardy in order to serve his own political interests.

At the end of this year, the bipartisan tax relief signed into law not only by President Bush but by President Obama as well is set to expire. Virtually every taxpayer in America will see their taxes go up if Congress and the President do not act to steer us away from this fiscal cliff. Objective analysts, including the CBO, have stated that if we were to let the tax relief expire under current economic conditions, it would likely lead to another recession. Yet, rather than working with the Republicans to extend the tax relief and to aid our recovery, the President has once again sought to divide the American people by using the top marginal tax rate as political football.

In 2010 the President acknowledged that raising taxes in the midst of a weak economic recovery was bad policy. That is why at that time he signed into law the full extension of the 2001 and 2003 tax relief. Aside from the fact that the economy is in worse shape now than it was then, the only thing that has changed between 2010 and 2012 is that the President is now facing the voters, and that means appealing to his base, which is committed to raising taxes. The President has put class warfare and his own political future ahead of the immediate and long-term interests of our economy. This is the high-water mark of failed leadership for this

administration. Our country is at a moment of deep economic uncertainty, and America's citizens and taxpayers deserve more than the President's decision to prioritize electoral politics over sound fiscal policy.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, as the Chairs of the debt commission—Simpson and Bowles—told the Budget Committee, this Nation has never faced a more predictable financial crisis. I would say this Nation has never faced a more difficult financial challenge. We have deep, systemic demographic problems. They need to be addressed. Yet today marks the 1,240th day since the Democratic leadership in the Senate adopted a budget. For 3 years, in a time of financial crisis, the Senate's Democratic majority has failed to comply with the U.S. Code that requires us to bring up a budget and bring it to the floor of the U.S. Senate.

Politico observed on May 15:

Democratic leaders have defiantly refused to lay out their own vision for how to deal with federal debt and spending.

I believe that is a colossal failure of leadership, a failure of fundamental responsibility, and puts them in a position, in my opinion, of being unable to ask to be returned to leadership in this Senate.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, as the distinguished ranking member of the Budget Committee pointed out, it has been more than 3 years since the democratically controlled Senate has passed a budget. That should be a national scandal. During the same time, we have considered the President's proposed budgets, which have been voted down unanimously—that is, Republicans and Democrats both realize that the President's proposed budgets are unserious attempts to solve some of our most serious challenges. The President could not get a single vote from his own political party for his own plan because it does not include serious efforts to preserve and protect Social Security and Medicare and put us on a sound fiscal path without job-killing tax increases.

When Republicans regain the majority in the Senate, we will pass a budget, we will reduce the deficit, we will tackle our long-term debt, and we will help grow the American economy by getting our boot off the neck of the small businesses and the job creators in our country.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, this year we will spend over \$3.5 trillion, 60 percent of which is taxpayer money, 40 percent is borrowed. Over the next 10 years we will spend \$45 trillion. We have not had a budget in this body for 1,240 days. Not only is this dysfunctional—and America looks at us as a dysfunctional body—it is an embarrassment. The fact is that we are one fiscal

reform package away from being able to focus on being a great nation again. Yet many around the world look at us as a nation in decline, which affects everything from people hiring and producing jobs in this country to the activities we see overseas as they relate to our foreign relations.

What we need in this Nation is new leadership in November that has the courage and the will to address the most major issue this Nation faces, which is fiscal reform. With that, we will put this malaise in the rearview mirror and again be able to focus on being a great nation.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, for 3 consecutive fiscal years, the leadership in the Senate majority party has consciously decided not to bring a budget to the floor of the Senate. Do you know what the result has been? We have spent \$10.6 trillion and increased our debt over \$4 trillion, while the American people have cut their debt, cut their spending, and gotten their house in order during our worst recession since the Great Depression.

It is time that the leadership of the Senate took a lesson from the American people. Let's get back to the business of America. Let's get a budget to the floor. Let's balance our budget.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNIS. Mr. President, think about it—\$5 trillion of new debt under this President. So when he submits a budget plan, what happens to it? On the floor of this Senate, the President's budget plan did not get a single vote. No Republican, no Democrat, no Independent supported the President. What happened on the House side? The same identical thing—no Republican, no Democrat, no Independent supported the President's plan. Many are working on this. Simpson-Bowles is a good example. Many of my colleagues have been working to find a way forward on our budget issues. And what happens on the floor of the Senate? No budget. Four years, no budget.

When Republicans come to the majority, we will pass a budget, we will work to balance our budget. That is where we are headed.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, in 1987, our total Federal debt stood at \$2.3 trillion. It took us 200 years as a Nation to incur \$2.3 trillion in debt. Last year, with the debt ceiling debate, we increased our debt limit by a little more than \$2 trillion. We will blow through that limit in less than 2 years. The President of the United States has put forward four budgets. He has yet to submit any proposals to save either Social Security or Medicare. We are facing the most predictable financial crisis in our Nation and our President refuses to lead, this Senate refuses to lead. America hungers for leadership.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. LEE. Mr. President, it is bad enough that this Senate's Leadership, led by the Democrats, has not passed a budget in 3½ years. What is even worse than that is the fact they have not offered a budget in this Congress. They have not voted for or supported a single budget in this Congress. We have had, of course, one budget voted on in the Senate during this Congress, written by a Democrat. That was the President's plan, which received zero votes from his own party, zero votes from the Republican Party last year and this year.

If we are able to come to the table, if we are to come to a compromise, we have to have offers on both sides. We have to have a plan on both sides. So all the calls for civility, all the calls for a compromise fall on deaf ears unless or until we have two willing parties at the table with proposals they are willing to offer.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, the American people are asking two big questions: Why has the Senate not acted to stop the \$4½ trillion tax hike that will occur on January 12 unless we act; and, second, why has the Senate not voted to replace the across-the-board defense cuts that will devastate our national security? The unfortunate answer is because Senate Democrats and the Obama administration are too afraid to tackle, let alone vote on, the tough issues in an election year.

For Americans outside the Beltway, the consequences are very serious. The Congressional Budget Office tells us that failure to avoid this fiscal cliff will shrink the economy next year and push unemployment above 9 percent. That means 2 million jobs will be lost and we will be back in recession.

The House has acted. Election year or not, there is no excuse for the Senate to not follow the House's action, its lead, to avoid the job-killing consequence of this fiscal cliff.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. SNOWE. Mr. President, it is astounding to me that after putting the Nation through the self-inflicted travesty of last year's debt ceiling debacle that we are facing another manufactured crisis this year. With a fiscal cliff that never would have existed if the Senate had remained in session, had fewer recesses, and maximized every legislative day, based on the job we were elected to do, as I have argued virtually throughout this entire Congress.

According to a recent study, illustrated by this chart, deferring last year's debt ceiling to the eleventh hour in August produced the highest level of policy uncertainty of any event that occurred over the last 20 years. That includes 9/11, the financial crisis, the fall of Lehman, and the Iraq war.

We have now heard from CBO as well as Fed Chairman Bernanke. Both have

indicated we could trigger another recession next year if we fail to address the fiscal cliff. Yet here we are in the Senate in September scheduled to adjourn sometime this week for nearly 2 months after just returning from a 5-week break. When I was running for reelection in 2000 when the Republicans were in the majority, we had our last vote on November 1 and did not adjourn until November 3, a few days before the election.

I call on the majority leader to have us remain in session to lay the groundwork for a bipartisan solutions on these monumental issues. I have urged this in a letter I sent last April, because it is absolutely pivotal for this country. If we had not had the policy uncertainty of 2006 through 2011, we would have 2½ million more jobs in America today.

The Senate has wasted years, 2 precious years in the life of America with intransigence and inaction. America deserves better.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Mr. President, the problems in front of our country are not unsolvable. As a matter of fact, every one of them is solvable. Our country has a history of doing hard things. What we lack is leadership to call us to do those hard things. We find ourselves at a point in time when the greatest threat to our Nation is our debt and our economy. We are risking our future, not only our future economically, but our future of liberty. What we have had, I would remind my colleagues, is a history in the Senate of doing hard things. Under the leadership of Senator REID, the Senate has not attempted to do hard things. What it has attempted to do is abandon the tasks that should be in front of us.

America deserves better. It deserves better leadership. It deserves leadership based on bringing this country together rather than dividing this country. Not having a fiscal plan to solve the greatest issues in front of our country is an absolute failure of leadership. Where is the Senate majority leader's, where is the President's plan to solve our problems?

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, the fact is our economy could be booming right now, should be booming right now. The history of this country is that after a serious recession, the economy comes roaring back. That is exactly what should be happening right now. In fact, our economy should be creating more jobs than there are people to fill them. But that is not what is happening because of the failed leadership of the Democratic majority in control of this body and the President of the United States.

Our economy cannot come back the way it should as long as the threat of a complete fiscal disaster looms over it. As long as everybody who might even be contemplating launching a new

business or expanding an existing business knows this government is running trillion dollar deficits as far as the eye can see with no willingness to address this, then people will not make that investment. They will not expand their business. They will not hire that next worker.

It is long past time that the Democratic leadership in this body accepts its responsibility to address this problem, pass a budget, get our fiscal house in order so this economy can grow again and Americans can get back to work.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. BURR. Mr. President, 2 years ago we extended the 2010 tax rates. Over a year ago, we passed the Budget Control Act, which will trigger sequestration unless we pass a budget reduction plan. The point is we have known about the fiscal cliff for a long time, and there has been no shortage of warnings about the dire economic consequences of doing nothing. But that is, in fact, what this body has done, nothing. So let me say this. There is a reason President Obama and my colleagues on the other side of the aisle are targeting the Romney plan and the Ryan plan and the Republican plan. It is because they do not have a plan. They do not even have an excuse for what this body has not done.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. Mr. President, we talk about plans and budgets. The reality is these bigger concepts that we discuss in our Nation's capital have real consequences on the everyday lives of Americans. I spoke a few weeks ago to a Rotary club in Junction City, KS, and the local CPA was in the audience. We got to questions and answers, and he said: Senator, I have a question for you. This is a softball. What is the estate tax rate going to be next year?

It is embarrassing not to be able to answer the simple questions about what is going to happen in people's lives. People are having to make decisions. That certified public accountant, that lawyer, that financial planner needs to be able to explain to that farmer in Kansas, to that rancher, to that small business owner what the Tax Code is going to look like.

We are facing a point in time in which we have no opportunities to tell someone what the Tax Code is going to be in 3 months. That is embarrassing. When people ask me what is necessary to get Washington, DC, to work together for us to solve the country's problems and move forward, the answer is we desperately need leadership, someone who shows us the way, encourages us to come together. It has been lacking. It is embarrassing to me for the nearly 2 years I have been a Member of the Senate not to see that leadership exhibited in the United States of America.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this week my home State of Mississippi received the sobering news that its economy had slipped back into recession. Frankly, I'm concerned that my State might be a harbinger for the rest of the country.

Despite national efforts to create new jobs and opportunities, our economy is not getting significantly better. It is a problem in most States. Unemployment has remained over 8 percent for more than 3 years despite spending nearly a trillion dollars with the President's 2009 stimulus package.

Investments and small business growth have languished with a weak economy and with tax policies and Federal regulations that seem to have made matters worse. The course we are on is simply not good enough. We urge the Senate to make a strong stand. Let's get together. Let's push a simple, easy-to-follow game plan for economic recovery.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, last night I came to the floor to object to a 1-hour debate on a measure that would have had Draconian effects on our relations with countries in the Middle East. I am not opposed to that measure or debating it. But I said I would think it would be important to have an amendment. The majority leader of the Senate said: The day of amendments here is over. The majority leader of the Senate said: The day of amendments in this body is over.

Is there a more telling description of how this body has deteriorated and degenerated over the years?

I see my friend from Maine here. It is a far cry from the day we first came, when other majority leaders would allow debate, amendments, and carry out the functions the people ask us to, and that is with vigorous debate and discussion. The day of amendments in this body is over.

So as we debated a bill for veterans jobs programs, of which six are already existing, the majority leader, for the first time in 50 years—for the first time in 50 years in this body—we are not taking up the Defense authorization bill. We are in a war. We continue to have attacks on American citizens. America's national security is at risk. And we cannot even do enough for the men and women who are serving to pass legislation that is so vital to their future and their ability to defend this Nation? Shameful.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, our troops are fighting and being attacked in Afghanistan. Iran marches toward the capability of having a nuclear weapon. Terrorists have been murdering our diplomats. Innocent civilians are being murdered in Syria by a despotic regime. The world is a dangerous place.

President Obama, stop leading from behind. President Obama, lead this ef-

fort. Right now our military faces devastating cuts about which your own Secretary of Defense has said we would be shooting ourselves in the head, that we would be undermining our national security for generations. We have heard what is happening in the world. Lead. Be the Commander in Chief. Your leadership has been absent. You have been AWOL on this critical issue and our troops and our Nation deserve better.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, lucky you to be presiding today.

We live in interesting times. You can receive a Nobel Peace Prize for not being somebody else. Now, 4 years later almost after the Nobel Peace Prize has been awarded, where do we stand as a Nation? In case you have not heard, bin Laden is dead. That is good. That is a great accomplishment. The President should take pride in that. We should all celebrate the death of that evil man. But that is not foreign policy. Is anybody deterred from attacking America's interest in the Middle East because bin Laden is dead? Is anybody saying: I better not go over the wall of that Embassy in Egypt because we killed bin Laden? There is no coherent foreign policy at a time when we need one.

Four years later, after a charm offensive and an apology tour that has not worked, our enemies are on steroids and our friends are unsure about who we are. I will make a prediction: If this continues, the world is going to devolve into chaos, because at a time when we need to be certain, we are unsure. The Iranians are not taking anything we say seriously and the Russians and the Chinese have corrupted the U.N. So much for restarting.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise to state the Senate's lack of leadership in addressing sequestration will have long-term effects on our Nation's robust intelligence community which had to be rebuilt after 9/11. These budget cuts will make it very difficult for the intelligence community to keep Americans safe in future years.

America hungers for leadership and, unfortunately, the Senate lacks leadership from the majority on these issues that affect the safety of all Americans.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise to urge the Senate to fully investigate the circumstances regarding the attack upon our U.S. consulate in Benghazi and the torture and killing of our Ambassador, the deaths of three American patriots and the following attacks and deaths involving marines in Afghanistan.

Americans are watching a conflagration of an estimated one-half million jihadists in over 30 countries, burning portraits of our President, American

flags, and threatening attacks upon our consulates and embassies while shouting "Death to America." No, Mr. President and my colleagues, the war against terrorism is not over. We find out now, 10 days later, that al-Qaida was involved in the planned attack in Benghazi, and dangerous protests continue in Pakistan and throughout the Muslim world.

This morning, the Commandant of our Marine Corps informed the Capitol Hill marines there are 153 marine units at the ready to protect U.S. consulates and embassies at the direction of the State Department. They should be deployed, and he believes the current danger may well last decades.

The sobering truth hurts. Was there actionable intelligence prior to this attack? If there was not, why not, especially given recent intelligence reports, press reports and testimony by Matthew Olsen, National Counterterrorism Center Director.

We are on a merry-go-round of excuses with this administration. There is no strong horse or weak horse. It is a merry-go-round that has to stop.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. RISCH. Mr. President, today we have heard a lot about the financial condition of this country, and certainly that is foremost on the minds of everyone. It is in the forefront. But in addition, there are national security issues in the world, and, unfortunately, they have been pushed to the back page because of the condition of this country. But I wish to talk for a minute about the national security of the United States. It is something we need to focus on no matter what is happening domestically.

I wish to focus on one small part of our national security. Certainly, we have issues going on in 30 different countries, and a number of those have our embassies under siege. We have had an ambassador killed in recent weeks. This is a foreign policy that is in shambles. In the Middle East, it is a foreign policy of apology, it is a foreign policy of appeasement, it is a foreign policy of dithering and looking the other way. This cannot go on.

Iran continues down a course which is going to force a confrontation with Israel. Israel is the most reliable ally America has—certainly in the region and perhaps in the world. We need a President who will stand and be clear and be firm about what is going to happen if Iran keeps going down the road it is going. That is not happening. It needs to happen.

We need to change foreign policy from a policy of apology to a policy of leadership.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, the events of this past week are a very clear and direct reminder to us of the need to choose to end our Nation's dependence on imported oil. I will remind my colleagues this is our choice. It is

within our power to free ourselves from reliance on OPEC oil.

In these past few months, I have had an opportunity to visit our oil resources in the Gulf of Mexico, in North Dakota with Bakken shale, up in Alaska with the offshore as well as ANWR, and National Petroleum Reserve out in the Marcellus shale. We have learned one thing for sure: There is no scarcity of resources in this country. Technological breakthroughs allow us to access these resources in a safe and reliable manner.

This administration may talk a good game on oil production, but words and actions are entirely different. Our problems result from a federal government that has actions and inactions that indefinitely delay, if not prohibit, in many cases, access to our energy resources.

We are not running out of energy. What we are running out of are excuses for continued reliance on OPEC.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, just yesterday, the White House went out and applauded the fact that Saudi Arabia is producing more oil. The President goes to Brazil and tells the President of Brazil we want to be their No. 1 customer. This is at the same time this White House is blocking American energy projects and American energy jobs.

Held hostage by environmental extremists, this President continues to block and cause people to lose jobs in the United States. Earlier this week, the No. 3 coal producer in the country announced the layoff of 1,200 workers. So not only are Americans who are working in American energy losing their jobs, the President's policies continue to block new jobs from being created. The President continues to stand in blockade of the Keystone XL Pipeline, which would bring back thousands of good-paying, family-wage jobs. Yet the President says no.

HARRY REID, the majority leader, stands at that desk and he blocks over a dozen bills passed by the House of Representatives that are good American energy jobs that will put people back to work.

Republicans stand ready to produce more American energy, which will put people back to work, will stimulate our economy, and will help lower energy costs for American families. The American people deserve better than they are getting from the Democratic majority in the Senate and from the Democratic President of the United States.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, the price of gasoline at the pump is double what it was 4 years ago. The majority in this Senate has done nothing to address that problem, and this administration has done nothing to address that problem. In fact, we are moving in the wrong direction.

The President's 5-year lease plan for offshore leases is half what the previous plan was. Production in the gulf is down following his imposed moratorium and it is beginning to go down further. It has gone from 1.55 million barrels a day in 2010 to 1.32 in 2011, and it is still headed down to 1.23 in this year. Two years before the moratorium, the Energy Information Administration, where all these numbers come from, said it would be 1.76 million barrels a day this year.

We are the most energy rich country in the world, but this Senate majority, this administration will not allow us to access our own resources for our own good.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, look at what is going on in the Middle East. We have more than 20 countries demonstrating with anti-American protests. Look at countries such as Egypt, Libya, Syria, and Yemen. Look at what is going on in Iraq. Yet at the same time we continue to import our energy from the Middle East. So look at what is going on in the Middle East at the same time we are dependent on them for our energy, when we can produce that energy right here at home and work with our closest friend and ally in the world—Canada—and when we can create American jobs.

This is an opportunity. We can produce more energy in this country. We can create jobs. We can get this economy going, and we don't have to be dependent on the Middle East. It just takes the will to move forward with the energy plan we have proposed, but we need an administration that will work with us to advance that energy plan.

Gas prices, which affect every working person, every consumer, every family, every business in this country, for the month of September are the highest they have ever been for any month of September. What does that do to American pocketbooks?

This is an opportunity. This is an opportunity we need to reach out and grab with both hands. The only question I can ask is: Why aren't we? Why isn't this Senate acting on that right now and why isn't this administration working with us? Why do veterans have to come back from the Middle East and go to Canada to get a job to work on something such as the Keystone Pipeline? Because the administration is blocking it in this country. The question I have is: Why?

We need to get going on this right now. The American people deserve that.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, Americans have endured 4 years of the worst recession in the last 70 years in this country. We have 23 million Americans either unemployed or underemployed, and millions more have simply given up finding a job. What is the Presi-

dent's response in the face of all this? Reject every plan presented by Republicans and, instead, spend \$5 trillion of borrowed money leading—so-called leading—our country into decline and ultimately into bankruptcy.

What is the Democratically led Senate's response? Avoid all efforts to formulate a plan to address this problem and to vote and debate on that plan on one of the most critical—if not the most critical—issues facing this country in its history. The American public is desperate for new leadership, both from the White House and from the Senate—leadership that is absolutely necessary if we are to restore our Nation to growth and prosperity and get our people back to work.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. WICKER. Mr. President, yesterday the New York Times said this: "The 112th Congress is set to enter the Congressional record books as the least productive body in a generation."

This is true, and the responsibility falls squarely at the feet of the Democratic Senate leadership. The Senate has taken just 193 recorded votes this year. The Senate has been more than 3 years since passing a budget. The majority leader has shut off the right to amend a record number of times. The majority leader has filled the amendment tree a record 66 times—more than his 6 predecessors in the Senate who did it a total of 40 times. The majority leader has shut off the right to debate. He calls up a bill, he files cloture on it, and then he has the audacity to call that a filibuster.

In short, the Democrats have failed to pass a budget, have failed to do a single appropriations bill, and have failed to consider a Defense authorization bill when we have troops in harm's way. America needs new leadership.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, a number of our colleagues have already spoken about the huge problems we face and the President's complete failure to lead. We have a \$16 trillion debt, millions out of work, the biggest tax hike in history looming, and our military faces crippling across-the-board cuts.

The Nation and the world need strong American leadership and robust political institutions to meet these challenges. But the President, with a lot of help from the Democratically controlled Senate, has deliberately chosen inaction. Why?

Over the past 2 years, the Democratic Senate has seen itself as an extension of the President's reelection campaign rather than a forum for solving the Nation's problems. Everything it has and hasn't done is meant to help the President, not the American people. So our problems have only gotten worse. And the Senate has of course completely broken down as an institution, as described by the Senator from Mississippi.

Democrats haven't passed a budget in more than 3 years despite the fact that, as Senator SESSIONS pointed out, the law literally requires it. It doesn't say, Don't pass a budget if it is hard; don't pass a budget if you have to negotiate with the House; don't pass a budget if you have to vote. It says, Pass a budget.

We haven't passed a single appropriations bill, I say to my friend, the senior Senator from Mississippi. Apparently all these people on the Appropriations Committee are completely irrelevant. Senator ALEXANDER pointed out they did their work but are never going to bring up a single bill.

By the way, it is not just the Appropriations Committee. All Senators are on committees. Does any Senator remember the last time they actually marked up a bill? Most committees are not marking up bills and not offering amendments. So I guess the new rule is: No amendments in committee and no amendments on the floor.

There are a lot of Senators around here of both parties wondering what their job is. I was elected by the people of my State. What is this job I have? I am on committees that don't do anything. Nobody votes on amendments. All the legislation we have, if we have any, is written in the majority leader's office.

Senator ISAKSON or Senator ENZI pointed out that all we do is vote on bills that have fancy titles and a poison pill and, of course, only one vote. Because you know, if you get on the bill, there won't be any amendments. So a lot of Members wonder why they are here. They fought hard for these jobs, defeated intelligent, well-funded opponents, got here ready to go to work, and nothing happens. And it is not just 1 week or a month or 6 months, but 2 years.

As Senator MCCAIN pointed out, no Defense authorization bill. We had managed to get around to doing that, no matter what our differences were, for half a century. This Democratically controlled Senate gives do-nothing Congresses a bad name. It is a complete disgrace. Never before has a Senate and a President done less to address such great challenges that we have.

I know I can speak for every single member of the Republican Conference in the Senate. Regardless of our philosophical differences with our friends on the other side, we take our jobs seriously. We think the people who sent us here expected us to function, and we intend to do so.

So if the American people decide they want to make a change, the commitment I make to them is the Republican Conference is going to pass a budget. It may be hard; we may have to twist a few arms; there may be some people who don't want to do it. We may have to do it on a partisan basis if our friends on the other side don't want to join with us. But the law doesn't say, Don't do it if it is hard. It says, Do it.

The Appropriations Committee deals with the discretionary budget of the

U.S. Government. It ought to be allowed to do its job. Not everybody is going to vote for every bill, but we are going to function.

We owe it to the American people to do, at the very least, the basic work of government. Of course, we have problems beyond the basic work of government. Certainly we were going to have differences after the 2010 election—which could best be described as a national restraining order.

The American people took a look at what this government did under this President's leadership over the first 2 years, and they said, We have had enough of that. They flipped the House of Representatives and made us a more robust minority in the Senate. They understood we weren't going to do any more of what we did the first 2 years. They were not interested in any more of that. But that is not an excuse for not doing anything. They said, We don't want to do any more of all this new stuff that was done in 2009 and 2010, the massive spending and debt and the takeover of health care and the nationalization of the student loan bills.

But they didn't send us here to do nothing. They assumed we would at least do the things we ought to be able to agree on—the basic work of government. It is embarrassing.

For the sake of this institution and for the sake of our country, we need to straighten out this place. We need an attitude change. This is not about the rules. The rules have remained largely the same over the years. This is about us. And this problem can be fixed. All we have to do is decide to operate differently. No matter who is up or who is down, there are basic things this institution owes the American people; that is, to get the basic work of government done.

So the pledge we make to the American people, if they decide they want to try new leadership in the Senate, is we will do these things even if they are hard.

Beyond the basics, let me say to our friends on the other side, we have big problems we are never going to be able to solve without some bipartisan commitment to do it. We are drowning in a sea of debt. We know we cannot save this country unless we make the entitlement programs fit the demographics of our country.

We have a lot of other problems. We have taxes, we have sequester. But the way I tend to think of that is those are the chairs on the Titanic. You can rearrange the chairs—figure out the tax problems, figure out the sequester problems—but the ship is still going down unless we make our entitlement programs meet and fit the demographics of our country. We probably won't be able to do that one party only. It is time for some statesmen to show up.

We have had an election every 2 years since 1788, right on schedule. At any point in American history, people could have said, Oh, we can't do that;

there is an election coming up. There is always an election coming up in America. That is what we do. The fact that we have an election coming up is not an excuse for not tackling the tough problems.

So no matter what the American people decide this November, no matter what they decide, the problems are there. And our commitment to the American people is, if we are in the majority, we will do the basic work of government; and our hand will be out to our colleagues on the other side and whoever the President of the United States is.

It is time to tackle the biggest problems in the country, the most predictable crisis in American history.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, has the Republicans' time expired?

The ACTING PRESIDENT pro tempore. The Republicans have 3 minutes remaining.

Mr. MCCONNELL. I will yield back the remainder of our time.

The ACTING PRESIDENT pro tempore. The majority leader.

SELF-CREATED RESULTS

Mr. REID. Mr. President, I haven't been able to watch all the speeches by my friends on the other side of the aisle, but I have watched enough to understand what is going on. This has been a remarkable show of hubris or arrogance from the Republican side of the aisle.

One after another, the Republicans have stood to complain about how the Senate hasn't gotten a lot done. The Presiding Officer has been one of the leaders in having a more effective Senate, because my friend, the Presiding Officer, has watched what the Republicans have done. We are going to do something about it. The Presiding Officer knows that, I know that.

What they have done is the very definition of chutzpah. The nerve. What nerve. They are complaining about a result that they themselves created. They have created the fact that we haven't gotten anything done. They are good at it. A bill that would allow veterans to get jobs, they stopped it on a technicality. They have conducted filibuster after filibuster, blocking one bill after another, and then they complain the Senate can't pass anything when they are the ones holding things up. The record is pretty detailed and deep, and I am not going to cover it all today because, really, it is significant.

I said here yesterday, I have been the leader for 6 years. I may be off 1 or 2, but I have had to file motions to overcome 382 filibusters in 6 years. I know the Senate has changed a little bit since Lyndon Johnson was the majority leader, but during the 6 years he was the majority leader, he had to file cloture once. To think that they are here complaining we are not getting

anything done when they are the ones who caused it? And we start from this point.

I have to say, I appreciate the Republican leader being so candid and honest with the American people when he stood at the beginning of this Congress and said his No. 1 goal was to stop President Obama from being reelected. That is what he said. And they have legislated accordingly, stopping us from doing the most important things for this country. Measures to create jobs, they have stopped. Measures to stop jobs from being lost, they have stopped. They have done it so many times.

How about this: We have lost approximately 1 million teachers, firefighters, and police officers because of Republicans stopping us from getting things done, really hurting State and local government. So we over here thought it would be a good idea that we stop these significant layoffs of teachers, firefighters, and police officers. We want to make sure it is paid for and we agree it should be paid for. So we said, Okay, no more layoffs of teachers, firefighters, and police officers, and we are going to pay for it. How are we going to pay for it? Anyone making more than \$1 million a year would have to pay a surtax of three-tenths of 1 percent. Every Republican voted against that.

The Veterans Jobs bill I just talked about. The cyber security bill. The Pentagon has said the most important issue facing this country is cyber security. The National Security Agency: The most issue facing this country? Cyber security. We know, they know, the Republicans know, because they were down at the same demonstration I had of our intelligence agency showing what would happen if a cyber security attack took place in the Northeast just dealing with the power grid. We know it can happen.

I have heard Senator FEINSTEIN, the chairman of our Intelligence Committee, say several times it is not a question of if, it is a question of when. The Republicans blocked a cyber security bill, stopped it.

They have conducted filibuster after filibuster, blocking one bill after another. They blocked a bill to stop outsourcing jobs—more than once.

On all these TV ads that you see, we thought it would be kind of a good idea that the American people knew who was paying for these ads. But, no, twice they said let's keep them secret—Crossroads USA or whatever name they have there, all these names that sound so good. But I think we would be better served if people knew the ads were being paid by the Koch brothers or Sheldon Adelson from Las Vegas or Simmons from Texas who is boasting about giving \$34 million to defeat President Obama. And that is what the Republican leader wants.

On the passage of several small business jobs bills, one July 12, just a month or two ago; the motion to pro-

ceed to paycheck fairness, violence against women—they stopped us from going to conference on that. On April 16 they blocked a motion to proceed to a bill to reduce the deficit by imposing a minimum tax rate on high-income taxpayers, the Buffett rule, Warren Buffett. He wants to make sure he pays a tax rate comparable to his secretary's. That is what we wanted. They defeated that.

They blocked many bills dealing with unnecessary tax subsidies for these large oil companies. They have held up hundreds of measures out of the Energy Committee—hundreds. It used to be we would pass those just matter-of-factly.

Senator STABENOW had an amendment to decrease taxes on American businesses. She wanted to do that by extending expiring energy tax credits for energy that has created hundreds of jobs in America.

They blocked the nomination for weeks and weeks of Richard Cordray to be the Director of the Bureau of Consumer Financial Protection. They blocked judge after judge. They blocked a motion to proceed to a bill to put workers back on the job while rebuilding and modernizing American infrastructure. It creates jobs.

They blocked motions to proceed to a bill to keep teachers and first responders—in addition to the one I just talked about—and other ones. They blocked a bill to reauthorize the Economic Development Administration. This has been something we have done for 25, 30 years. They blocked it.

We wanted to reduce the deficit by doing something about these outlandish subsidies we give Big Oil—blocked it. We were trying to do a bill to create jobs. We spent weeks because they wanted to dictate what women could do dealing with contraception.

Then they have this little—this little deal with the House Republicans. If we work and are able once in a while to get something done over here, such as a postal bill to save our postal system, then the Republicans block it in the House. The farm bill—reduces the debt by \$23 billion—they have this deal with the House and now they blocked that. China currency? The same thing; they blocked it over in the House.

The record is very clear. The party of trying to defeat President Obama has done everything they can to make the economy look as bad as it can because they think if the economy is really bad, it is going to help them defeat President Obama.

The middle class—we know how they feel about the middle class. That was exemplified by statements that came out in the last few days by the Presidential nominee.

This morning, as I said, I wasn't able to listen to everything, but I listened to enough. One party stands for obstruction and the rich. The big lie—listen to this: How many times did we have the Republicans come to this floor and say: They have not passed a budget?

I have served in this Congress for 30 years, and I have admired two people very much for their knowledge of certain things. One person I have admired dealing with the finances of this country more than anyone else is someone with whom I came to the Senate 26 years ago, KENT CONRAD. KENT CONRAD has come here and time and time again said: Yes, we did not pass a budget resolution because we did not need to. We passed a law. That is why the CR is going forward. We passed a law that set numbers for us.

It is a big lie for them to come here and say we have not passed a budget. It is a lie. It is untruthful.

My friend with whom we have served in Congress, we came the same day, the senior Senator from Arizona, I have said before, and I will say it again: I admire him. I admire his service to our country. But for him to come and say that the Senate is not working well because of the Democrats, that is one of the big lies.

We have tried to legislate. They are holding up virtually everything we try to do, including the Defense authorization bill. I have been waiting for months for them to come to me with an agreement. This is part of the big game they are playing to try to make us look bad when they are the cause of it. They are the reason we have not done this legislation. We can't. We have spent weeks on matters that we would have done before in a matter of an hour or 20 minutes.

Republicans are complaining about a result that they themselves caused. The Defense authorization bill—we are going to come back after the election, and we will get that done with their help.

Here is the issue with Republicans, here is why suddenly they are all upset. They have been upset for some time, but really this week has been something that would upset nearly everyone because—we thought the Olympics were over, but yesterday we saw it in full go.

We had Republicans running to break marathon records, sprint records to get away from their Presidential nominee because it makes it a little hard for them to have somebody running for President representing their party who says: I only have to worry about half the people in this country.

We are going to continue to work to the best we can to move forward with the legislation we believe is important. We are going to come back after the election, during the lameduck. Hopefully, they will decide at that time maybe they have something better to do than try to make the President of the United States look bad.

We are a very fortunate country. We have a two-party system that is the envy of the rest of the world. These parliamentary governments, they work for months and weeks and sometimes longer than that to try to form a government. We don't have to do that. We are a government of laws, and we have a system that works pretty well.

But we know, based on some academic work that has been done—it is not just me talking. We have two of the foremost experts who have watched this country for more than 40 years—Thomas Mann from the Brookings Institute and Norm Ornstein from the conservative Enterprise Institute—who have said the problem with the government today is the Republicans. They said they have been here for 40 years and have never seen anything like it. I haven't seen anything like it, and I have been here 30 years.

We used to work together. When I came to the Senate we had Republican Senators and Democratic Senators. We joined hands and we got things done. But now, because they are being led by someone who believes the most important thing to do is to defeat Obama, we are getting nothing done and they are following him like lemmings off the cliff.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, one of the greatest orators in the history of English-speaking people was Winston Churchill. I can't tell you how many times I have read and reread his speeches and heard his great efforts to summon the courage of the British people during World War II.

In one respect the speech earlier this morning by Senator MCCONNELL was Churchillian, in the tradition of Winston Churchill, because they once said to Winston Churchill: What do you think history will have to say about you? He said:

I'm not worried about what history has to say about me because I'm going to write the history.

This morning Senator MCCONNELL decided to write the history of the Senate session. Unfortunately, his version was a little bit different than the memory of most of us in terms of what has actually happened.

This we do remember: In the beginning of the Obama Presidency, a short time after the President had been sworn in and asked to try to take this failing economy and put it back on its feet, when we were losing 750,000 jobs a month, when businesses were failing, when American families were losing one-third of the value of their savings, when the stock market was plummeting, when we ran the risk of a global fiscal crisis, when we were sending \$800 billion to the biggest banks in America to save them from their own greed and stupidity—at that time the Republican leader, Senator MCCONNELL, said: "My highest priority is to make sure that Barack Obama is a one-term President." His highest priority.

That is a fact. That is on the record. That is on tape if you want to see it. And he lived up to that in terms of his own ambition as the Republican leader.

When the President came up with a stimulus bill to turn this economy around, we had three Republicans who would join us, three of them. What happened to those three Republicans?

One of them, Senator Specter of Pennsylvania, was then threatened with defeat in the Republican primary for joining in a bipartisan effort to save the economy. He switched parties, came over to the Democratic side, and said: It isn't the Republican Party I remember. Another, Senator SNOWE of Maine, announced her retirement a few months back and said: I can't take the partisanship and division. The third, Senator COLLINS, still survives. Those three were the only three who would stand up with the President to try to get this economy back on track.

When it came to health care reform, after months of effort by Senator BAUCUS to bring in Republicans to craft the bill, Senator GRASSLEY, who was leading the effort on the Republican side, went back to Iowa in August, had a town meeting and said: I am finished. No more bipartisan negotiation on health care reform. And they would not give us a single vote, not one vote to pass health care reform.

The same thing was true when it came to Wall Street reform to put in oversight to avoid another fiscal crisis generated by the perfidy of greed on Wall Street.

Time and time again the Republicans refused to stand with us. To my left is Senator CONRAD of North Dakota. He has been our chairman of the Budget Committee. He put in a sincere, bipartisan, good-faith effort to deal with the deficit—with Senator Judd Gregg, a Republican of New Hampshire, a man who commanded respect on his side of the aisle, as Senator CONRAD does as well. They came up with a notion. Here is what it was.

We would create a commission that would investigate the deficit crisis, and if 14 of the 18 members of the commission voted to go forward it would come immediately to the floor for a vote.

We had a lot of Senators who were cosponsoring that. Democrats and Republicans finally said that will break the logjam. Then we called it on the floor. I ask Senator CONRAD, does my memory serve me correctly that the Republican leader, Senator MCCONNELL, who was a cosponsor of this deficit commission, along with six other Republican Senators, changed their votes on the floor and defeated the very bill they had cosponsored to deal with our Nation's deficit?

The Senator didn't hear that this morning, did he? All the speeches from the other side about dealing with the deficit. Perhaps Senator MCCONNELL and those six other Senators, those remaining, would like to explain why they reversed course and said no; they didn't want to be part of the effort. But it happened. It happened for certain.

As Senator REID came to the Senate floor and explained, they have broken all records in the Senate for filibusters. Boy, I tell you what: If you have a cable TV at home and you have C-SPAN on it and you turn on the Senate, I know a lot of people across America are calling into the cable

channel providers and asking for a refund. Why in the world do we have this channel where nothing happens except an occasional mention of a Senator's name during a quorum call? Does anyone know why? There were 382 filibusters on the Republican side; 382 delays in the Senate. What sort of issues are they filibustering? I just saw one this week. It was a veterans jobs bill. A veterans jobs bill was the subject of a 2-week filibuster. It was a bill which should have passed by voice vote. If every Senator who went back home for a Fourth of July parade, grabbed the flag and walked down the middle of the street and said how much they loved the veterans would have voted for it, we would have passed it. Instead, they filibustered it. It was one of 382 filibusters.

I am glad Senator CONRAD is here to explain this whole budget resolution issue. He can do it better than anyone. I will tell the Senator I took a look this morning at the 30 Senators on the Republican side who got up to speak and about 10 of them talked about the fact that there was no budget, that we didn't have a budget this year, and we don't have a budget next year. I then looked at the votes on the Budget Control Act. Those same 10 Senators voted for the Budget Control Act, a law which controls the budget for 2 years.

I am calling for an official investigation by the attending physician to see if there is something in the coffee urn in the Republican cloakroom causing amnesia so that these Senators would come to the floor and forget they voted for the Budget Control Act and make speeches like they didn't or never heard of it.

Let me say something about entitlements. Senator MCCONNELL spoke to the issue of entitlements. He is right; it is an important part of what we need to do to right this ship to deal with our deficit. It would have been part of the conversation for the Conrad-Gregg commission, which seven Republican Senators torpedoed, including the Republican majority leader. We can go through the bills, as the majority leader has, and talk about the efforts we have made.

We have passed bills on a bipartisan basis. We passed a postal reform bill to ensure that the best postal service in the world survives. We passed it with a bipartisan vote—dead in the House.

We passed a transportation bill. Senator BOXER and INHOFE put it together. It was a strong bipartisan vote to build the infrastructure of America. It passed in the Senate. It died in the House.

We passed a farm bill with Senator STABENOW of Michigan and Senator ROBERTS of Kansas. It was a bipartisan farm bill that gave us a good architecture for the future of farm programs and reduced the deficit by \$23 billion. We passed it on a bipartisan basis in the Senate. It died in the House of Representatives. The tea party faction in the House will not allow it to go forward.

Senator REID also made the point earlier. What was the first Republican amendment on the Transportation bill? Think about this for a second. It was the first Republican amendment on the Transportation bill. They wouldn't let us move forward to that bill unless we considered an amendment which would reduce the opportunity for women across America to have access to family planning. That was on the Transportation bill. Now they are arguing that we are finding ways to slow down the Senate? The Blunt amendment was defeated, but it is an indication of the political gamesmanship that has gone on at the expense of the important bills such as the Transportation bill.

The last point I wish to make is this: We know that if we are going to thrive in this country, the middle-class working families in this country need a chance.

The Senators on this side of the aisle, as well as President Obama, want to give working and middle-income families a tax break. We passed a bill so they will have a tax reduction to help them as they struggle from paycheck to paycheck. We sent it over to the House of Representatives, where it is never going to be taken up for a vote. That is the sad reality.

So as the Republicans came to the floor this morning and gave us this grand vision of when they were in control, they tried to rewrite history. Maybe Churchill is capable of doing that, but I would say the Republican Senators failed to meet that challenge this morning.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from North Dakota.

Mr. CONRAD. First, I thank my colleagues, Senator REID, our leader, and Senator DURBIN for their kind words. I very much appreciate those kind words. I also must say I am a little taken aback by what I heard earlier on the floor from some of my Republican colleagues because it truly does represent an attempt to rewrite history, the history I have lived in my 26 years in the Senate.

I announced a little more than a year and a half ago that I would not seek reelection, so I don't have a political ox to gore. But I am here to report what I have seen after 26 years of service. Let me start by saying our Republican colleagues at the leadership level decided early on that their strategy to be successful was to stop things from passing in the Senate. It is very clear that has been their strategy. That is why we have seen more than 380 filibusters in this body, which is completely unprecedented in the history of the Senate.

The Republican leader made it very clear years ago that his highest priority was to defeat for reelection President Obama. He did not say his top priority was to solve the problems of the country. He did not say his top priority was to get our economy back on track.

He did not say his top priority was to address the deficits and debt of the Nation. He did not say his top priority was to improve the security position of the United States. He said his top priority was to defeat President Obama. Shame on him. That should never be the top priority of a leader in this body, Republican or Democratic. The top priority ought to be to help solve the problems the country confronts.

I am a little cranky because many of my colleagues know my wife and I have a little dog named Dakota that is suffering from cancer. Last night we were up from 12:30 until 5:30 as he was bleeding internally. So I must say I am a little cranky after having been up most of the night, and I got a lot crankier when I heard colleagues say things they know are not true.

When they say there is no budget for the United States, they know that is not true. How do I know it is not true, and that there is a budget? Because I remember what we voted on, and it is in writing. It is a law. It is called the Budget Control Act. The Budget Control Act passed last year and contained the budget for 2012 and 2013. Some say that is not a budget. Let's look to the language of the law itself and see what it says.

Here is what it says: For the purpose of enforcing the Congressional Budget Act of 1974, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and spending levels set shall apply in the Senate in the same manner as for a concurrent resolution on the budget.

What they are trying to do is mislead the American people by saying we have not passed a budget resolution. What they failed to tell people is that instead of a budget resolution, we passed a budget law. What is the difference? A resolution is purely a congressional document. It never goes to the President for his signature. So instead of a resolution, we passed a budget law called the Budget Control Act. It set out spending limits not just for 2012 and 2013, it actually set out on the discretionary side of the budget limits for 10 years.

In fact, the Budget Control Act, in many ways, is more extensive than any budget resolution could provide. It has the force of law, unlike the budget resolution that is not signed by the President. It set discretionary caps on spending for 10 years instead of the 1 year normally set in a budget resolution. It provided enforcement mechanisms, including a 2-year provision allowing budget points of order to be enforced. It created a reconciliation-like supercommittee process to address entitlement and tax reforms. It said if the special committee could not agree on reforming the entitlement programs and the tax system of the United States, there would be an additional \$1.2 trillion in spending cuts.

Let's add it up. The Budget Control Act first cut \$900 billion from the dis-

cretionary accounts over 10 years. Then it said if the supercommittee didn't reform the tax system and entitlement system of the country, there would be another \$1.2 trillion cut from the discretionary accounts over the next 10 years. That is a total of \$2.1 trillion in spending cuts over the next 10 years. That is the biggest package of spending cuts in the history of the United States. That is a fact.

The Budget Control Act set the spending limits for 2012 and 2013 and further set limits for 8 years beyond that. So when they say there is no budget resolution, what they fail to tell people is there is a budget law.

It is interesting if we compare and contrast what their side presented as their priorities in a budget because Mr. RYAN, their candidate for Vice President, came before the House of Representatives and laid out his budget blueprint. What does that do? First of all, it extends all the Bush-era tax cuts.

Think about this. Here we have a circumstance in which the revenue of our country is at or near a 60-year low. The first thing the Ryan budget does is extend all the Bush-era tax cuts, even those for the very highest income. Then it says that is not enough for the wealthiest among us. So the Ryan budget, after extending all the Bush era-tax cuts, goes and provides another \$1 trillion of tax cuts for the wealthiest among us.

I have nothing against wealthy people. I hope all Americans have the opportunity to become wealthy; that would be my fondest hope. That was why I was drawn to public service. What could I do that would strengthen the economy of the United States? It has always been my top priority. It is what I truly believe is essential to our democracy. But in a circumstance in which we are borrowing 40 cents of every \$1 we spend, and then to say the answer is more and more tax cuts for the very wealthiest among us and try to pay for it by shredding the social safety net that is critically important to those who are the least fortunate among us, frankly, I think that fails the moral test. I think that fails any moral test of government.

The Ryan budget, which our colleagues have endorsed, would give, on average, those earning over \$1 million a year an additional tax reduction of \$265,000 a year.

I know if I were listening to this I would say, How can it be that someone earning over \$1 million can get a \$265,000 tax cut, because that is about all they would pay in taxes. Remember, we are talking about the average for those earning over \$1 million a year, so we are talking about not just people who earn \$1 million a year but people who earn hundreds of millions of dollars a year. And the average tax cut provided in the Ryan budget for those folks is another \$265,000 a year.

What does Ryan do in order to offset that massive additional tax cut for the

very wealthiest among us? Well, here is an interesting quote from a former top economic adviser to Ronald Reagan, a man named Bruce Bartlett, who was a top economic adviser to Ronald Reagan. Here is what he said about the Ryan budget that our colleagues here have endorsed:

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.

Those are not my words. Those are the words of a top economic adviser to President Ronald Reagan.

The Ryan plan is a monstrosity.

If anybody seriously studies the Ryan budget they would have to conclude that Mr. Bartlett is correct, because Mr. RYAN cuts taxes in a very dramatic way for the richest among us. Let me be clear. The first thing he does is extend all the Bush-era tax cuts. Then, on top of that, he cuts the top rate from 35 percent to 25 percent. That provides over \$1 trillion of additional tax cuts for the wealthiest among us. And they refuse to do anything to close the tax loopholes that are allowing certain wealthy people to avoid paying taxes in this country entirely.

I have shown on the floor of the Senate many times a picture of a five-story building in the Cayman Islands called the Uglund House. The Uglund House claims to be the home of 18,000 companies. A little five-story building in the Cayman Islands claims to be the home of 18,000 companies. I say that is the most efficient building in the world. Can you imagine 18,000 companies operating out of a little five-story building down in the Cayman Islands?

All those companies claim they are doing business out of that little building for a reason. They claim they are doing business out of that little building in the Cayman Islands because they don't want to pay taxes in the United States. So here is what they do, and it is very clever. Through paper manipulations, they show the profits of certain subsidiaries of their companies in the Cayman Islands rather than in the places where they actually earned the profits. Why would they do that? Because the Cayman Islands doesn't have a corporate income tax. So by showing their profits in the Cayman Islands, even though in truth they were never earned in the Cayman Islands—through accounting gimmicks they show their profits in the Cayman Islands and they aren't taxed. They avoid paying here what they legitimately owe here. What does that mean? That means all the rest of us get stuck paying for ourselves and them.

I said earlier the Ryan budget fails the moral test, and it is not just my judgment that it fails the moral test. How can one justify cutting taxes dramatically for the wealthiest among us and then turn around and shred Medicare, which is what the Ryan budget did? The Ryan budget he initially proposed changed Medicare's finances over time so that instead of Medicare paying 75 percent of health care costs for seniors who are eligible, the Ryan budget, over time, would switch that so Medicare would pay 32 percent. To be clear, under the Ryan plan, we would wind up with a situation in which the majority of one's health care costs, if one is eligible for Medicare, would be paid by that person, not by Medicare. That is to make up for the massive tax cuts he gives the wealthiest among us.

Here is what the Catholic bishops said. The Catholic bishops say the Ryan budget fails the moral test. I agree with the Catholic bishops. This is what they said in the Washington Post in 2012:

A week after House Budget Committee Chairman PAUL RYAN said that his Catholic faith inspired the Republicans' cost-cutting budget plan, 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.

In any moral test that I know of in any religion, we don't take from those who have the least to give it to those who have the most. I don't know of any religion that practices that as an article of faith—that we take from those who have the least to give to those who have the most.

Anybody who knows me knows I am pretty conservative. I come from a business family. I have a master's in business administration. Throughout my career, I have been someone who has been judged as fiscally conservative, someone who believes deeply in balancing budgets. I was the grandfather of the Bowles-Simpson Commission; served on it proudly. I was one of the 11 votes for its product—5 Democrats, 5 Republicans, 1 independent.

By the way, when our colleagues said this morning we haven't worked in a bipartisan way—well, I have spent 5 years working in a bipartisan way trying to get our debts and deficit under control. Senator Gregg, the ranking Republican on the Budget Committee, and I proposed the Bowles-Simpson Commission. We served on it. We voted for it. I subsequently served in the group of six, three Democrats, three Republicans, who were given the assignment by our colleagues to come up with a plan to reduce the deficit. We worked for a year and a half to try to find a bipartisan solution. We have had the Biden group. We have had the supercommittee, all bipartisan efforts that have gone on for years to try to produce an agreement. So my friends saying there hasn't been an effort, that is not true.

What is true is when our friends on the other side were in charge, they

brought this economy to the brink of financial collapse. That is the truth. Anybody who doubts it can simply go back to the end of the Bush administration and see where the country was. The stock market was collapsing. The housing market was collapsing. The financial system was collapsing. That is what President Obama inherited. He did not create those crises; he inherited them. At the time President Obama came into office, the economy was shrinking at a rate of almost 9 percent a year. We were losing 800,000 jobs a month. Now the economy is growing at a rate of about 2 percent a year, and we are gaining about 200,000 jobs a month. That is a dramatic turnaround.

So when they ask the question: Are we better off now than 4 years ago? Undeniably, we are better off. Undeniably, we are better off. We have gone from an economy shrinking at a rate of more than 8 percent to one growing at a rate of 2 percent. We have moved from a time when we were losing 800,000 jobs a month to a time when we are gaining about 200,000 jobs a month. We have gone from a circumstance in which the stock market was plunging to a circumstance in which the stock market has about doubled during the time of President Barack Obama. President Obama inherited two wars, a war on terror, a financial system that was collapsing, a financial system that had seen, under the previous President, the debt double; foreign holdings of U.S. debt were tripling; and this President has ended the slide and has us going back in the right direction, and with precious little help from the other side.

I ask the American people before they cast their votes to think back to the final days of the Bush administration. I will never forget as long as I live being called to an emergency meeting in this building with the Secretary of the Treasury of the Bush administration, the Chairman of the Federal Reserve, the leaders, Republicans and Democrats, in the House and the Senate, and being told by the Secretary of the Treasury and the Bush administration and the Chairman of the Federal Reserve that if they did not act, they expected a financial collapse within days—a financial collapse within days. Those were in the final months of the Bush administration. That is what President Barack Obama inherited.

The hard fact is that when our colleagues were in charge of everything—they had the House, the Senate, and they controlled the White House—they brought this country to the brink of financial collapse. That is a fact. Thank goodness this President, acting with this Congress, was able to draw us back from the brink, but we have a long way to go. We have a long way to go. It is going to take everybody working together to pull us out of the ditch completely.

I have been part of major efforts for the last 5 years—bipartisan efforts—including Bowles-Simpson, the group of six; right now the group of six has been

expanded to the group of eight. We have been working nonstop, hundreds of hours of discussions, on a bipartisan plan—four Democrats, four Republicans—to be enacted when we return, to get America back on track. That is what is required here.

What we saw this morning from our colleagues on the other side is not the answer; it is the problem. The same old tired political gamesmanship is not going to cut it. What we desperately need is Republicans and Democrats working together to solve America's problems. That is what we owe the American people. I very much hope when we return after this election that colleagues on both sides will be prepared to act in that spirit.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am very proud to follow Chairman CONRAD on the floor at this time. There is no person in the U.S. Senate who has worked harder on a budget compromise than Senator CONRAD has. There is no person who has put out the hand of bipartisan friendship and cooperation more than Senator CONRAD has. There is no person who has experienced more frustration of having that hand rejected and slapped away than Senator CONRAD has, and there is no person who has contained that frustration and continued to work forward and seek resolution in a dignified way than Senator CONRAD has.

The Senate Republicans who took to the floor this morning to criticize Democrats for failing to pass a budget and deal with the impending sequester and tax cuts expiration failed to note that Senate Democrats have, in fact, passed a budget law and a bill that extends the tax cuts for 98 percent of Americans and 97 percent of small businesses. It is to protect the 2 percent and the 3 percent at the top of the income level that Republicans have refused to allow that bill protecting 98 percent of Americans and 97 percent of small businesses from tax increases from going forward.

Senate Democrats also support a balanced approach to replacing the sequester and reducing the deficit. What they didn't talk much about but which is very important in this discussion is the Republican Ryan plan for the budget.

This past May, 41 of our Senate Republican colleagues voted in favor of a radical transformation of the America we know. And the Republican-controlled House passed this budget—a budget that would devastate the middle class. The plan would end Medicare as we know it for future retirees. It would reopen the Medicare prescription drug doughnut hole that we closed for current retirees. It would slash investments that America's children depend on, from Head Start to Federal college aid; and it would give the average million-dollar earner a new additional tax

cut of, on average, \$285,000 each in that million-dollar-plus earner cohort.

The blockade here that is preventing moving beyond the sequester is by Republicans, particularly in the House, refusing to proceed in any reasonable way and, instead, demanding these damaging radical cuts for the middle class.

Let's look a little bit behind the curtain of campaign rhetoric and examine the harm—the personal real-life, real-person harm—that the Ryan budget would inflict on millions of middle-class families and retirees.

In what is one of the extraordinary examples of “say one thing, but do another” rhetoric, Mr. RYAN, in his recent nomination acceptance speech, said that “the greatest of all responsibilities, is that of the strong to protect the weak. The truest measure of any society is how it treats those who cannot defend or care for themselves.”

His budget, of course, visibly does exactly the opposite. It slashes taxes for the most well off, while decimating the programs on which struggling families and retirees rely.

Do not take my word for it. Following the House passage of this Ryan budget, the Conference of Catholic Bishops said:

Congress faces a difficult task to balance needs and resources and allocate burdens and sacrifices.

Just solutions, however—

The bishops said—

must require shared sacrifice by all, including raising adequate revenues, eliminating unnecessary military and other spending, and fairly addressing the long-term costs of health insurance and retirement programs. The House-passed budget resolution fails to meet these moral criteria.

That is what the Conference of Catholic Bishops said. I will state again: “The House-passed budget resolution fails to meet these moral criteria.”

That is not me speaking. That is the Conference of America's Catholic Bishops.

So let's start our look behind the curtain, the curtain of the budget that fails this moral test—that Governor Romney said was “marvelous,” to use his word—let's start with the budget's tax theories.

The Ryan budget would lower the top tax rates for both corporations and the highest earning individuals from 35 percent to 25 percent.

According to a Joint Economic Committee analysis, this would result in an average tax cut of \$285,000 for Americans earning \$1 million a year and more. At the same time, middle-income taxpayers making between \$50,000 and \$100,000 would see their taxes go up—go up—by \$1,300 because middle-class deductions are stripped away to pay for the high-end cuts.

RYAN would also shift, at the corporate level, to a so-called territorial tax system, which would mean that companies that ship jobs and operations overseas would no longer have

to pay any U.S. taxes on their overseas profits.

Democrats have tried repeatedly to offer tax incentives to companies that bring jobs home to the United States. And nobody in this body has worked harder on bringing jobs home to the United States than the Presiding Officer, the Senator from Ohio, Mr. BROWN.

Well, the Ryan plan would do exactly the opposite. It would tell big corporations that if they move their business operations overseas, they will never pay taxes on those again. The Ryan plan is really a jobs bill for China, for India, for Korea, not for America. It is an offshoring rewards act.

In addition to those upside down tax changes that harm the middle class and raise their taxes to cut taxes for the highest earners in this country, in addition to its inducements to offshore more jobs instead of bringing them home, the Ryan budget would slash \$2.9 trillion from our health care programs. Beginning for workers who retire in 2023, Mr. RYAN would convert Medicare to a voucher system, which, according to the nonpartisan Congressional Budget Office, would ultimately add an estimated \$6,000 in annual out-of-pocket costs that our retirees, our seniors would have to fork over.

It is hard to imagine how future seniors living on a fixed Social Security income will be able to maintain health care coverage with these substantial increases in out-of-pocket costs that Mr. RYAN's budget envisions.

If the Republicans are saying they will not make the deal that spares us the sequester unless that deal puts an end to Medicare as we know it, holding Medicare hostage, well, it then takes some “brass”—to use President Clinton's phrase—to say: We are for the sequester.

The Ryan budget does not stop there. It would repeal the Affordable Care Act and take away access to affordable health insurance for millions of Americans of all ages. And, of course, repealing the Affordable Care Act hits seniors again by reopening that dreaded Medicare prescription drug doughnut hole that we worked so hard to close and that is closed over time in the Affordable Care Act.

In 2011 alone, the Affordable Care Act helped nearly 15,000 people in my home State of Rhode Island save an average of \$554 by beginning to close the doughnut hole—millions of dollars out of the pockets of Rhode Island seniors.

That made a big difference for people such as Olive, who wrote to me from Woonsocket. Her husband fell into the doughnut hole last July. Thanks to the new law, Olive and her husband received a discount on their prescription drugs. They saved \$2,400. If the Ryan budget passed, they would be stuck paying that full cost again: \$2,400 right out of the pockets of Olive and her husband and into the pockets of the drug companies. Gee, who would be for that around here?

In fact, under the Ryan budget, the average senior would be stuck with

\$4,200 in additional out-of-pocket prescription costs—a huge transfer of wealth from America's seniors to the big drug companies.

Repealing the Affordable Care Act would not just harm seniors, it would also mean that insurance plans would no longer have to cover young adults up to age 26 on their parents' plans. This moves over 3 million young Americans—just getting out of college, still looking for that first job that has health insurance coverage—back on to the rolls of the uninsured.

The radical Ryan budget would also hurt young people by slashing Pell grants, making college less affordable. Students and graduates are already struggling to pay a record trillion dollars that Americans now owe in outstanding student loans, and the Ryan plan would force students to take on even greater debt burdens.

On top of these specific cuts, the Ryan budget takes an additional \$1 trillion in unspecified discretionary spending cuts. Domestic discretionary funding is the money that is used to keep the government operating each year—FBI agents investigating cases, Border Patrol agents working our borders, doctors and nurses treating veterans at the VA, employees mailing out Social Security checks, and many other important programs and functions.

It is already at its lowest level as a share of GDP since the 1950s. It is hard to imagine any Federal investment—whether it is education or housing or highways or law enforcement, you name it—not being jeopardized by such Draconian cuts.

That is why President Reagan's—President Reagan's—former economic adviser said about this Ryan budget plan:

The Ryan plan is a monstrosity.

Ronald Reagan's economic adviser said: "The Ryan plan is a monstrosity."

The rich would receive huge tax cuts while the social safety net would be shredded to pay for it. . . . 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.

If that is what Ronald Reagan's economic adviser thought about it, think what regular people might think about it.

Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party.

But that is what is being held hostage on this sequester.

I hope when the election season is over, no matter who wins, that Republicans will work with us—without insisting on a monstrosity, without insisting on the end of Medicare—on a balanced and reasonable plan to reduce the deficit. With a record national debt, now is no time for more tax giveaways to billionaires, as Mr. RYAN proposes, but, rather, it is the time to ensure an America where everyone gets a fair shot, everyone pitches in their fair share, and we go forward as a country

together, as we always have in our best days.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The senior Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I caught some of the dog-and-pony show that Republicans put on this morning on the floor of the Senate, and I thought it was pretty indicative of their approach to this entire Congress—all politics, no participation. Someone must have reminded them this morning that they are 47 days away from an election and that for the last 624 days of this Congress, they have done nothing but say no.

But I am here to say that an hour of speeches on the Senate floor cannot erase an entire Congress of obstruction. In fact, the Republicans' show this morning reminded me of a move I have seen many times before as a former preschool teacher and as a mom who has watched a lot of kids go through school. It reminded me how on the very last day of school before summer there was always one student who had not done their homework all year long, and on that last day they showed up on their best behavior, homework in hand, hoping to leave a good impression. They thought maybe this last-ditch effort could help them avoid a bad grade.

Unfortunately, it does not work that way.

So let me assure Republicans of one thing: Their record of obstruction and their refusal to compromise will not go away at the eleventh hour. One-minute speeches on the day before they go to face voters cannot paper over 100 filibusters. It will not change the fact that almost 2 years ago the Senate minority leader revealed that his No. 1 priority was—not working to get Americans back to work, it was not bringing our economy back from the brink, it was not ensuring that America remained a leader at home and abroad, no—to defeat President Obama, it was playing politics, just as we saw this morning.

There has been, seemingly, no group of Americans—well, with the exception of millionaires and billionaires—who have been spared in the Republicans' efforts to achieve their goals—not our teachers, not our college students, not our farmers, not construction workers, not first responders, not even our Nation's veterans have been spared their efforts to destroy the work of this Congress.

There was no better example of that than yesterday here on the floor of the U.S. Senate. The Veterans Jobs Corps bill that we brought to the floor included 12 provisions to help veterans find jobs.

Eight of them. Let me repeat that. Eight of those provisions were Republican ideas. This bill was fully paid for. It was based on existing grant programs that are putting Americans to

work. It would have allowed the veterans to serve their communities. It would have given unemployed veterans the self-esteem that a job provides. It would have allowed them to support their families and help ease that transition back home.

That bill came at a time when one in four young veterans today is out of work. It came at a time when our military and veteran suicide rates are outpacing combat deaths and when more and more, as we all know, veterans are coming home today. The American Legion supported it. The Iraq and Afghanistan Veterans of America supported it. The problem was, it seemed, President Obama supported it. So we know from everything we have seen and attempted on the Senate floor, no matter how good or bad of an idea, no matter which struggling American would benefit, it seems that if the President supports it, you can pretty much guarantee Senate Republicans will not.

That is the legacy the Senate Republicans are going to take home to voters, the legacy that when middle-class American families needed their help the most, they refused to compromise to get things done; that when Americans were hurting, they put politics before people; that they set a goal of not participating, and they followed through on that at every single turn. No amount of snappy speeches is going to change that. No last-minute appeals for leniency will change that record.

In fact, it is ironic that this morning all of the Republican Senators showed up on the floor because for the last 2 years, when the American people have needed them the most, they have been absent.

The PRESIDING OFFICER. The Senator from Florida.

THE MIDDLE EAST

Mr. RUBIO. Mr. President, I come to the floor of the Senate to talk briefly about an amendment on which we may or may not get a vote. It is an amendment by my colleague, Senator PAUL. It really is directly related to the issues that have happened around the world in the last week and a half. We certainly watched in horror as our Ambassador, a fantastic and honorable American, along with three of his colleagues in the American consulate in Benghazi, was murdered last week. So I wanted to talk briefly about that because it really is an important moment in our foreign policy in the region.

Let me begin by expressing our deep condolences for that loss. All the members of the families of those folks who have died over there, our hearts are with them, our prayers are with them. We thank them for their brave service to our country and to the cause of freedom.

We have the right to be angry. The American people are angry and rightfully so. For years we have been investing our taxpayer dollars in aid to that region, and yet we turn on the television and we see these protests

against us. On one hand, every single year we send billions of dollars and hundreds of millions of dollars to help people in the region. We help them to stand and fight for themselves, to get rid of dictators. Then we turn on the television and we see people attacking our embassies or burning images of our President and burning our flag and chanting anti-American slogans. So the American people are both confused and angry. How can this be happening? But I think it is important for us that while we have the right to be angry, we should still remain smart in our foreign policy.

What I would like to talk about today is what it means to have a smart foreign policy, a pro-American foreign policy in that region of the world given these factors we are facing.

The amendment on which Senator PAUL is asking for a vote would condition foreign aid to three particular countries. Let me begin my conversation by saying that this is a complicated issue, and not all these countries are the same. Let me contrast two of them, for example.

Let's talk about Egypt for a moment. Now, of course, the Egyptian people got rid of a dictator. They had an election. It was a very close election that was won by the current President, Mursi, who comes from the Muslim Brotherhood. But Egypt has a well-organized security apparatus, a well-organized and well-funded security apparatus. Egypt has the capability to conduct counterterrorism in Egypt. Egypt has the capability, they have the people and the resources to protect our Embassy in Egypt. They have no excuse for not doing that, if they fail to do that, because they are able to do it.

What was really troubling to me about Egypt, however, was that President Mursi, rather than immediately condemning the attack against the United States and the murder of our Ambassador, his first reaction was to condemn a YouTube video. That is what we are talking about here—a YouTube video. Anybody can make a YouTube video.

Now, there is a belief, by the way, in the Muslim world that because in their countries, if you produce a YouTube video or any movie, for that matter, your government had to approve it—they think, well then in America, your government must have approved it as well. But that is not true, and their leaders know better. The leaders of these countries know better. Some of these leaders in the Egyptian Government were educated in this country. They know full well that anyone can make a YouTube video. But instead of standing and explaining that to their people, they go along with this stuff. They say one thing in Arabic to their people and another thing to the rest of the world in English.

There is a long pattern of double-playing behavior that we should not stand for and should not tolerate. It is, in my mind, unacceptable that a full 2

days went by before the Egyptian Government clearly condemned the attack on Benghazi and clearly condemned these actions against America.

Contrast that with Libya for a moment. Libya had an election as well where two-thirds of the Libyan people rejected the Islamists and they elected pro-Western, pro-modern, pro-progress leaders to their government. But, unlike Egypt, Libya does not have the ability to protect our consulate as well. They did not inherit from Qadhafi a well-organized security apparatus. In fact, it was one of the reasons why I argued for a more forceful American engagement in Libya. I did not want the conflict to last that long. That protracted and long conflict in Libya—what it did is it created more time and more space for these independent militias—these are literally independent gangs who got their hands on weapons and fought in this revolution against Qadhafi, but now the central government cannot get these groups to give up their arms because to do so would be to give up their power. That is why having this go on for as long as it did is a terrible idea. The fact is, though, the Libyans do not even have control over large portions of the country. There are entire areas of Libya that the government does not control.

There is an increasing body of evidence that shows that what happened in Benghazi was not an anti-American protest, it was not as a result of a YouTube video; it was an orchestrated anti-American terrorist attack by terrorists—not by Libya, not by Libyans, by terrorists.

In addition to evidence that this was a terrorist attack, not a Libyan anti-American uprising, look at the reaction in Libya since the attack. I wish the media in the United States would give more coverage to the Libyans in the streets protesting the terrorists, holding up signs apologizing.

Our Ambassador in Benghazi was loved by the Libyan people, especially the people of Benghazi, who credited him for saving their lives when Muammar Qadhafi's troops were on the outskirts of the city about to massacre them. I wish more attention were paid to that. I wish more attention were paid to the ceremonies that are happening today in Tripoli honoring—our Under Secretary William Burns is there honoring the service of Ambassador Stevens. The demonstrations in Benghazi are going to occur tomorrow honoring him as well.

I am not saying everyone in Libya is pro-American. I am saying we have a government in Libya that is trying to do the right thing. There is open source reporting in the press today. Fifty American FBI agents are there now investigating this. Those are the actions of a cooperative government. They are trying to help us, but they just do not have the resources to do it well. Cutting off aid to them does not make sense to me.

On the one hand, we are demanding that they protect our embassies. They

are saying: We want to, but we do not have the resources to do it. On the other hand, we are threatening to take away their resources.

So not all these countries are the same.

There are a lot of misconceptions floating around out there. I have heard some people say: You know what, maybe we were better off with dictators in the Middle East because they could maintain order. Let me tell you, that is a false choice. Here is why. These dictators were no friends of America.

Let me give you an example of Egypt, where people now say: Well, this stuff did not happen when Mubarak was there. No, it happened but in a different way. Let me tell you about the deal Mubarak and other dictatorial leaders in the region cut with extremists. Here is the deal they cut with extremists: As long as you do not do anything against us, you can do anything you want anywhere in the world. Conduct all the terrorism you want. Attack Americans. Blow up a train in Spain. Do whatever you want, just do not do it here. Do it in your country. If you do it in our country, we will cut your head off. If you do it somewhere else, that is not our business.

That is the deal these dictators cut with extremists.

It was not a coincidence that there were Egyptians involved in the 9/11 plot. These were not Egyptians who came from poor families; they came from prominent and distinguished families in Egypt, which leads me to the second point. These dictators allow anti-Americanism, because—imagine if you lived in a dictatorial country—you are not allowed to protest the government. You are not allowed to protest your leaders. There are only two things you are allowed to protest—America and Israel. So that is what everybody does. It is almost a relief valve for frustration. Then they have a state-controlled media that feeds into anti-Americanism. Do you know that there were media outlets in Egypt under Mubarak and even now that tell the people in Egypt that in America denying the Holocaust is a crime? Denying the Holocaust is dumb, it is outrageous, but it is not a crime in America. Yet they spread these lies, these anti-American lies through the region. Of course there are people in the region who hate us because our so-called dictatorial friends and allies have allowed anti-Americanism to grow and be fostered because it has helped them hold on to the power.

So these dictators are not good for the region, not good for America. And the choice should not be between dictators and democracy. The second fallacy is, well, we will just have an election and everything will be better. That is not true either. Democracies can elect people who do not like us too. So this is not an easy issue to confront, but disengaging from the region is not the solution.

Now, I do not have a magic solution. I have only been here in the Senate for about a year and a half, so these are issues I am engaging in for the first time over the last year, but here are my opinions given what I have learned in the first 2 years I have been here, some points I would like to make.

The first is that we should expect more. We should expect more from leaders in the region. We should expect Mursi and the Muslim Brotherhood and others to stand up to people and say: Look, we understand you are upset about this video, but you do not have the right to burn down an embassy. By the way, in America the government does not control these videos. Anyone can make a YouTube video. They are a free society.

No. 2, we should expect them to say the same things in Arabic as they are saying in English. Do not express condolences and outrage in English on the attack against America but in Arabic completely ignore it and only talk about the YouTube video.

We should expect more from them. They want a true partnership. They want American and Western aid. They want tourists to return. They want economic interchange between our two countries. We should expect more from them.

Here is the second point. This stuff is not happening because of a video, because people are upset. You know what, let me explain something to you. For radical Islam, our entire culture is offensive. They are not just offended about a YouTube video. They are offended that women serve in the Senate. They are offended that women drive. They are offended that little girls get to go to school. In some of these countries, converting to Christianity is punishable by death. So our whole culture is offensive to them, not just a YouTube video.

Here is the third point we have to accept. This is a critical moment not just for America, this is a critical moment for the Muslim world, where they have to decide what kind of future they want for themselves. Is this the future they want, a future isolated from the world, a future isolated from the promises of the 21st century, or do they want a different future? I know there are millions of people in the Muslim world who do not want this future, but they are afraid to speak up. They are intimidated from speaking up because of these radical forces that need to be defeated.

This brings me to my last point. We need to be very clear. We will support those who want a better future, like we should have supported the Green Revolution in Iran when brave young Iranians took to the streets to protest a fraudulent election, and instead of taking their side, the President disengaged and said nothing. We will support those who want a new future and a better future for their region. We are not asking them to abandon their religion or their beliefs, but they have to respect ours.

We are not asking them to walk away from the Koran, but they have to respect our beliefs and tolerate our beliefs as well. We will support those who are willing to do that. We want to work with them. It benefits no one to have violence and destruction in the region. But we also have to accept the hard cold fact that there are people, there are radical Islamists in that part of the world with whom you can never and will never be able to reason. They are never going to change their minds. They are never going to come around. They are never going to one day all of a sudden change their behavior because we engaged them more, because we give more speeches at their universities. They are radical Islamists, violent people. It is a very clear choice: Either they win or we win. And the sooner we accept that, the better off we are going to be.

So we have to accept that on the one hand there are millions of people in that region who want a new and better future. We will side with them. We will support their aspirations. We will work with their hopes for civilian leadership and peace and economic prosperity. But for those who are radical Islamists, whose view is they want to conquer and bring under their control everyone who is not who they are, we have to defeat them. I wish it weren't the case, but it is. And the sooner we accept that, the clearer our policies are going to be.

So this is not just a critical moment for America in our foreign policy; this is a critical moment for them as well, for they are going to have to decide. If Egypt truly wants a better future for their people, one where their economy is growing and prosperous and young people can fulfill their aspirations, they are going to have to unequivocally reject this type of stuff or they will be trapped in the 18th century forever.

In Libya, they are trying to cooperate with us. They are allowing us to move forward. We should work with them and strengthen them, not abandon them.

And I didn't mention Pakistan, but that is important too. Let me just say that I think it is outrageous that doctor is being held there. I believe every charge against him is trumped up, and I think we should demand—I think it is right to condition some, if not all, of our foreign aid and cooperation with Pakistan on his status and on his release. So I hope Senator PAUL and those who support his amendment will consider, at a minimum, restructuring that amendment to recognize there is a difference between Libya and Egypt and that we should take different approaches in that regard; that we have a right to be outraged; that we have a right to be angry, but we should never abandon being smart.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

HONORING OUR ARMED FORCES

CORPORAL DARRION TERRELL HICKS, PETTY OFFICER SECOND CLASS SEAN E. BRAZAS, LANCE CORPORAL CHRISTOPHER PHOENIX JACOB LEVY

Mrs. HAGAN. Mr. President, 11 years have now passed since the attacks of September 11, that horrific day that forever changed the world. Although we have killed Osama bin Laden, the fight against the al-Qaida militants is not over. Al-Qaida remains a threat to America, and the brave men and women of our Armed Forces are still fighting every day to protect our way of life.

Mr. President, I want us to honor and think about these men and women. There are over 77,000 U.S. servicemembers deployed in Afghanistan right now who remain in harm's way. These men and women willingly joined the military during a time of war. They want nothing more than to serve our country. They fight for our way of life so we don't have to and so that our children and grandchildren will not have to.

I am going to highlight three servicemen from North Carolina who have made the ultimate sacrifice. I have personally spoken with their families, and I want to share their great love of country with you because it is so important that all Americans understand our military and their families who sacrifice so much for all of us.

From my home State of North Carolina alone there are more than 6,000 of our finest sons and daughters, brothers and sisters, moms and dads deployed in Afghanistan. They are the men and women of the II Marine Expeditionary Force, 2nd Marine Division, 2nd Marine Aircraft Wing, and 2nd Marine Logistics Group from Camp Lejeune and Cherry Point. They are the men and women of the 82nd Airborne Division from Fort Bragg. They are the men and women from the National Guard and Reserve Units from North Carolina. And they are the thousands of other soldiers, sailors, airmen, and marines deployed to foreign lands to stand watch over the world and keep us safe.

Sometimes I feel as if the war is hardly an issue in the news, in daily life, anywhere, except for those who are personally affected by it. Our focus is too often drawn to the news of the elections, of the economy, of politics, of celebrities, of scandals, of the rich and famous, and of the simply bizarre. We do not hear enough about the brave souls who have lost their lives while trying to make the world safer for the rest of us, who willingly joined the military during a time of war, who want to serve our country.

We all need to pay respect, to honor, and to remember the very men and women whose commitment, dedication, and courage are what make our country safe and to respect and remember the families they left behind.

As we scale down our presence in Afghanistan and bring our service men

and women home, we must remember every day this war is still going on, and it is occurring at a tremendous cost—a cost that is disproportionately paid by the brave men and women who are fighting for the rights and privileges we enjoy.

These men and women traded their youth, and they have spent years away from family and friends. They voluntarily put their lives on the line for their friends, for their loved ones, their country, and for people they have never met—for me and for you. These men and women are the almost 50,000 wounded in action since the start of this war. They are the 336 U.S. servicemembers who have died just this past year. They are the 54 coalition forces who died in the month of August alone. They are strangers to most of us, but they are the most important person in the world to someone. They are selfless defenders of our freedom, many of whom have made the ultimate sacrifice, and many of whom are from my home State of North Carolina.

They are people such as CPL Darrion Terrell Hicks, U.S. Army, from Raleigh, NC, who died July 19, 2012, just 2 months ago. Darrion was a 2009 graduate of Broughton High School, where he was a standout student who was loved and respected by all.

Darrion always wanted to be a soldier. It was a goal he set early on and something that everyone remembers about him. It was a goal he pursued with diligence and honor. He was a model Junior ROTC student who was voted Mr. Junior ROTC by his peers. Darrion is remembered as the kind of young man a teacher wishes all of their students were like. He was a boy you wanted your children to be friends with. He became the kind of man we should all be so thankful to have in this world.

When I was speaking with his mom Tracy, she shared with me that he was the kind of boy who never gave her a problem, ever.

Corporal Hicks achieved his goal of becoming a soldier when he enlisted in the Army after graduating from high school. He loved the Army, and it seemed he had found his place in life. He loved his family, and he kept in close contact with his mother. Whenever he spoke with his mom, she would always tell him: "Always pray. Be safe. I love you." To which he would respond: "I am going to be fine. I love you, too."

This year, Darrion was serving with the 54th Engineer Battalion, 18th Engineer Brigade as a sapper. Sappers are responsible for clearing the way for others, making the way safe for those who follow. This is what Corporal Hicks was doing when he was killed by an enemy IED. He was only 21 years old.

As one of his teachers at Broughton said:

When we talk about Darrion, we are not talking about a teacher making an impact on a student. We're talking about a student who made an impact on the teacher.

Corporal Hicks made an impact on everyone he touched, and I think we all have something to learn from him and the life he chose to lead.

There are people such as PO2 Sean E. Brazas, U.S. Navy, from Greensboro, NC, where I have lived for the last 30 years. Sean died on May 30, 2012. Sean was your all-American boy next door. He grew up playing soccer in the same traveling soccer league in which my son played, and Sean was on the swim team.

Sean graduated from Western Guilford High School, and he could have done anything, but he wanted to do something important with his life. Sean Brazas joined the Navy after graduation and became a dog handler. He was stationed at Naval Base Kitsap in Washington State, where he met the love of his life, Allie, who was also in the Navy. When Sean met Allie, being the southern gentleman he was, he held the door open for her at the post office when they first met. Putting others first was just how he lived his life.

Sean Brazas loved being a dog handler and loved being in the Navy. His wife is now a 23-year-old widow with a young daughter Addison, whom Sean nicknamed Short-stack. They were the center of his world. His life as a sailor, devoted husband, and loving dad was rich and full and tragically short.

Petty Officer Brazas had only been in Afghanistan a short time when he died on May 30 while helping a fellow servicemember get into a helicopter when their unit was ambushed. That seems to define Sean—a man who selflessly did what he could to help others.

Sean Brazas served his country proudly because he appreciated the rights and privileges that Americans are fortunate to enjoy. He wanted to make sure his daughter never had to worry about anyone telling her what books she could read or where she could go to school or what she could become. He wanted his mom, dad, wife, and daughter to be safe.

He died a hero and now rests at Arlington with his grandfather and friends who have left the world far too soon. He died a man his dad Ed looked up to. Ed told me he hopes to be half the man his son was.

There are people such as LCpl Christopher Phoenix Jacob Levy, U.S. Marine Corps, from Ramseur, NC, who died September 10, 2011.

On 9/11, Jacob had just turned 11 years old. He had gotten a bloody nose at school, and his mom Amanda was called to bring him a change of clothes. She shared with me she was driving to his school when she heard on the radio of the first plane hitting the World Trade Center. When Amanda explained what had happened to Jacob that night, she said Jacob then said he would be in the military. He was only 11 years old at the time.

Jacob joined the Junior ROTC at Eastern Randolph High School where he was a standout runner and wrestler. He was also a proud active member of

the Lumbee Tribe. That is why he has the name Phoenix, from his Indian heritage. It stands for immortality and renewal.

In 2009, Jacob fulfilled the goal he set in 2001. He enlisted in the Marine Corps and graduated from boot camp. He planned on being a marine for 20 years, retiring, and then returning to his hometown to give back to the JROTC in his community. It is clear from an early age Jacob was driven to be a part of something more than himself, to do his part for the greater good. That was just how he lived his life.

Lance Corporal Levy deployed to Afghanistan with the 3rd Battalion, 8th Marines and returned home from his first tour on Mother's Day of 2011. However, Jacob told his mom his job was not yet done; that he needed to return to his brothers in arms in Afghanistan. He then volunteered to deploy again in the fall of 2011, this time with the 1st Battalion, 6th Marines out of Camp Lejeune. It was during this deployment he was mortally wounded by a single enemy shot. He was only 21 years old.

A couple of weeks before he died, Jacob spoke with his mother for the last time. He told her not to worry about him. He asked for underwear and beef jerky. He asked her to tell everyone he loved them. Jacob left his mom, dad, stepdad and two brothers.

Jacob's Indian name Phoenix, for immortality and renewal, has proven a worthy namesake for him. Although his life was tragically short, he lives on in the lives he touched. He inspired a scholarship at his high school that will go to help others, and he was an organ donor. He helped save seven other people he had never met. He gave the loved ones of those seven strangers more time with their parent, spouse, child, or sibling.

His death resulted in an outpouring of love and support for the Levy family from the Marines of both the 3rd, 8th, and 1-6. As Jacob's mother told me: "I may have lost one son, but I gained 30 others." To this day, those young men who served with Lance Corporal Levy continue to remember and look after her.

These are the people who are paying both your share and my share of the cost of freedom. These servicemembers gave their lives for us and for our country. We must not forget them: Darrion Hicks, Sean Brazas, and Jacob Levy. We must not forget their families.

We must not forget the men and women still deployed in harm's way. They come from our small towns, our big cities, and our rural areas. They are our neighbors, they are our fellow Americans, they are our heroes, and they are my fellow North Carolinians. To these men and women, to their families, we owe an eternal debt of gratitude. May God bless them, and may God bless America.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, something unusual is happening in Congress. Democrats and Republicans are agreeing on something; we appear headed toward same goal.

The problem is, what we are agreeing on is more business as usual in Washington. They want to pass yet another continuing resolution instead of a real budget solution. I can almost hear the people back home and all over this country saying, There they go again.

I can argue this both ways. A continuing resolution will let the government limp along again for another 6 months. That way, we can go home now and come back after election to fix the budget.

I haven't had anybody in West Virginia tell me that we should hurry home to campaign. I have had plenty of them tell me that we need to stay here and do the job they hired us to do. And that means fixing the budget, because our debt is piling up every day and it is choking our economy.

These continuing resolutions are supposed to be temporary, but it looks to me as though they have become a permanent way of doing business here in Congress. And let me tell you, it is a bad way of doing business. It ignores the dire circumstances of a record \$16 trillion of national debt that will increase close to \$1 trillion a year if we don't balance our annual budget, and do it soon. It makes me think of the goofy kid on the cover of *Mad Magazine*, Alfred E. Neuman, "What? Me worry?"

I came to the Senate not quite 2 years ago, and in the time I have been here there have been 12 of these continuing resolutions. There were three in December of 2010. In 2011 there were two in March, two in April, two in September, one in November, and three in December. Now we are being asked to pass another CR to keep things going a little bit longer, for 6 more months, so we can all go home—that is the problem—so we can all go home and worry about our elections, and we are going to worry about this country's growing debt later. We have got to get home first.

Well, a baker's dozen is one too many for me. Enough is enough. I can't vote for this measure to simply kick the can any farther down the road. It can't go on. The people of West Virginia didn't send me here or send the Presiding Officer from the great State of North Carolina to do that. They sent us here to help fix our budget problems with bipartisan commonsense solutions.

That is the way we did it in West Virginia when I was Governor. We didn't pull these kinds of stunts on West Virginians. We stayed on the job until the work was done. We wouldn't leave. We stayed and worked. If it was all through the night, we would stay. If it was an extra day or an extra week, we would stay and get our work done. We came together to make decisions on what was best for our State, not best for us individually. It is time we do the same here in Washington.

We have to stop putting off what we need to do to get our fiscal house in order. It is time to cancel the flights home, it is time to roll up our sleeves and get down to the people's business, because we have reached a dangerous point in our history—a point in which our debt is threatening not just our economic standing in the world but also our national security.

I know everybody expects that we will come back after elections in a lameduck session, and we are going to rush to fix all of our fiscal problems at the last minute. But if Congress's past performance is any indication of what to expect after the election, I wouldn't expect too much. That is a shame. A lameduck session of Congress is cutting it pretty close, because we have gotten ourselves into a real bind.

The so-called fiscal cliff is real. We are looking at over \$5 trillion of economic swing by the end of this year, December 31, coming up to January 1. One part of that is sequestration. I think we all remember the sequestration. That was a penalty we put on ourselves if the supercommittee did not do their job. Well, the supercommittee wasn't that super. It didn't work out the way we all thought it would. It means that what we have to do is take painful cuts. Because we said if we make the penalty strong enough and great enough, we will definitely come to the table and fix the financial problems. But we didn't do it. That was a year ago. We could have been working and fixing all that between, but here we come down to last minute and we are asking for 6 more months.

These are the kinds of meat axe spending cuts—and I will talk about that. I never did put budgets together that were across-the-board cuts. If you had to cut, you looked at it. Government can do two things with your money: It can spend your money or it can invest your money. We have done a poor job of investing. We have done a great job of spending the money. That has got to reverse and change. We can't just say, Well, across-the-board cuts. We have to look and find out and put forth priorities based on our values. And you shouldn't cut where investments should be made, but overall there will be a reduction. That can happen.

Some of our congressional leaders who put together the sequestering in order to force us are now acting as though, We really didn't mean it. It really wasn't sincere about we should do this. We knew we couldn't do it, but it sounded good back then because we really thought we would do so. Can you think what would happen to the confidence of the people in this country if we don't do what we said we were going to do? It is not a smart way to run this country.

Then they talk about cutting the defense budget. Oh, that can't be done. That can't be done. We want to make sure we have the strongest and toughest. And every one of us here supports

our military to the hilt. Every man and woman in uniform should have the best equipment, the best training, and the best support this country can give them. But when you look at the ballooning costs of what has happened to our Department of Defense, most of the money spent on contracting, most of the increases on contracting—people doing the same job making three and four and five times more than a man or woman in uniform? That is not right. And they are telling me, We can't cut it? Oh, no. If we do that, you are not strong for America.

Well, I have said this: The automatic cuts go into effect January 2, as we know. Our national security budget is still over \$600 million in 2013. That is more than we had in 2006, at the height of the Iraq war. In fact, even after the automatic cuts, the United States will still account for 40 percent of all military spending in the world. Forty percent of all the military spending is by our country. I promise you, we are going to make sure that America keeps the strongest defense in the world.

I have been in this body for 2 years. One of the most sobering moments I have ever had, I am sitting on the Armed Services Committee learning, as the Presiding Officer and everyone else, about the dangers we face around the world and the threats to the United States of America. The question was asked to then-Chairman ADM Mike Mullen, What is the greatest threat America faces? I am thinking I am going to hear about all the different North Africa problems we have, Iraq, Afghanistan, Iran, and on and on. He didn't hesitate, he didn't waiver. He said, "The debt of this Nation is the greatest threat we face as America." He wasn't worried about our military might. He wasn't worried about a terrorist attack. He was worried about us coming apart from within.

That was perhaps my most sobering moment since coming to the Senate. And when you have the highest ranking officer of the world's most powerful military that history has ever recorded, I think you should take that seriously. I did. That alone should give everyone in Congress a sense of urgency and doing something about our out-of-whack spending. And it truly is out of whack.

If anybody is betting that we can fix our finances in a lameduck session of Congress, I will remind them that some people made the same bet on the supercommittee last year. That didn't work out too well.

In fact, we are about to leave town with a lot of unfinished work. We are not just unsure about our finances, and it is not just about finances. The 112th Congress—and I am ashamed to say this—is one of the least productive Congresses in the history of this country in terms of passing new laws. The Congress we are in right now, the 112th, passed only 173 public laws as of last month. As you recall, in our history books, President Harry Truman—who

dubbed the 80th Congress as the do-nothing Congress—passed 906 bills. I don't even know if he would have a definition of what we have done.

So a do-nothing Congress is something I am not proud of. It is clear to me that betting on Congress getting religion after the election is also a risky gamble—a gamble with America's future, a gamble with the next generation. We tried that with the supercommittee, but it failed. That is the reason we are here today facing the fiscal cliff. The sunset of the Bush tax cuts, the tax extenders, the end of emergency unemployment benefits, sequestration, those are all meat axe cuts, and we know that.

The Congressional Budget Office says the fiscal cliff could cut the GDP by 4 percentage points next year and send the economy back right into a recession. Look at the time we have wasted. The supercommittee fell apart almost 1 year ago, and yet here we are. Instead of voting on a real and permanent solution to our financial problems, we are getting ready to vote on yet another temporary measure that will allow us to leave before we have addressed a single one of these most critical issues.

What has happened since the supercommittee shut down with no agreement? One thing that has happened is our long-term national debt has topped \$16 trillion a couple weeks ago. That is a figure that is almost impossible to wrap your mind around. But I think you can wrap your mind around this: Each one of us who lives in this great country is now in debt \$50,700, every man, woman, and child.

Sixteen trillion dollars is roughly the same as our country's entire economic output for the first time in 40 years. The last time our debt was 100 percent of GDP was right after World War II. We were fighting to save our Nation, to save a society, to save a way of life. This has been self-inflicted, and we can't keep going on this way.

We have reached what the National Commission on Fiscal Responsibility and Reform called the moment of truth. The report it prepared for the President almost 2 years ago—in fact, that was the title of its report, *The Moment of Truth*. And while the commission faced the moment of truth with a comprehensive bipartisan plan for reducing our debt, Congress has yet to do so. Now is the time. We know how to fix things. Congress has done it before.

In the early 1990s, our economy was faltering because deficits and debt were freezing capital. But Congress sent a signal to the market that it was capable of being fiscally responsible. And it was. The result was the longest economic expansion in history: the creation of over 22 million jobs and unprecedented wealth in America, with every income bracket rising—every income bracket, not just the chosen few.

The budget framework put together by Congress and the White House led to the first balanced budget in genera-

tions and put our country on track to be debt free this year, in 2012. If we had stayed the course, we would be debt free as a United States of America right now. Let me repeat that. This year we would have been debt free.

But we got totally off track with tax cuts, two wars, and expansion of the prescription drug benefits for Medicare recipients—none of which was paid for. All great ideas, but none was paid for. And the 10-year \$5.6 trillion surplus forecast in 2001 has become a debt of more than \$16 trillion. That is a \$22 trillion swing in less than a decade. It is unbelievable. It is mind boggling.

But we can get back on track if we follow a simple formula, roughly the same one the Bowles-Simpson debt commission recommended. We have to curtail spending, we have to have a fair revenue stream, and we have got to look at cutting the fat; and, to do that, an overhaul of our tax system so it is not only more equitable for everyone but also encourages the kind of entrepreneurship that makes our country the bedrock of the global economy.

In America, we need a tax system where everybody pays their fair share, and where American businesses are free to do what they do best: outproduce, and outinnovate competitors all around the world. To keep a bright future, we have to reform our entitlement programs so we can preserve the benefits. There is serious trouble ahead if we don't act.

Think about this. In 2016, Social Security disability is basically insolvent; 2024, Medicare insolvent; 2033, Social Security will only be able to deliver 75 cents on the dollar, a 25-percent discount.

The American people are hungry for plain talk on our debt. That is why a few weeks ago in Charleston, WV, we hosted Senator Alan Simpson and White House Chief of Staff under Bill Clinton Erskine Bowles. They packed the house, and they spoke the truth. What they were saying is, give the American people the facts, show them the options the way we did at our fiscal summit, and they will do their part to get our country back on the right track. They always have. That is what makes this country so great.

So don't sell the United States of America short. Don't sell the American people short because this is an election year. They can tell when you are dealing straight with them or when you are playing politics. Right now, there is no more time to play politics.

In fact, I got a letter yesterday from James of Clarksburg, WV, talking about the summit. Here is what he said.

It is time for responsible Members of the Senate like you to take to the floor and tell your fellow Senators, "It is past time for us to take responsible action to address the fiscal crisis which is our responsibility to the people who sent us here—because it is just that. There is no excuse for delaying action until after the election."

No excuse to delay it just because of an election.

James got it exactly right; there is no time to waste. I am not naive. I understand some of the choices we face are going to be hard for some of us to make. I know Republicans don't want to talk about new revenue, and I know Democrats don't want to talk about entitlement reform. But we need to start thinking more about the next generation than of ourselves, or the next generation than the next news cycle or the next flight out of Washington.

Millions of Americans are struggling in this tough economy, working overtime to pay their bills, find a job, and find a way forward for their families. They are looking to us for the leadership they need. They are looking to us for solutions. They are looking to us to come together and do what is best for the country in a balanced and practical way. They are simply looking to us to do our job, and I intend to do that to the best of my ability.

Winston Churchill once said: You can always count on Americans to do the right thing—after they have tried everything else.

I think we have tried everything else, including kicking the can down the road 12 times before. Now it is time for us to do the right thing. This temporary step is the wrong thing at the wrong time. We have work left to do, and we need to stay and do it. The people of America expect us to do better, to stand up for them, to put politics aside. The people of West Virginia can be assured that I will always stand, and I will continue to try to do the best that I possibly can for them and for the people of this great country.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Rhode Island.

HONORING RUSSELL TRAIN

Mr. WHITEHOUSE. Madam President, this week the conservation community mourns the passing of a great American leader, a passionate individual, and an inspiration and friend to many, Russell Errol Train.

President Nixon first named Russell Train as Under Secretary of the Department of the Interior and then as the first Chairman of the new White House Council on Environmental Quality from 1970 to 1973. Russ Train then became the Administrator of the EPA, serving there from 1973 to 1977. He was at the forefront of the legislation that became the bedrock of our country's environmental policy: the Clean Air Act, the Safe Drinking Water Act, the Endangered Species Act, the Toxic Substances Control Act—laws that keep the American public safe and that protect our American natural resources.

His desire to protect wildlife and habitat predated these years of public service. He founded the Wildlife Conservation Foundation in 1959 and then the African Wildlife Foundation. When

the World Wildlife Fund was established in the United States, he became its first President.

This week the World Wildlife Fund U.S. CEO Carter Roberts described Russell Train as “a true national treasure and an inspiration to all of us who embrace conservation as their life’s work.”

Mr. Roberts went on to say:

Undoubtedly, Russ would prefer that we not spend a lot of time mourning his passing. He would want us to redouble our efforts to save the animals and places we care about, to solve the problems of climate change and resource scarcity, and to build leadership capacity in those countries where it is needed most.

So it is with his legacy in mind that I come to the Senate floor today, as I try to do every week, to discuss climate change, the science behind it, and the reality of the changes we are already seeing. This week I will focus on how the carbon pollution that is causing these climate changes is also affecting our oceans and causing an equally threatening problem—ocean acidification.

Sea water absorbs carbon dioxide; and when it does, chemical reactions occur that change the concentration of carbonate and hydrogen ions in a process that lowers the pH of sea water, commonly referred to as ocean acidification.

Since the Industrial Revolution, we have burned carbon-rich fuels in measurable and ever-increasing amounts, now up to 7 to 8 gigatons each year. We have raised the average parts per million of CO₂ in our atmosphere from 280 parts to 390. By the way, the range for carbon dioxide in our atmosphere for the last, say, 8,000 centuries has been 170–300 parts per million. So we are well outside of that range. Indeed, in the Arctic, measurements have already reached 400 parts per million.

The oceans of the Earth have absorbed more than 550 billion tons of carbon dioxide from the atmosphere. That is approximately 30 percent of all of our carbon dioxide emissions. The good news is that absorbing all this carbon has significantly reduced the greenhouse gas levels in our atmosphere. The bad news is that because of all this carbon absorption, the ocean pH has changed globally, representing a nearly 30-percent increase in the acidity of the ocean. By the end of the century, ocean pH is predicted to change further, leading to a 160-percent increase in acidity.

This is where we are so far. This is what is projected. This rate of change in ocean acidity is already thought to be faster than anytime in the past 50 million years. A paper published in *Science* this year concluded that the current rate of CO₂ emissions could drive chemical changes in the ocean unparalleled in at least the last 300 million years.

The authors of that *Science* study in March warned that we may be “entering an unknown territory of marine

ecosystem change.” As the pH of sea water drops, so does the saturation of calcium carbonate, a compound critical to marine life for the construction of their shells and skeletons. Some organisms absorb calcium and carbonate directly right out of the water, others out of the food they ingest, but changes in the concentrations of these chemicals mean the building blocks become less available to make the shells of species such as oysters, crabs, lobsters, corals and the plankton that comprise the very base of the food web.

As oceans get more acidic, it gets harder and harder for these important species to thrive, and it puts at risk the economies that depend on these species.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I appreciate very much my friend from Rhode Island yielding, and I appreciate his focusing attention on something we do not focus on nearly enough—and that is a gross understatement—and that is our oceans. I admire the work he has done in so many different areas. We thought we had a path forward to do some good for oceans. It did not work out the way Senator WHITEHOUSE and I wanted. We will come back again because we have to do something about oceans. We study everything else but not our oceans, and most everything else depends on what happens in the ocean.

Mr. WHITEHOUSE. I thank the leader.

UNANIMOUS CONSENT REQUEST— EXECUTIVE CALENDAR

Mr. REID. Madam President, we currently have 17 district judges on the calendar, 14 reported by voice vote. For the people within the sound of my voice, what that means is they are not controversial. Twelve will fill judicial emergencies. These are places around the country where we have judges who are tremendously overworked on these important cases.

We have heard this kind of joke: What are you trying to do, make a Federal case out of it? What that means is the Federal system is so good that people look at it as being the best there is as far as judicial activity.

I am disappointed to say my Republican friends on the other side have informed me they will not agree on votes on any of these nominees. Republicans can offer no reason for blocking these bipartisan consensus district court nominees. I understand why they didn’t want us to do circuit courts—I understand that. I may disagree, but I understand that because Democrats have set boundaries in the past, as when we would no longer accept circuit court judges. But this is district court judges.

Historically, the Senate has considered district court nominees as late as October in Presidential election years. In the past five Presidential election years, Democrats have never blocked a

district court nominee from receiving a vote on the Senate floor, never. But our Republican colleagues are setting new standards for obstruction, not only in all the legislation but in judges.

For the 28 district court nominees we have considered this year, I filed cloture 19 times. In other words, we have had to break a Republican filibuster on 67 percent of the district judges we have considered and confirmed. President Obama’s district court nominees have been forced to wait 300 percent more than President Bush’s nominees; three times more. Only two people whom the President nominated this year have been confirmed. The kind of qualified consensus nominees who in years past would have been confirmed in a matter of minutes are now taking weeks and months, languishing with no action. These votes should be routine.

There should not be a fight that delays action on important job measures. In September 2008, right before the last Presidential election, Democrats confirmed 10 of President Bush’s district court nominees in 1 day. More than half of the Nation’s population, 160 million Americans, live in the part of the country where there has been a judicial emergency declared. That means more than half the people in this country seek justice from courts and judges that are strained to the breaking point under a backlog so intense an emergency has been declared.

The chairman of the Judiciary Committee, of course, knows I am here. He wants to be on the Senate floor, but the time did not work. He has done a remarkably good job getting the judges out. With 1 out of every 10 Federal judgeships standing vacant, Americans can no longer wait on fair and speedy trials, and that is what they have to do. They cannot rely on them.

Republicans should work with Democrats to confirm consensus district court nominees now. Refusing to do so is irresponsible. The Senate could act today and put highly qualified judges on the Federal bench, judges supported by both Democrats and Republicans.

I hope we can get something done before we leave. I don’t want to file cloture on these nominees before the end of the year. It is not the way we should be working around here. We should be working together.

I have a consent request. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 674, 675, 676, 760, 761, 762, 818, 828, 829, 830, 832, 833, 834, 835, 875, 876, and 877; that the nominations be confirmed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate and that no further motions be in order to any further nominations; that any statements relating to the nominations be printed in the RECORD.

Further, Madam President, before you rule, we have the gamut. We have California, Utah, Connecticut, Maryland, Florida, Oklahoma, Michigan,

New York, and Pennsylvania. That is a classic, these two Pennsylvania judges.

During the August recess the Republican Senator from Pennsylvania said that I am the reason the two judges from Pennsylvania have not been confirmed.

Try that one on for logic. He actually said publicly that I was the reason that Matthew Brann and Edward Mannion are not being confirmed, that it is my fault.

Madam President, I will finish this consent request: that the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Madam President, it is quite curious that my friend the majority leader is complaining about the one area I can think of over the last year and a half where the Senate has met historic norms. In other words, we have handled judicial confirmations in this Congress here in the Senate in a way that meets and in some ways exceeds historic norms. At the same time, of course, we have not done all the other things we have normally done in the past.

So far during this Presidential election year, we have confirmed 5 circuit court nominees and 29 district court nominees. That is a good record for Presidential election years. Let me look at a few. In 1996 we confirmed 18 district court nominees. This year we have confirmed 29. In 2000 we confirmed 31, in 2004 we confirmed 30, and in 2008, the last year of President Bush's tenure, only 24 district court nominees were confirmed. In fact, in 2008 Senate Democrats treated President Bush's nominees so badly that they were forced to confirm—as the majority leader bragged about—10 nominees in September of that year just to try to catch up to historical norms. So rather than bragging about doing 10 on 1 day, the reason they did 10 on 1 day is because they were so pathetically below historic norms they had to do 10 on 1 day so as to not be embarrassed by the process. If they had not done that, the Senate would have confirmed only 14 district court nominees in 2008, which is fewer than half the 29 we have already confirmed this year.

President Obama is also faring much better overall than President Bush did in his second term, which is the last time the Senate considered and confirmed two Supreme Court nominees. The reason I bring that up is because Supreme Court nominees take a lot of time and effort. President Obama, of course, did have two Supreme Court nominees confirmed during his first term.

So far the Senate has confirmed 158 of President Obama's judicial nomi-

nees. Compare that to President Bush's second term when the Senate confirmed only 122 of his judicial nominees. President Obama has had 158 confirmed; while President Bush had only 122 confirmed. So the Senate has confirmed one-third more judicial nominees than it did the last time it had to process two Supreme Court nominees.

Not only is President Obama being treated fairly in absolute terms, but the Senate is also treating him fairly relative to the number of nominees he has submitted. So far during President Obama's term, the Senate has confirmed 158 of his 205 nominees. That is a confirmation rate of 77 percent. By contrast, President Bush got only 74 percent of his nominees during his first term.

The contrast is even more revealing when we compare President Obama to President Bush's second term. During that term, President Bush got only 61 percent of his nominees confirmed. Again, President Obama got 77 percent of his nominees confirmed versus President Bush's 61 percent.

Now we are trying to get consent agreements to process the next two district court nominations that are in the queue, and we are hoping that will come about. That is the procedure we have been following. I am hopeful we can achieve that. If we do, we will have confirmed 31 district court nominees this year, which will equal the record for the most district court confirmations in a Presidential election year in recent memory. So whether it is looked at in terms of absolute confirmations or relative confirmations, this President is being treated very fairly.

I am happy to work with the majority leader, but we cannot allow the majority to jam us here at the end of this session; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, I am not going to prolong this much, but I would say this: No matter how we try to juggle the numbers, we still have 12 emergencies. I hope my friends on the other side would at least look at some of those emergencies and see if we could get some help for those beleaguered judges out there and the court personnel. It wasn't until May 7 of this year that we were able to vote on our first nominee for this year. They were all from last year that we did before that. I hope everyone understands we have 12 judicial emergencies. If some of these nominations were confirmed, it would take that away and make life for the court system much more fair.

Mr. MCCONNELL. Madam President, there is no way to spin the math. President Obama has been treated quite fairly every way we look at it. He has certainly met the historical norms with the treatment of Presidents in Presidential years. I rest my case.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent that I be given

3 minutes, the Senator from Indiana be given 3 minutes, and the Senator from Rhode Island then be able to continue his remarks.

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

Mr. SCHUMER. Madam President, I wanted to follow up on the Democratic and Republican leaders' conversation. This is not the first time we have seen obstruction for obstruction's sake over noncontroversial, consensus nominees to the Federal bench. It has been going on for 4 years.

In 2008 we cleared all 10 of President Bush's district court nominees pending on the floor by unanimous consent. Now, of course, we are being blocked. Well, I don't think Oliver Wendell Holmes could get unanimous consent from our Republican colleagues to be a district court judge today.

In the Western District of New York, nominee Frank Geraci has total bipartisan support. His slot has been vacant for years. We need him to fill that judicial emergency post. His nomination has been pending on the floor for more than 2 months. Why can't we confirm him today? He passed the Judiciary Committee unanimously with strong bipartisan support.

In the Southern District, another nominee, Lorna Schofield, has also been awaiting confirmation for 2 months. She also has complete and total bipartisan support. What is more, she would be the first Filipana confirmed to the Federal bench. The Southern District is one of the busiest benches in the country, and the judges hear among the most important cases, such as complex civil litigation, insider trading, terrorism. You name it, they do it. Why can't we confirm her today?

We hear one excuse after another for filibustering judges—recess appointments, funding for some area unrelated to judges, the so-called Thurmond rule, which has never applied to district court nominees.

I support the majority leader's motion for unanimous consent for these pending district court nominees, and I hope our colleagues will think about it. Before we leave this week, I hope we can come together and do what we have been doing together for decades—confirm uncontroversial judges.

I yield the floor and yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Indiana.

CYBER SECURITY

Mr. COATS. Madam President, yesterday Senator LANDRIEU, chairman of the Appropriations Homeland Security Subcommittee, and I entered a colloquy into the RECORD, and I would like to explain very briefly what it was we were attempting to do.

This is essentially to clarify a provision regarding cyber security that is incorporated in the continuing resolution, which we will be taking up here shortly. I understand there has been

confusion over section 137 as to whether the language that is now incorporated in the CR expands DHS authority or allows implementation of a potential Executive order pertaining to cyber security. The answer to that question is no, absolutely not. The provision is limited to funding improvements in the Federal Network Security Program, which provides security systems that monitor cyber attacks on Federal Government computer networks. It helps enhance the protection for those existing networks that are in place.

It is important that both the House and Senate homeland security appropriations bills included this additional funding, and it is considered so critical, it was added to the continuing resolution so that this implementation can continue without interruption. It does so because these networks are constantly under attack by individuals and groups and others who could cause real problems and real harm to our country.

So let me be very clear on the language that has been agreed on in a bipartisan basis and what the colloquy said. This provision does not intrude upon the authorizers' jurisdiction. This provision does not have anything to do with the regulation of private sector infrastructure. DHS has confirmed that in writing. And this provision does not enable a new Executive order in any way. I would be the first to object to this language if that were the case, and I believe we have now remedied any confusion that might exist over that particular language.

I am hopeful that even though we were not able to ultimately pass and incorporate workable cyber protection language, that we can continue to work together.

I wish to thank the chair of the Appropriations Homeland Security Subcommittee, Senator LANDRIEU, for joining me and clarifying this important provision included in the continuing resolution.

With that, I wish to thank my colleague from Rhode Island for allowing me the time, and unfortunately his good presentation was interrupted. I thank my colleague for the time to clarify that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am very happy to allow my colleague from Indiana the time, and I appreciate his good work on cyber security and hope that he and I and others can work toward a legislative solution on that.

CLIMATE CHANGE

Mr. WHITEHOUSE. My topic had been the acidification of our oceans as a result of carbon pollution now up 30 percent in acidity and projected to increase 160 percent in acidity at unprecedented rates in millions of years. It

has been 50 to 300 million years since we have seen this kind of dramatic change in ocean acidity. For species that use calcium carbonate to create their shells and skeletons, such as oysters, crabs, lobsters, and the little plankton that so many other species depend on as the base of the food chain, it becomes harder for these species to thrive.

These unprecedented changes I am talking about in ocean acidity are not happening alone, they are happening on top of dramatically changing ocean temperature that is also driven by carbon pollution.

Just this week on the surface of the Earth, we experienced one of the hottest summers on record. The National Oceanic and Atmospheric Administration released this statement about the northeast shelf large marine ecosystem, which extends from the Gulf of Maine down to Cape Hatteras. Here is what they said:

During the first 6 months of 2012, sea surface temperatures . . . were the highest ever recorded. Above average temperatures were found in all parts of the ecosystem, from the ocean bottom to the sea surface and across the region . . . The annual 2012 spring plankton bloom was intense, started earlier and lasted longer than average. This has implications for marine life from the smallest creatures to the largest marine mammals, like whales. Atlantic cod continued to shift northeastward from its historic distribution center.

I don't need to tell anybody in the Northeast how important the stability of the cod fishery is right now. That historic fishery is facing significant reductions in catch limits because the population is not rebounding as expected from the reduced catches that fishermen are already contributing to try to solve this problem. Something is causing that failure to rebound, and the unprecedented environmental changes occurring in the ecosystem can't be overlooked as the culprit behind this unexplained phenomenon of failure to rebound.

NOAA cited a 2009 study published in Marine Ecology Progress Series that analyzed survey data in the region from 1987 to 2007. It found that about half of 36 fish stocks evaluated have been shifting northward for the past four decades, with some disappearing from U.S. waters as they move farther offshore.

In Narragansett Bay, in my home State of Rhode Island, average water temperatures have increased by 4 degrees. This amounts to an ecosystem shift. In fact, the bay, once dominated by bottom-dwelling fish, such as winter flounder, is now more populated by open-water species, such as squid and butterfish.

Let's look at winter flounder a little bit more closely. In the 1960s, the biomass of winter flounder in Narragansett Bay was as high as 4,500 metric tons. By 2011, it was down to just about 900. This is the total estimated biomass on the blue line. The red line is the landmass. That is what the fishermen

were able to catch and bring in. As my colleagues can see, it went from 1,000 metric tons up to 2,000 metric tons and then, over time, it sagged and returned to 2,000 metric tons, and now it is left to virtually zero. This was a very productive fishery for Rhode Island fishermen and it is now virtually gone.

Past overfishing had a role to play, but so too has the dramatic temperature change and the stock's ability to recover is made all the more difficult by ongoing temperature change as well as acidification.

The changes facing our oceans do not stop at higher temperatures and greater acidity. I wish they did. But as average global temperatures rise, water expands. Water expands as it gets warmer, and new fresh water pours out of the snowpack and ice sheets of Antarctica and Greenland. Long-term data from tide gauges in our traditional sailing port of Newport, RI, show an increase in average sea level of nearly 10 inches since 1930. At these tide gauges, measurements show that the rate of sea-level rise has increased in the past two decades compared to the rate over the last century. The increase is not just happening, it is speeding up. This is consistent with reports that since 1990, sea level has been rising faster than the rate predicted by scientific models used to generate the IPCC estimates.

Global predictions for sea-level rise range from 20 to 39 inches by the year 2100, with recent studies showing that the numbers could be even higher than that due to greater than expected melting of glaciers and ice sheets.

Our Rhode Island Coastal Resources Management Council has used these predictions to estimate that by 2100, the sea level in Rhode Island could rise approximately 2 to 5 feet. For our coastal ocean State, that is a dramatic threat.

Sea-level rise and the increase in storm surges that will accompany it threaten at-risk coastal areas, whose roads, powerplants, wastewater treatment plants, and public facilities may need to be reinforced or relocated.

The natural environment there—estuaries, marshes, and barrier islands—has a role. They act as natural filtration systems and they act as buffers against storms, and they are being inundated by rising seas. In Rhode Island, local erosion rates doubled from 1990 on to 2006. Some of the freshwater wetlands near our coast are already transforming themselves into salt marsh as a result of this inundation.

Our Coastal Resources Management Council has documented places such as a beach in South Kingstown, where 160 feet of shoreline has been lost to erosion since 1951 at a rate of 3 feet per year.

In the small but vibrant coastal community of Matunuck, beaches have eroded 20 feet over the past 12 years. The town faces difficult decisions as the only road connecting the community and its restaurants and businesses

is protected by less than a dozen feet of sand. The road provides access for emergency vehicles and it lies on top of the water main. These are not easy concerns for communities with limited resources and lives and livelihoods at risk.

Geo-engineering solutions have been theorized to keep the temperature of the planet in check as a result of global climate change by blocking in various ways the heat of the Sun. These notions may seem somewhat farfetched, but even given that, they will not stop the chemical process of acidification of our oceans. Only curbing global carbon dioxide emissions can do that.

Sadly, our government in Washington these days responds more to dollars than to truth, and the dirty energy dollars are on the march this campaign season. Over the weekend, the New York Times analyzed 138 energy-related campaign ads aired on television. It estimated that over \$153 million has been spent this year to promote coal, argue for more oil and gas drilling, and to attack clean energy. With nearly 7 weeks to go before this Presidential election, 2012 ads promoting fossil fuels are nearly 150 percent higher than 4 years ago, and that is with 7 weeks to go, the peak buying season.

Other disturbing details emerged from the New York Times article. Governor Romney, his PAC, and the RNC have received at least \$13 million in campaign contributions from fossil fuel industry executives or related groups. Governor Romney has accepted \$3 million in contributions from Oxbow, a coal company controlled by William Koch, a brother of David Koch.

Nature could not be giving us clearer warnings. Whatever higher power gave us our advanced human capacity for perception, calculation, analysis, deduction, and foresight has laid out before us more than enough information to make the right decisions. These God-given human capacities provide us everything we need to act responsibly if only we will.

But the polluting special interests appear to rule here. The party of Theodore Roosevelt, the great conservationist; the party of President Nixon, who founded the EPA; the party of John Chafee of Rhode Island, who was instrumental in the passage of the Clean Water Act and the Clean Air Act; and the party of Russell Train who, as I mentioned earlier, died this week at the age of 92 after a distinguished career in environmental protection in the Republican Party—that party has now become the servant and handmaiden—perhaps “paid consort” would be a better way to say it given the money involved—of polluting special interests.

All of this money can alter how Congress behaves, and all of this money can influence the laws we pass, but the laws of nature are not subject to repeal no matter how much special interest money flows into campaign coffers. The laws of chemistry don't care about

the filibuster. The laws of physics don't care how Senators vote. Nature will work its will and one day there will be an accounting.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE 47 PERCENT

Mr. LAUTENBERG. Madam President, this week the leader of the Republican Party—their candidate for President—was seen in a video speaking at a fundraising meeting with wealthy campaign donors in Florida. In the privacy of the event, Mitt Romney spilled to the donors there what he really thinks about nearly half of the American people. That is almost 150 million people. He disparagingly said 47 percent of Americans support President Obama simply because they do not owe Federal income taxes or they are getting benefits from a government program.

Just to make sure there is no misquote here, this is Mitt Romney's statement. He said:

There are 47 percent who are with him—

“Him” being President Obama

who are dependent on government, who believe that they are victims. . . . my job—

Mitt Romney says—

is not to worry about those people. I'll never convince them that they should take personal responsibility and care for their lives.

This is coming from the leader of the Republican Party, a man who is running to represent every American—all 310 million—from the Nation's highest office. These comments are disturbing coming from anybody, but coming from him they are a disgrace. In plain English, he says that if you do not pay Federal income tax or you receive a government benefit, then you do not take responsibility personally for your life.

So who are these 47 percent for whom Mitt Romney and his Republican friends feel such contempt? They are parents who work hard every day to give their families a better future. They are seniors who helped build this country and now depend on Social Security to keep food on the table. They are veterans who risked their lives in Iraq or Afghanistan. As it says on this chart, “Who Mitt Romney Says Doesn't ‘Take Personal Responsibility And Care For Their Lives.’” Working families with children, senior citizens, veterans. Mitt Romney seems to think they are a bunch of lazies just taking money from the wealthy. So today I want to take a closer look at some of these Americans who Mitt Romney

says do not take personal responsibility and care for their lives.

Let's first look at working families. He says:

I'll never convince them that they should take personal responsibility and care for their lives.

What kind of contemptuous statement is that? We are talking about nearly 150 million people.

Millions of parents across the country work long hours, struggling to put food on the table and clothes on their children's back. A family of four making as much as \$46,000 a year often will not owe any Federal income taxes. So these families would be part of the 47 percent of Americans whom Mitt Romney accuses of being lazy and irresponsible. These families deserve our support, not our scorn. They did not ask anybody for a handout, and they certainly do not deserve Romney's condemnation.

Let's now look at another group of Americans who by Mitt Romney's definition are victims who do not take responsibility for their lives: senior citizens.

More than half of those who do not pay Federal income or payroll taxes are senior citizens on fixed incomes. He says, “I will never convince them that they should take personal responsibility and care for their lives.” People showing some age, they ought to take personal responsibility for their lives. Romney seems to think that because these seniors depend on Social Security they are not willing to take personal responsibility for their lives. Mitt Romney has no business lecturing these people, these Americans about personal responsibility.

These seniors worked, paid taxes their whole lives, fought to defend our Nation's freedom, and built the greatest middle class the world has ever known. It is Mitt Romney who needs a lesson from them about personal responsibility.

Let's look at another group of Americans that Romney has dismissed, troops and veterans. When we send our troops into harm's way, their combat pay is not taxed. When veterans come back injured, physically and emotionally, we don't ask them to pay taxes on their disability benefits. Should they pay taxes on these benefits in order to be honorable in Mitt Romney's eyes?

I believe they have already given their country more than their share. If you look at this picture, it tells you so much. In that hug a returning veteran gets, glad to see his family, they are glad to see him standing straight, able to communicate. Romney says, “I can never convince them that they should take personal responsibility and care for their lives.” Imagine that, for him to make statements such as that to include veterans. We give our veterans government benefits that they earn through their service. They get education benefits tax free under a new GI bill. Many receive health care from the VA and some get housing assistance.

Never convince them that they should take personal responsibility and care for their lives?

What would Mitt Romney say to veterans who do not owe Federal income taxes or receive a government benefit? We have seen the tape. He says: They are victims who could never be convinced to take personal responsibility for their lives. Mitt Romney must have known many who served in Vietnam during his period of maturity. Did he think of them who served in Vietnam as not doing their share, not taking personal responsibility?

I am a veteran. I take offense at that. These men and women risked everything fighting for our freedoms and our rights, and we ought to do everything we can to support them. These heroes know a great deal more than Mitt Romney about personal responsibility and sacrifice. Mitt Romney was simply saying what many in today's Republican Party truly believe. He has pulled back the curtain on their agenda. He has revealed the stark choice facing the American people. America deserves better than a Presidential candidate who dismisses the contribution that half—47 percent, to be more precise—of our fellow Americans make—they get derision and disrespect. That is hardly appropriate for a Presidential candidate to be saying.

He, after all, seeks the job that puts him in charge of the whole 310 million people in America. And yet he has the audacity to say these people are not worthy of honor, worthy of thanks, worthy of their contribution to this country? All this time it was thought that Mitt Romney just did not get it. But it turns out worse than that. He just does not care. He knows what he is saying, and he says it deliberately. He just does not care.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

THE FARM BILL

Mr. BENNET. Madam President, I wanted to come to the floor today to speak on a different subject, which is to demonstrate my support for the Sportsmen's package compiled by Senator TESTER from Montana. I know the bill was discussed on the floor last night and the request to pass this package of bipartisan bills was objected to, which is horribly unfortunate. I hope we are going to have the opportunity to vote on the measure before we leave town.

Sportsmen and women are an essential part of the fabric of our country, the fabric of my home State of Colorado. This community supports millions of jobs and contributes billions of dollars annually to our economy, and they are often the drivers of our most important conservation initiatives across our rich landscape.

While serving on the Senate Agriculture Committee, I have enjoyed working with sportsmen to craft a re-

vamped conservation title in the farm bill. Some people forget that the farm bill conservation title is the largest single legislative vehicle for the programs and resources that help us conserve private land all across this country, all across the western United States. It enhances vital wildlife habitat across the country. Sportsmen have always played a vital role in crafting that bipartisan title. That was exactly the way they participated this time as well.

While it is not the reason I am here today—I want to talk about Senator TESTER's bill—I do want to take the chance to say once again that in my view the House of Representatives ought to pass the 5-year farm bill. We passed a bipartisan bill out of this Senate with well over 70 votes, Democrats and Republicans. On the committee we worked together for over 2 years to create the only bipartisan deficit reduction that has happened in this Congress in either the House or the Senate. We got rid of direct payments for producers, which was an important reform. We strengthened the conservation title, as I was saying earlier. There is absolutely no reason the House should not pass this bill.

Over the break, I traveled 2,500 miles around the State of Colorado, rural communities all over my State, and no one wanted to know what was going on in the Presidential election. No one wanted to talk about anything except why can't the farm bill get passed? There has never been a time in modern history that a committee in the House, in this case the House Agriculture Committee, passed out a bill in a bipartisan way and it cannot even get to the floor for a vote. That has never happened before. Something is wrong over there.

I can tell you that my farmers and ranchers in Colorado who are going through the worst drought in a generation want people to knock the politics off and pass this bill. Bipartisan, it is real deficit reduction, and it is a good bill. We are doing an incredible disservice, as I said to our farmers and ranchers, and also our sportsmen by failing to act on this bipartisan legislation.

There was a time in my life when I had the chance to live in Montana for a brief time, Senator TESTER's home State, and I thought of myself as a sportsman then. I used to fish a lot, chopped a lot of wood out there. These days I spend a lot more time on airplanes and chasing my three daughters to soccer games, but some day I will get back there. That brings me to the importance of the package, this package for our Nation's sportswomen and men. The provisions in Senator TESTER's bill represent some of the best bipartisan ideas out there to promote hunting, fishing, and recreational access, bills from both sides of the aisle that have been hanging around here for a long time and now need to get passed. The measure would require that 1.5

percent of annual Land and Water Conservation Funds go to provide public access to lands for hunting and for fishing. I am a huge supporter of the Land and Water Conservation Fund. This provision builds on the fine legacy of that program.

The bill also contains a provision that is homegrown from our sportsmen in Colorado. Section 103 provides certainty and parity for America's bow hunters, that they can cross National Park Service land with their bows to legally hunt nearby lands outside the park boundaries. This access is provided to hunters with firearms but not to hunters with bows.

I started working on this issue over 2 years ago when a Colorado bow hunter encountered a problem. After 14 years of trying, this particular hunter had finally drawn a license to hunt elk in the premium game unit in northwest Colorado. He scouted the unit, found the area he wanted to hunt and he was all set to go until Federal officials told him he could not cross a narrow strip, a very narrow strip, of Park Service land to hunt the BLM land next to it. This is despite the fact that hunters with loaded firearms can cross Park Service land legally and without applying for a permit.

The problem with this particular hunter is what brought this issue to my office. But the broader point of the provision is to provide access for our sportsmen and women. We know that we lose thousands of acres of land every day to development, some of it important wildlife habitat. We need to provide all Americans reasonable access to the land that we have set aside for preservation and wildlife habitat, bow hunters included.

That is why I was pleased to increase funding for the Voluntary Public Access Program when we marked up the farm bill. That is why I am proud to have worked with Senator TESTER to include this provision in his package that I hope we will be voting on soon.

The bow hunting provision was carefully tailored to ensure that hunting of wildlife within Park Service boundaries remains illegal. Yet the measure still provides reasonable access, which is so important to the sportsmen in Colorado and across the country.

I have received a letter of support for the Bennet-Tester bow hunting from Colorado stakeholder groups across the spectrum, including the Colorado Wildlife Federation, the Rocky Mountain Bighorn Sheep Society, Pheasants Forever, and the Bull Moose Sportsmen's Alliance, and the list goes on. I ask unanimous consent to have this letter printed in the RECORD.

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

DECEMBER 7, 2011.

Hon. MICHAEL BENNET,
Senator of Colorado, Russell Senate Office Building, Washington, DC.

DEAR SENATOR BENNET: The Credit Card Accountability Responsibility and Disclosure Act of 2009, PL 111-24, permitted concealed carry in the National Parks System

and National Wildlife Refuge System (NWRs). NPS regulations to implement the concealed carry provisions of PL 111-24 became effective on February 10, 2010 and included all firearms legal in the jurisdiction in which the park was located. Park Service regulations continue to exclude bow and arrows in the National Parks. In some locations this effectively limits bowhunter access to hunt other adjacent BLM, USFS or private lands that are otherwise open to hunting and can now be legally accessed through NPS or NWRs lands by firearms hunters.

36 CFR 2.4 d 4 allows the possibly of permitting for such access through NPS lands where it is otherwise impossible or impractical to make other access except through NPS lands. In 2009 one such request for permitting for Dinosaur National Monument was denied by the Park Superintendent, effectively denying practical bowhunter access to some BLM and state school lands. Firearms hunters may now access these lands across NPS lands without any requirement for permitting.

Similar access issues occur in several of Colorado's game management units bounding on Dinosaur National Monument. These situations likely occur at many National Parks and National Monuments both in Colorado and other states. Attempts to rectify this situation through an administrative rule making process in the Department of the Interior have been denied.

The undersigned sportsmen, representing several major sportsmen's groups and retailers in Colorado request that, barring any change in the DOI stance, legislative action be taken to give bowhunters with archery equipment equal rights in crossing NPS and NWRs as that enjoyed by those carrying firearms.

Sincerely,

Tim Mauck & Gaspar Perricone, Co-founders, Bull Moose Sportsmen's Alliance; Ivan James, Vice-Chairman for Legislation, Colorado Bowhunters Association; Robert Ong, President, Rocky Mountain Bighorn Sheep Society; John Smeltzer, President, Colorado Wildlife Federation; Dean Derby, President, Colorado Traditional Archery Society; Bob Hewson, Executive Director, Colorado Youth Outdoors; Robert Hix, Colorado Regional Director, Pheasants Forever, Inc.; Joel Webster, Director—Center for Western Lands, Theodore Roosevelt Conservation Partnership; John & Kathy Tidwell, Owners, Bear Creek Archery Inc; Michael Lewellen, President, Colorado National Wild Turkey Federation; John Gale & David Lien, Co-Chairs, Colorado Back Country Hunters and Anglers.

Mr. BENNET. The overall sportsmen's package from Senator TESTER is also widely supported, ranging from the Theodore Roosevelt Conservation Partnership to the Boone and Crockett Club to the National Rifle Association. The Tester bill represent a bipartisan package of commonsense bills that will benefit our Nation's sports men and women. I want to thank Senator TESTER for his leadership on behalf of the West and urge a "yes" vote.

I will simply close by saying it is my fervent hope that once this election is over, some 45 days from now, we will come back to this Chamber, Republicans and Democrats together, and work to avoid surfing over this fiscal cliff that will be so damaging to this economy.

People at home know something that people here have not yet figured out, which is even if you believe you are always right on your side or had a monopoly of wisdom on your side—which I do not, but some people seem to—even if you believed it, we cannot accomplish this meaningful deficit reduction without doing it in a bipartisan way. It is impossible to do it without doing it in a bipartisan way.

People at home actually want to see it bipartisan, frankly, because they do not believe in either party's go-it-alone strategy when it comes to the debt and deficit. So my hope is this election will clear the air, we will get back to work, and that before January we will have something convincing to say to the American public on this subject.

The PRESIDING OFFICER. The Senator from Colorado.

EMERGENCY WATERSHED PROTECTION PROGRAM

Mr. BENNET. Madam President, I see no colleagues have come to the floor, so I want to speak on one additional topic. I will be brief, because I understand we likely won't have an opportunity to address this issue before we leave town.

My colleague Senator MARK UDALL and I have been working to provide resources for the USDA's Emergency Watershed Protection Program, also known as EWP. The reason we have been doing this is that EWP resources help communities recover from wildfires, specifically watersheds that, after being burned, are unstable and risk harm to critical drinking water infrastructure and sometimes jeopardize human lives.

As many in this Chamber know, we had a number of devastating wildfires in Colorado this summer. In the communities of Fort Collins and Colorado Springs in particular, they are having trouble protecting their vital drinking water infrastructure as their watersheds recover. Despite a letter Senator UDALL and I authored to the appropriators, the House version of the continuing resolution did not contain this critical funding. That means the Senate won't be able to vote to help these communities recover. And while we are disappointed, we are going to continue to fight for these resources.

With that, Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FARM BILL

Mr. BENNET. Madam President, I see we have been joined by the Chair of the

Agriculture Committee, Senator STABENOW. She has just arrived, but I wanted to report to her that before she arrived I was talking about the need to pass a farm bill and the fact that, over the break, I had traveled 2,500 miles around the State of Colorado—in rural parts of our State on the west slope and on the eastern plains—and nobody wanted to talk about anything except why we can't get a farm bill passed. It makes no sense to them. They know it was completely bipartisan here in the Senate, and they know it is the only bipartisan piece of legislation with deficit reduction any committee of either Chamber has been able to accomplish.

In the case of Colorado farmers and ranchers, we are going through the worst drought we have had in a generation, and they want to know why Washington, DC, has a completely different set of priorities than they have.

There is still time for the House to pass this bill. This is the first time in modern history a House Ag Committee has passed out a bill—in this case a bipartisan bill, though not as good, I don't think, as ours, but a step forward—that hasn't come to the floor for a vote. They cannot even get a vote.

So while the Senator is here, I wanted to thank her, and I would also say to the ranking member of the committee if he were here, for their extraordinary bipartisan effort over the last 2 years that resulted in a very fine bill. I also think their work sets a model for the way we should be approaching our work in this Chamber.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, first, I did come to the floor to talk about the urgency of the farm bill, but I also want to thank my friend and colleague from Colorado, who chairs our conservation subcommittee, for the tremendous piece of work on the conservation title in the farm bill. I thank him for all of that effort and also say to him I understand what is happening in Colorado. As he and I know, we passed disaster assistance—a permanent livestock disaster assistance program—in our farm bill, along with help for food growers in Michigan and other places.

We are totally committed in the short run to helping those who have the riskiest business in the world, which is farming and ranching in this country, but we also know what they want is the economic certainty of a 5-year farm bill. So I thank my friend for all of his efforts and in coming to the floor.

I want to say, for the record, there are 10 days until September 30—10 days until the farm bill expires and 16 million people in this country who rely on agriculture for their jobs or their livelihood are put in limbo. That is the reality of where we are.

We worked so hard, on a bipartisan basis in the Senate, to pass a farm bill,

and we did that as quickly as we could so the House would have time to act and we could actually get things done in the summer before we got involved in what would be happening in the fall, with all of the critically important end-of-the-year issues that have to be addressed. So we passed a bill in June, as we all know, on a bipartisan basis. It took a lot of work.

I continually thank everyone who was willing to hang in there with us to get this done—my ranking member, Senator ROBERTS, and our two leaders for giving us the time to do this. We worked hard and we got it done and we sent it to the House. Then the House committee went to work and they passed out a bipartisan bill. Never before, that I can remember—and I have been around here a while; this is my fourth farm bill—have we seen a situation where a bipartisan bill came out of committee and yet the House wouldn't take it up. They wouldn't take it up in July, the beginning of August, and wouldn't agree to allow us to negotiate differences over the August break to come up with a way to get this done by the end of this month.

So here we are. The House is leaving today. The Senate is leaving either today or tomorrow or the next day, and there are 10 days left on the clock to provide economic certainty for 16 million men and women whose livelihoods come from agriculture. Many of these men and women watched as their crops withered under the hot summer Sun this year, as days and weeks went by without a drop of rain in the worst drought in 50 years. Yet House Republicans are planning to leave without finishing their work on our farm bill. That is absolutely stunning to me.

The work we did in the Senate passed on a strong bipartisan vote. As I said before, the committee in the House put forward their bill on a strong bipartisan vote. If nothing happens, in 10 days we begin to see a transition over the next few months to what is called permanent law, which goes back to the 1940s.

We had over 90 different groups that came in last week. We had hundreds of farmers from around the country—farmers who got off their tractors, took their time at their own expense to fly in and say: Hey, wait a minute, when there is a job to do, you have to get it done. When the crops are ready to harvest, you don't wait a month. You have to do what you have to do when it needs to be done.

That is exactly where we are right now. They just need to do it. I am confident the chairman and the ranking member, working in a bipartisan way, could do this in 1 day. I really believe they could do this in 1 day. It is not as if there is a lot of other substantive work going on in the House. So 1 day. If they decided today: Okay, we are going to get this done before we leave, they would create a situation so our farmers, who are planning for next year, who have to go in and sit down

with their banker, will know how to plan and what tools they have available. These are people who have been hit hard, have been devastated by disasters.

In every single one of the counties in Michigan, 83 out of 83 counties, there has been a disaster declaration. They are looking at us and saying: Thank you for what the Senate did, but why won't the House act? And, frankly, I don't know why the House won't act. But they should, because they are leaving an awful lot of people hanging.

We know the consequences of not acting are that we begin to unravel a set of policies that need to be in place for production agriculture, for conservation, for local food systems, for energy, and for nutrition. We know also if we step up and do what we worked so hard to do in the Senate we will get the added plus of \$23 billion in deficit reduction. The only thing that has passed the Senate that has bipartisan deficit reduction is our farm bill.

We know we need to make reforms. That is why we eliminated four different subsidies, moved to a risk-based, market-based system, based on crop insurance providing tools for farmers to make sure they can make their own planning decisions, not plant for government programs, but make their own planning decisions and then have tools to support them and to manage the risks that come. We certainly know now, because we have seen this year, what kind of devastating risks may come for our farmers and ranchers across the country.

I have gone through so many times what is in our farm bill that I will not do that now, except to say we have more reform—in fact, the Wall Street Journal said there is more reform in this farm bill than any in decades. We are proud of that. We have more in deficit reduction than in anything else we have passed. We have policies for the future. We have listened to farmers who said crop insurance is the most important thing for them in being able to manage their risk. We have focused on local food systems, providing schools with the ability to purchase locally and support their local farmers. There are energy opportunities for the future and bio-based manufacturing, where we truly can make things and grow things and grow the economy and grow the middle class of this country. There is rural development, where millions of Americans live—for small towns, such as Clare, where I grew up—with the ability to fund infrastructure—water, sewer, Internet—and have a business loan financed, and all those things that go into rural development. We provide for telemedicine to create a quality of life and health for seniors and families.

All those things are involved in what we call the farm bill. All of those things were passed in the Senate. We did what I believe the American public wants us to do, and I certainly know people in Michigan want us to do—to

make tough decisions, to evaluate what works and what doesn't work and to cut out the duplication. We eliminated over 100 different programs and authorizations and we streamlined. That is what folks want us to do, and we did it. Now it is time for the House to do their job.

The reality is, even though there are 10 days until the end of the month, the Speaker said they are going home with no action. So the real number is zero. We are out of time for farmers and ranchers and their families, and, frankly, for all of us. If we are fortunate enough to have lunch or breakfast today, we ought to care about the farm bill and the people who provide us with the safest, most affordable, and abundant food in the world. That is what we do in this bill. We are proud of it. And the House of Representatives should be ashamed of themselves for leaving town without supporting rural America.

Madam President, I yield the floor, and I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired. The question occurs on agreeing to the motion to proceed to H.J. Res. 117.

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Illinois (Mr. KIRK).

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

The result was announced—yeas 67, nays 31, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—67

Akaka	Cochran	Klobuchar
Alexander	Conrad	Kohl
Baucus	Coons	Kyl
Begich	Durbin	Landrieu
Bennet	Feinstein	Lautenberg
Bingaman	Franken	Leahy
Blumenthal	Gillibrand	Levin
Blunt	Hagan	Lieberman
Boxer	Harkin	Lugar
Brown (MA)	Heller	McCaskill
Brown (OH)	Hoeven	McConnell
Cantwell	Hutchinson	Menendez
Cardin	Inouye	Merkley
Carper	Johanns	Mikulski
Casey	Johnson (SD)	Murkowski
Coats	Kerry	Murray

Nelson (NE)	Sanders	Warner
Nelson (FL)	Schumer	Webb
Portman	Shaheen	Whitehouse
Pryor	Stabenow	Wicker
Reed	Tester	Wyden
Reid	Udall (CO)	
Rockefeller	Udall (NM)	

NAYS—31

Ayotte	Enzi	Risch
Barrasso	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Hatch	Sessions
Chambliss	Isakson	Shelby
Coburn	Johnson (WI)	Snowe
Collins	Lee	Thune
Corker	Manchin	Toomey
Cornyn	McCain	Vitter
Crapo	Moran	
DeMint	Paul	

NOT VOTING—2

Inhofe	Kirk
--------	------

The motion was agreed to.

The PRESIDING OFFICER (Mr. CARDIN). The majority leader.

Mr. REID. Mr. President, for the last several days I have been telling everyone that we needed to do a couple of things before we leave. We have to do the CR, and we have to do the sportsmen's package.

Mr. President, just a second on the sportsmen's package. If we flip through the dictionary and find the word "bipartisan," part of that definition would be TESTER's sportsmen's package because it is a Republican and Democratic bill. It involves hunters, fishermen, and other sportsmen, including offroad vehicles. It is a very good piece of legislation for a group of people who are totally unrecognized most of the time. We are going to do those two things before we leave.

In order to bring us to that result, I will fill the tree and file cloture on the CR. Unless we get consent, the cloture vote on the CR will occur sometime after midnight on Saturday, at 1 a.m. or thereabouts. Once we invoke cloture on the CR, the 30 hours postcloture will run until 7:30 a.m. on Sunday, give or take an hour. We would vote at that time to pass the CR. Immediately thereafter we will vote to invoke cloture on the motion to proceed to the sportsmen's package.

So here is where that leaves us: We file cloture on the CR and the motion to proceed to the sportsmen's package. That sets up two votes for very early Sunday morning in addition to tomorrow night, Saturday morning at 1 a.m. or thereabouts. We can do those votes now and finish everything today or we can wait. The choice is clear. We end up in the same place Sunday morning or we can get there today.

I have had some Senators come to me and say, well, we are not going to vote on the sportsmen's package. Well, yes, they are. We have that set up. There is a clear path. The problem with the rest of the stuff is not our problem; it is the Republicans' problem.

I worked something out in good faith with RAND PAUL. He in good faith worked something out with me. I am not here to be a cheerleader for RAND PAUL; I am here to tell everyone what happened. Now, if the Republicans don't want to vote on that, I think it

would be too bad because RAND PAUL, after all of this time—whether anyone agrees with what he wants to do or not—he and I in good faith worked something out.

We had a number of Senators come here, including the senior Senator from Arizona to name one, who said we need more time on that. I have no problem with that. Yesterday when he said he wanted more time, I said just take the hour because Senator PAUL has been here talking about this for weeks and weeks. We have heard a lot from him, and he said: I have talked a lot on this—and I am paraphrasing—and 15 minutes would be enough for me. I thought I was being generous by setting up an hour rather than 15 minutes. If the senior Senator from Arizona wants more time, I don't care. I really don't care.

Also, I had some conversations with LINDSEY GRAHAM. He and Senator LIEBERMAN have been pushing very hard on a containment resolution that deals with Iran. It is another bipartisan piece of legislation. Eighty Senators are cosponsors of it. The other 20, I bet, like it also. If not, the majority of the 20 do. It is something we overwhelmingly need to do. I think it would be good in that we are trying to work things out in Iraq, which is not stable at this time—at least not the way we want it to be. It would be nice if America had an ambassador to go to Iraq. That has been held up.

With all the problems we see with Pakistan, I think it would be a good idea if we had an American ambassador to Pakistan. That has been held up for a long time.

Again, to his credit, Senator PAUL said have a vote on the containment resolution and have a vote on the two ambassadors. He is not standing in the way of that.

Momentarily, I am going to file cloture and procedurally block any other amendments on the continuing resolution. We will vote on that whenever the Republicans want, but no later than Saturday morning at a time we will decide. When I say "we decide," it is a statutory clock, and that is when it runs out. Following that, we will have a vote on final passage of the CR and a motion to proceed to TESTER's sportsmen's package. That is what we have to complete. For people to try to get out their stuff is just unfair.

I have seen newspaper accounts of Republican Senators who love the TESTER legislation. I didn't ask them; I read it in the paper. They think it is good because it is good. It is bipartisan. It does something we have been trying to do for a long time; that is, a lot of these little bills have been held up—hundreds of them. TESTER and the people who support this legislation have joined together 20 of these little bills into this one piece of legislation. It really is the right thing to do. I hope we can get this done.

Remember the choice—I repeat for the third time—is very clear. We can

quickly complete everything tonight or we can come back here Saturday morning in the middle of the night sometime and early Sunday morning. We will be at the same place. Those votes are going to take place. It is up to the Republicans and what they want to do with Senator PAUL and the unanimous consent request they objected to yesterday.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

Mr. REID. Mr. President, I have an amendment at the desk as it relates to H.J. Res. 117.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant bill clerk read as follows:

A resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes.

AMENDMENT NO. 2844

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2844.

The amendment is as follows:

At the end, add the following new section:
SEC. ____.

This joint resolution shall become effective 5 days after enactment.

Mr. REID. 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 yeas and nays were ordered.

AMENDMENT NO. 2845 TO AMENDMENT NO. 2844

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2845 to amendment No. 2844.

The amendment is as follows:

In the amendment, strike "5 days" and insert "4 days".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion which I ask the clerk to report with the permission of the Chair.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

Harry Reid, Daniel K. Inouye, Patty Murray, Bernard Sanders, Jeanne Shaheen, Richard J. Durbin, Sheldon Whitehouse, Debbie Stabenow, Max Baucus, Mark L. Pryor, Christopher A. Coons, Jon Tester, Michael F. Bennet,

Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Ron Wyden, Barbara Boxer.

MOTION TO COMMIT WITH AMENDMENT NO. 2846

Mr. REID. Mr. President, I have a motion to commit the joint resolution with instructions, which is at the desk. The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the joint resolution, H.J. Res. 117, to the Committee on Appropriations with instructions to report back forthwith with the instructions, amendment numbered 2846.

The amendment is as follows:

At the end, add the following new section: SEC. ____.

This joint resolution shall become effective 3 days after enactment.

Mr. REID. 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 yeas and nays were ordered.

AMENDMENT NO. 2847

Mr. REID. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2847 to the Instructions on the Motion to Commit.

The amendment is as follows:

In the amendment, strike "3 days" and insert "2 days".

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2848 TO AMENDMENT NO. 2847

Mr. REID. Mr. President, I now have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2848 to amendment No. 2847.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

SPORTSMEN'S ACT OF 2012— MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 504, S. 3525.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to the consideration of Calendar No. 504, S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 504, S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Harry Reid, Jon Tester, Joe Manchin III, Jeanne Shaheen, Sheldon Whitehouse, Debbie Stabenow, Ron Wyden, Max Baucus, Daniel K. Inouye, Kent Conrad, Mark Pryor, Christopher A. Coons, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Ben Nelson.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to both cloture motions.

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

Mr. REID. Mr. President, the President pro tempore of the Senate is on the floor and seeks recognition.

The PRESIDING OFFICER. The President pro tempore.

H.J. RES. 117

Mr. INOUE. Mr. President, today, as we near the end of the current fiscal year, the Senate is considering H.J. Res. 117, a continuing resolution to ensure that the Federal Government will remain functioning through March of next year in the absence of regular appropriations. Last Thursday, the House passed this measure by a vote of 329 to 91.

This bill provides total discretionary spending of \$1.047 trillion. This is the funding level the Senate Appropriations Committee recommended on an overwhelming bipartisan vote of 27 to 2 and the level agreed to last year in the Budget Control Act, but this bill is \$19 billion more than what was approved by the House in the PAUL RYAN budget. I am encouraged the House has finally repudiated its own budget. I am only sorry it has taken them this long to come to their senses. One of the primary reasons Congress now faces this CR is that the House broke this agreement on spending.

I want my colleagues to know I support this measure even though it is far from perfect. In fact, I would say it is not a good bill, but passing it is much better than allowing the government to shut down over a lack of funding.

Continuing resolutions are not new. As some of my colleagues are aware, I have served in this Senate for 49 years and 9 months. During my tenure, this Congress has completed its work and enacted all of its spending bills without needing a continuing resolution on only three occasions. In 49 years, three times. This is not a record we should be proud of, but it demonstrates how difficult it is to agree on funding for each of the thousands of Federal programs that the Appropriations Committee reviews annually. However, never before in history has the Congress passed a

stopgap resolution in September to fund the entire government for half the coming fiscal year. It is unfortunate that it has come to this.

Seven months ago, as we began this legislative session, the mood was quite different. There was broad support for acting on appropriations bills. Several Members on both sides of the aisle came to the floor to speak about restoring regular order and passing all 12 appropriations bills. Both the Republican and Democratic leaders spoke in favor of considering all of these bills. The Appropriations Committee was urged to conduct a budget review as quickly as possible and report bills to the Senate for consideration, and our subcommittees embraced this challenge. We shortened our hearing schedule, conducted thousands of meetings with executive branch officials and the public, and began to mark up bills shortly after receiving our allocation from the Budget Committee.

In most years the Senate Appropriations Committee begins its markups in June. This year the committee reported its first two bills in April and had nine bills ready for floor consideration by the end of June.

By July the committee had reported out 11 bills, 9 of which were recommended with strong bipartisan votes, and by that I mean 30 to 0 or 29 to 1. Despite the work of the committee, none of those bills have been considered by the Senate. The decision by the House to break faith with the Senate and the administration on funding levels and the inclusion of outrageous legislative policy riders in their bills drained the enthusiasm for acting on those measures. But the real culprit thwarting the efforts of the committee was a handful of my colleagues who insisted on delaying the business of the Senate.

We have heard our distinguished majority leader cite the statistics. In 382 instances in the past 6 years he has been forced to file cloture to break filibusters. It is becoming very clear filibusters are crippling the Senate. This year, this Senate has been in session for 105 days. By my count, on 31 of those days the Senate has done nothing but consider motions to proceed, as we are doing with this motion, or to invoke cloture. That means nearly 30 percent of the Senate's time this year has been completely wasted.

Moreover, the Senate has only voted on amendments and legislation on 21 of those days that we were in session. On 21 out of 105 days, we actually legislated and worked. The rest of the time was spent on a backlog of nominations or breaking filibusters.

I have never experienced anything like this in my many years in the Senate. It is true that for some time the use of filibusters has been increasing, but this year it has truly exploded. I do not oppose filibusters. I believe the filibuster is one of the most critical tools Senators have to protect the rights of our constituents. This is especially

true for small States, such as Hawaii, which are at a disadvantage in the House of Representatives compared to States with very large delegations. In fact, the first speech I delivered in the Senate was in defense of the filibuster. I supported the filibuster. Times were different then.

For example, I waited until April of that year before speaking on the Senate floor, and I spoke on the filibuster. When I delivered my maiden speech, legendary Senators such as Everett Dirksen, Richard Russell, Mike Mansfield, and John Stennis were all in attendance. Truly, times have changed, but the most striking difference between then and now is that a filibuster was used very rarely in those early days and only for matters of extreme importance to Members and their States.

I did not agree with those who used the filibuster in the 1960s to try to stop civil rights legislation. I disagreed with those who used the filibuster against health care reform in 2010. But in both cases I defended the right to do so.

This year the Senate has been held up, delayed, and rendered ineffective for at least 30 percent of its time by the abuse of the filibuster. These filibusters were not to highlight important policy differences, nor were they to protect a Senator's constituents. Instead, in virtually every case it was simply to thwart the ability of the Senate to function.

So today is a sad day. The Senate is forced to take up a 6-month continuing resolution instead of acting upon regular appropriations bills. The bipartisan zeal for regular order last spring has been crushed by dilatory tactics of a few Members who have wasted the Senate's time. At some point, this body needs to alter either its behavior or its rules.

In addition to discretionary funding, this resolution also provides \$99 billion for overseas contingencies as requested and necessary for the coming year. Further, it continues funding at current levels to pay for disasters under FEMA and to fight fraud, waste, and abuse in the Social Security Program. Each of these is consistent with the authorities included in the Budget Control Act.

In addition, the bill before the Senate provides only the bare minimum that is necessary to maintain the functions of our Federal Government. The administration sought approximately 78 proposals to ensure that critical programs and authorities could be continued for the next 6 months. This bill includes only about half of them because the House was unwilling to allow more.

Provisions deemed essential by the Secretary of Defense to preserve authorities for ongoing programs in support of our efforts in Afghanistan and in Iraq are not in this measure. Special provisions to allow the Department of Defense to award contracts for critical programs were denied. Additional fund-

ing to activate new Federal prisons that currently sit empty was not included.

This bill denies necessary authorities for dozens of programs. In some cases, the administration will find cumbersome work-arounds. For others it will have to slow down work on ongoing programs, and this increases costs and brings about inefficiency. Many programs will simply have to cease activity and await additional action on appropriations bills.

We urged the House to include many of the provisions requested by the administration, but they refused. The bill would have been far better had more of these requirements been met. Yet I would point out that the House has not played favorites. No department was granted the authorities it required. The Defense Department has not been singled out for special help by House Republicans. If anything, it has been treated more harshly than many other agencies.

So I support this bill because opposing it is not a responsible alternative. No one should be interested in delaying or defeating this bill. We simply cannot afford to shut down government operations.

I urge my colleagues to join me in voting for this bill which will preserve our government. It is lean and it is stripped down, but it contains the funding and minimal authorities essential to ensure that the services provided for all Americans can be continued over the coming months.

I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Mississippi.

Mr. COCHRAN. Madam President, this continuing resolution results from an agreement reached between the President and the congressional leadership for a 6-month, clean CR that adheres to the fiscal year 2013 spending levels set out in the Budget Control Act.

The continuing resolution does not make reductions in programs for which the President requested less money in fiscal year 2013, nor does it make cuts that have been proposed by the Congress. Neither does the resolution increase funding for programs Congress or the administration deemed to be high priorities, with a few exceptions. The continuing resolution does not contain any new oversight provisions to guide agencies, nor does it include any new riders to limit the activities of the executive branch. In short, it puts the portion of government that we call discretionary on automatic pilot. Enactment of this resolution will, for the time being, avoid a disruptive government-shutdown fight.

The resolution represents a lost opportunity. We have lost the opportunity to provide agencies with at least some certainty about funding for this fiscal year. We have lost the opportunity to make informed judgments about which programs are effective and

deserving of additional resources and which programs should be reformed or terminated. Contracts will not be let in a timely and efficient manner, and acquisition and construction costs will rise with delay. The morale of the Federal workforce will suffer. Perhaps most importantly, we have lost a chance to supplant the looming sequester.

Elections have consequences, as they most certainly should, but elections should not have the consequence of rendering Congress unwilling or incapable of performing its most fundamental duties in the times leading up to those elections. In my view, the thoughtful and dutiful appropriation of funds for our national defense and other government operations is such a fundamental duty.

I deeply regret that the majority leader chose not to call up a single appropriations bill. Chairman INOUE has shown impressive leadership of our committee in reporting 11 of the 12 bills out of our committee. Most were reported on a broad bipartisan basis. The chairmen and ranking members of the subcommittees have put a lot of time and thought into the bills. The staffs have worked very hard producing this legislation. The other body has also produced a bill. It has passed seven of the appropriations bills in the other body and I suspect would have passed the others had there been any sign of movement in the Senate.

We can only speculate as to why none of the bills have been considered here in the Senate. Other issues were deemed more pressing or expedient for one reason or another. Perhaps votes on amendments to spending bills were deemed to be politically perilous, whatever the reasons.

At a time when addressing our Nation's fiscal situation is so central to our duty as Senators, it seems more imperative than ever that Members of this body have an opportunity to offer amendments to shape the spending bills. Our problems are sufficiently large that it will require all of our good ideas to make the day-to-day operations of government as efficient and effective as possible. This might mean we have to take votes on difficult amendments. But would that really be so traumatic?

As a result of our inaction, we are compelled to pass this continuing resolution to fund the government. I would have preferred a shorter term CR in order to motivate action on the appropriations bills, but 6 months is what has been agreed to.

Proponents of this 6-month CR argue that the prospect of a government shutdown should be taken off the table so that we can focus on the complex issues facing us in the coming months. But do those issues look any more simple now that we are about to pass this CR?

All manner of taxes are scheduled to go up on January 1. Medicare reimbursement rates will be cut dramatically. The debt ceiling looms. And due

to the inability of the supercommittee to propose a debt reduction package, we are facing a budget sequester that very few people seem to think is a good idea.

Perhaps passage of this CR will help us address these pressing matters. I hope that it will. But I am not so sure it changes things that much.

Regardless of who wins what in the upcoming election, we have a great deal of unfinished business to resolve in the coming months.

None of my colleagues likely relish the prospect of voting in March—up or down—on either a trillion-dollar omnibus bill or a trillion-dollar full-year CR. Yet that is where we are headed if we continue to do nothing.

Appropriations bills are not simply opportunities to spend more money. They provide regular opportunities for effective oversight of Federal agencies. And when we take the time to bring them to the Senate floor, they provide regular opportunities for the elected representatives of all the people to shape, as well as fund the operations of the Federal Government. I hope the Senate will not continue to deny the people that opportunity.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Madam President, I believe the record should show how much we appreciate the work of the distinguished Senator from Mississippi, the vice chairman of the committee, THAD COCHRAN. We have demonstrated to our colleagues that bipartisanship works in this Senate. All they have to do is watch us operate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

REMEMBERING JENNIFER GREEN

Mr. KOHL. Madam President, I rise today with great sadness to inform the Senate that Jennifer Green, a valued member of my staff and a cherished member of the Senate family, passed away last weekend after a brief illness. It is a comfort to all who knew Jennifer that she spent her last hours in a room filled with the family she cherished so deeply, but no room on Earth would have been large enough to hold all those who mourn her, who have been touched and made better by Jennifer's beautiful smile, big heart, and easy friendship. She is sorely missed in my office, throughout the Senate, and even across the country.

Jennifer worked in my office for the past 14 years, but she served the Senate for nearly a quarter century, starting with the Sergeant at Arms when she was just 20 years old. Jennifer was often the first face visitors to my office would see. She did more than just arrange Capitol tours or point them to the nearest DC attraction; she worked out a botched hotel reservation, found a glass of water to soothe an overheated toddler, listened to worries about a failing farm, a sick grandparent, or a threatened job.

Many of my constituents arrive in the office a little overwhelmed by

Washington, perhaps a little angry at Congress, but after meeting Jennifer, they left knowing they had a friend here. Jennifer put a human, caring face on the Senate—a service to this institution that affected the way hundreds, and probably thousands, of Wisconsinites viewed their government.

Of course, no one, not visitor or staff, could leave the office without an update on Jennifer's family, especially her beloved mother Beatrice Spicer, her father Floyd Spicer, her brothers and sisters, and her son Lorenzo Green. She was so proud of this fine young man, as we all are. Through Jennifer, we got to watch a mischievous little boy grow to a talented and strong man serving our country as a member of the U.S. Coast Guard. She made sure everyone got a good look at the handsome—and big—framed picture she kept in her cubicle of Lorenzo in uniform.

Jennifer made us all feel as if we were part of her wonderful family. She was always the first to ask to see the picture of a new baby, quick to drive a colleague to the doctor or listen to a staffer who lost a parent, ready to swap a recipe or dissect the Redskins' latest performance. And that was not just my experience and that of my staff—Jennifer knew just about everyone who works on the Hill. We have had a steady stream of visitors stopping by the office to share memories and express their condolences. Thank you all for the comfort that has brought our staff.

Jennifer's funeral will be held in her hometown of Princeton, WV, this Saturday. I urge anyone who wants to attend or to leave a message for the family through the funeral home to contact my office for details. We will also be organizing a memorial service for Jennifer here in the Senate in the coming weeks, and we will make sure all offices get plenty of notice so that her many friends can be there.

Everywhere you look in the Capitol, there are plaques, pictures, and statues commemorating the men and women who built this great institution, but these, like all things physical, often fade or are forgotten. Jennifer touched the heart of the Senate, the people who work here, and the people who visit. Hers is a legacy and a contribution that time cannot erase.

For everyone in my office and for the entire Senate, I offer my deepest condolences to Jennifer's dear family. I hope you can find comfort in knowing of all the good she did and the joy she brought in her time here. We will all miss her profoundly and hold her in our hearts forever.

Madam President, I ask unanimous consent to have printed in the RECORD a copy of Jennifer's obituary.

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

JENNIFER DENISE SPICER GREEN

Jennifer Denise Spicer Green, 46 of Lusby, MD, departed this life Saturday, September

15, 2012, at Georgetown University Hospital in Washington, DC. She was born February 23, 1966 in Princeton to the union of James F. Spicer and Beatrice Spicer and was the youngest of five children. Jennifer first accepted the Lord at Mt. Calvary Missionary Baptist Church in Princeton and after moving to Maryland she became a member of the Maple Springs Baptist Church in Suitland, MD. She was a graduate of Princeton High School and was a former employee at the Dairy Queen in Princeton. Her first government position was doorkeeper of the Senate Chamber, and she then worked as an elevator operator in the United States Capitol in Washington, DC. Jennifer continued her service as mail carrier under the Senate Sergeant at Arms Office for the Senate Post Office. She then became a data entry operator to U.S. Senator Paul Simon of Illinois and later accepted a position as front office receptionist with the Special Committee of Aging. During the changing of legislature, Jennifer moved to Charlotte, NC, where she worked with the American Heart Association and Gerrard Tire and Automotive. Upon moving back to Maryland, Jennifer accepted the position as receptionist with the Senate Finance Committee and then spent the last sixteen years with the office of Senator Herb Kohl of Wisconsin in the positions of Mailroom Manager, Photographer, and Intern Supervisor. During this time she also worked part time for Senator Evan Bayh of Indiana, Senator Kay Bailey Hutchinson of Texas, Senator Byron Dorgan of North Dakota, and Senator Bob Casey of Pennsylvania. She was preceded in death by her maternal and paternal grandparents. Survivors include her loving son, Lorenzo J. Green of the U.S. Coast Guard stationed in Alaska; parents, Beatrice E. Burton Spicer of Princeton and James "Floyd" Spicer of Atlanta, GA; step children, LaQuosha Jackson, Willard Green, Jr., Byron Green, Latonya Green, and Trea Green; three godchildren, Brittany Coleman, Mykisha Avery, and Amanda Spicer; two brothers, Joey A. Spicer and James "Toby" Spicer both of Princeton; two sisters, Cindy E. Townes of New Carlton, MD and Donna M. Spicer of Mooresville, NC; special cousin that was like a brother to Jennifer, John "Dexter" Coles of Capitol Heights, MD; faithful friend, Derrick Williams; and a host of aunts, uncles, nephews, nieces, cousins and additional friends. Funeral services will be conducted at 11:00 AM, Saturday, September 22, 2012 at the George W. Seaver Chapel of Seaver Funeral Home in Princeton with Bishop Romey Coles, Rev. Charles Stores, Rev. Jesse Woods and Rev. Terrance Porter officiating. Burial will follow at Restlawn Memorial Gardens, Littleburg Road in Bluefield. Family and friends may call at the funeral home from 6:00 PM until 8:00 PM, Friday, September 21, 2012 and 10:00 AM until the service hour on Saturday. On line condolences may be sent by visiting www.seaverfuneralservice.com. Seaver Funeral Home in Princeton is serving the Green family.

Mr. KOHL. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TRIBUTE TO RYAN MCCOY

Mr. LEE. Madam President, I rise today to recognize and honor my friend Ryan McCoy, a departing member of my staff. Ryan McCoy is, in fact, much more than just a member of my staff; he has been the energy behind many of my legislative goals, and he is also a close friend. While no tribute of words could ever match the debt of gratitude he truly deserves, I would like to pay tribute in the official records of Congress to someone who fought to make a

difference both for the State of Utah and for our country.

C.S. Lewis said:

Friendship is born at that moment when one person says to another: "What! You too? I thought I was the only one."

My friendship with Ryan McCoy, my former legislative director, was born in that very way described by C.S. Lewis. We met back in 2009 when I was speaking to a group of Utahans about a topic near and dear to my heart: article I, section 8 of the Constitution. I spoke of my passion for the Constitution and for the principles of limited government embodied therein, and my message apparently struck something of a chord with Ryan, who had recently taken a greater interest in finding ways to restore those same principles. We spent several hours after the speech talking about what the Constitution meant to both of us. I had not always thought about running for office, but when Ryan suddenly prepared a PowerPoint presentation for me about the problems we face as a country and about the ways in which he and I, working together, could make a difference, I started thinking much more seriously about it.

When Ryan and I discussed later his leadership role in my office, his wife Kara jokingly told him that he had no idea what he was doing. But the truth is that we needed to know only one thing, just one thing: that we could make a difference. In the end, I believe that was our greatest asset. Ryan and I shared a vision for change in Washington. We knew it would not come easily, but it had to come from people who wanted to make a difference. It had to come from people who had lived in difficult economic circumstances and felt the need for change as it tugged at their own pocketbooks and at their own individual freedoms being eroded by an ever-expanding government.

At a meeting a few months after we met, Ryan spoke of the common goals we shared. He said that our movement would be based on a clear, unequivocal message that it was time to change course for our country. Ryan and I shared this vision, and Ryan knew others would catch on to it. In the nearly 2 years he served as my legislative director, he worked hard, he worked tirelessly, he worked constantly to keep us focused on these legislative goals and to keep us true to our principles.

It is safe to say that I would not be here today without the hard work and dedication of Ryan McCoy. Once here, I would never have been able to do many of the things I have done without Ryan McCoy's expert assistance. Ryan will be remembered in my office as a respected leader and as a man who truly loves his country.

Too often in the hustle and bustle of Washington, we tend to take our staff members for granted. It is when they leave that we truly see the impact they have had and the wide breadth of influence they had while they were here.

As much as we will miss Ryan, we will also miss his wife Kara and her shared enthusiasm every bit as much. I thank Kara. She and Ryan have become an important part of my life, an important part of my family, an important part of my office family.

In addition to thanking Kara, I also want to thank Ryan and Kara's children, Connor, Tate, Gage, and McCall, for loaning their dad to me for these few years. Kara once told me that during a particularly busy time in the Senate, one of their children—I do not remember which one—actually came to her and asked her where their dad had gone and whether or when he might be returning. I appreciate their sacrifice, and I hope they will grow up knowing their father is a true hero of mine—and always will be—one who works tirelessly for his country and for their future. I wish them the best back in Utah, and on behalf of myself, Sharon, and my entire staff, I extend my love and sincere appreciation to each of them.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Minnesota.

TAX AND ECONOMIC POLICY

Mr. FRANKEN. Madam President, two enormous challenges will await us when we return from recess. Our economy is still not yet fully recovered from a devastating recession, and the prospects for our middle class and for those aspiring to be in the middle class or to get back into the middle class remain uncertain. Meanwhile, our budget remains sorely out of balance, and our long-term debt crisis is putting our Nation's fiscal future at risk. These two challenges are, of course, linked. We cannot hope to solve our long-term debt problem unless we get our economy growing again, and we cannot hope to rebuild our prosperity unless we resolve our budget problems.

So we will have big decisions to make when we come back, but in the meantime the American people will be wrestling with the same issues: What should we do to grow our economy and reduce our debt? What are the right investments to make?

How should we pay for them? What sacrifices must be made in the name of fiscal responsibility? Who is going to make them? That is the debate our Nation will have over the next 6 weeks. Those are the questions we must be prepared to answer when we return. So before I go home to Minnesota to share my thoughts with my constituents, I wanted to take a few moments to share them with my colleagues.

My view of what we should do in response to these challenges is based upon what we have done in response to similar challenges in the past. We are not the first Congress or the first generation to struggle with these issues. At the end of 2011, our national debt had reached 100 percent of our gross domestic product. That is frightening. But after World War II, our debt was 121 percent of GDP.

To be fair, we had something to show for it. We had won World War II and the world was a very different place in 1945 than it is today. But the point is that we were tested. How did we respond? Well, we invested in the things we believed would grow the economy. We invested in education, things such as the GI bill, which helped my mother-in-law, widowed at age 29, go to college.

We invested in Pell grants which helped my wife Franni and her three sisters go to college. We invested in infrastructure. We built 40,000 miles of highways in the 1950s. We invested in innovation and we won the space race which, in turn, led to the creation of whole new industries such as personal computers and telecommunications.

Those investments paid off and our economy experienced three decades of incredible growth, growth that flowed to the top, to the middle, and to the bottom. Between 1947 and 1977, wages for the top fifth, the top fifth of workers, grew by 99 percent, and wages for those in the bottom fifth rose by 116 percent. I know that is hard to believe. The wages of the bottom fifth grew more than those of the top fifth. But that happened.

Even though we remained a Nation in which many kids like my wife Franni grew up in poverty, we had enough to invest in a strong safety net that helped those kids like Franni and her sisters and her brother work their way into the middle class. We bounced back from World War II to build an economy with a middle class that was strong, secure, and accessible to almost everyone.

Thanks in large part to the growth generated by that thriving middle class, we were able to lower our national debt to about 31 percent by 1981; so 121 percent at the end of World War II, to 1981, about 31 percent. Since then our economy has had some good times and some bad times. We have raised taxes and we have lowered taxes. We have had surpluses and we have had deficits.

As this chart shows, our debt relative to GDP has gone up and down. We have seen the results of a variety of approaches to the issues we face today. In the 1980 election, Ronald Reagan was elected on a platform that appealed to concerns that the government taxed too much and spent too much. His approach was later called "starving the beast." Here is how he explained it. This is a quote. This is President Reagan.

There are always those who told us that taxes could not be cut until spending was reduced. Well, you know, we can lecture our children about extravagance until we run out of voice and breath or we can cure their extravagance by simply reducing their allowance.

Cutting taxes, cutting revenue to the government. When Reagan took office, he fulfilled his campaign promise and signed into law a huge tax cut, and on cue we began to amass enormous deficits almost immediately. In fact, President Reagan's Budget Director at the

time, David Stockman, has explained that 1981 was when the era of large permanent deficits began.

The deficits were so bad in his first year, in 1981, that President Reagan had to increase taxes in 1982, and again in 1983. In fact, he ended up raising taxes 11 times; not because Ronald Reagan was a Socialist—at least I really do not think so—but, rather, because he could not ignore the arithmetic.

Still that first tax cut was so big that over the course of his Presidency, our national debt nearly tripled. It did not grow rapidly during the administration of George H. W. Bush. Then he handed it off to President Clinton. And what he handed off was at that point the largest deficit in the history of our country.

In President Clinton's 1993 deficit reduction package, he added two new tax rates, marginal tax rates, at the top end: 36 percent for income above \$180,000, 39.6 percent for incomes above \$250,000. The Republicans objected rather vehemently, arguing that asking the top 2 percent pay a little more would send the economy into a recession, which, of course, would be detrimental to the goal of reducing the deficit.

The bill passed without a single Republican vote in either House. But the Republicans' dire predictions turned out to be wrong, extremely wrong. Between 1993 and 2001, this country experienced an unprecedented expansion of our economy. We created 22.7 million net new jobs. We decreased the number of Americans in poverty to record lows. We increased the median household income and we created more millionaires than we ever had before.

Not only did President Clinton's deficit reduction plan reduce the deficit, it eliminated the deficit. President Clinton was able to hand off to President George W. Bush a record surplus. In fact, in January of 2001, we were on track to completely pay off our national debt by the year 2011. However, as we know, President Bush chose a different course. Whether you agree with the two wars we entered into during his administration, the new entitlement program that we created, or the two tax cuts we passed, the fact of the matter is we did not pay for any of those things. They all went on our national credit card.

While the two tax cuts tilted toward those at the top—they did help some at the top do extremely well during the Bush administration—it is hard to say the things we put on that credit card created the kind of durable broad-based prosperity we saw in the 1990s or that we built in the 30 years after World War II, for that matter. It would be hard to say, because when President Obama took office from President Bush, the economy was hemorrhaging jobs at the rate of over 800,000 a month. And when the bill came for the Bush policies, we were staring at a projected \$1.1 trillion deficit for 2009. That was

the projected deficit that President Bush left for President Obama.

So far I have talked about President Reagan and his approach of cutting revenue in order to force the government to cut spending. We saw what happened. We could not or did not cut enough spending to keep our budget in balance. We had huge deficits even when Reagan tried to backtrack and raise more revenue. I have talked about President Clinton and his approach of raising taxes on the top 2 percent in order to bring the budget into balance. We saw what happened. The economy grew and we generated a record surplus. I have talked about President Bush and his approach of cutting taxes and incurring large expenses without worrying about the ramifications on the deficit. We saw what happened. Deficits ballooned and when the economy crashed, it crashed hard.

So what about President Obama? What has his approach been? Well, if you ask some people, including unfortunately many in this Chamber, they tell you that President Obama's approach was to go on a massive spending spree. Well, it is not true. Over his 4 budget years, Federal spending is on track to rise from \$3.52 trillion to \$3.58 trillion, an annual increase of 0.84 percent.

You can hash these figures out, but here is a chart that comes from Market Watch, a publication of Dow Jones which also owns the Wall Street Journal, that shows Obama's increase in spending from 2010 to 2013. These are Reagan's. These are numbers from the nonpartisan Congressional Budget Office, from the Office of Management and Budget. You can see the growth of Federal spending. This is lower than it was under any of the Presidents I talked about.

Indeed, the article that ran with this chart concludes that the growth of Federal spending under President Obama is the lowest it has been since the Eisenhower administration during the wind-down from the Korean war. But remember that besides a \$1.1 trillion deficit, President Obama inherited an economy that in the month he took office lost over 800,000 jobs. That was January. The next month, February, 2009, he lost about 700,000 jobs. But that is also the month in which we passed the Recovery Act. By the way, when the Recovery Act was passed in February of 2009, the unemployment rate was already above 8 percent.

The Recovery Act, also known as the stimulus, is what people usually point to when pressed to explain why they think President Obama has increased spending. But the truth is that more than one-third of the Recovery Act was tax cuts. The stimulus cut taxes for 95 percent of American families. Another one-third was fiscal aid to the States, which were feeling the same budget crunch as the Federal Government but, in most cases, didn't have the option of running a deficit in tough years. With-

out the Recovery Act, imagine how many more teachers and firefighters and police officers would have had to have been laid off, and imagine what that would have meant to our economy, never mind what it would have meant to our communities. But the one-third that gets the most attention was the one-third that went toward creating jobs.

Did it work? There are a few ways to answer that question, but the answer is the same every time: Yes. First, we can look at our chart and see that once the Recovery Act began to be implemented we started losing less jobs and then we started creating jobs. We have had 30 straight months of private job creation—of growth.

Secondly, we can ask economists. The most reputable economists, including—

Mr. REID. Would my friend yield?

Mr. FRANKEN. Certainly.

Mr. REID. Madam President, we are going to have no more votes today—no more votes today. It is obvious to me what is going on. I have been to a few of these rodeos. It is obvious a big stall is taking place, so one of the Senators who doesn't want to be in the debate tonight will not be in the debate. He can't use the Senate as an excuse.

There will be no more votes today.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. I thank the Chair. That is too bad.

I was going over what happened, reviewing what happened once the stimulus package had been passed in February, when unemployment was over 8 percent. And we can see as it started taking effect we lost less and less jobs and have since had 30 straight months of private sector job growth. I said we could ask economists. Most reputable economists, including those of the nonpartisan Congressional Budget Office, agree the Recovery Act created or saved anywhere from 2.5 million to 3.5 million jobs.

In the words of Mark Zandi, the economic adviser to Senator JOHN MCCAIN in his 2008 Presidential campaign, the Federal policy response to the financial crisis, including the stimulus, "probably averted what could have been called the Great Depression 2.0."

But we don't have to take the word of Mark Zandi. We don't have to take the word of all the other reputable economists. We don't even have to take the word of the Congressional Budget Office, although the CBO sort of exists for those of us in Congress. We can ask Jamie, Cecil, and Sheila.

This is Jamie, working on the Duluth Lift Bridge a couple years back. This is a picture of Cecil, who is working on a highway extension project. Let's give Cecil his due. He is working on a highway extension project in Brooklyn Park in the suburban Twin Cities.

Then we have Sheila. This is Sheila in front of her Bobcat working the night shift on an I-94 improvement project.

These are people who were put back to work by the stimulus. Despite claims by some that the only jobs created by the stimulus went to government bureaucrats, we will notice Jamie, Cecil, and Sheila are not, in fact, government bureaucrats. Thankfully, we do not let government bureaucrats operate heavy machinery.

What can we say about the approach of President Obama so far?

He slowed the growth of Federal spending to its lowest level since Eisenhower. He has cut taxes—not just in the stimulus package but many times during his first term—to the tune of more than \$850 billion. When the economy was at its low point, he made investments and put people back to work in the short-term and prevented things from getting even worse.

There was another road we could have taken. That approach would have involved not just cutting spending but gutting the government, and it definitely wouldn't have involved making investments to put people back to work.

We will never know whether that approach—known as austerity—would have gotten us results such as the ones reflected on the previous chart, but we do know what happened in countries where they tried this alternate approach. This is a chart of European countries that went the austerity route. This is GDP from 2008 to 2012. This would be where President Obama became President and this is Europe and we all were seeing a global meltdown. These are countries that did austerity in Europe, and this is the United States. The evidence tells us our way worked. President Obama's way worked and theirs did not.

Of course, while we are better off than we were 4 years ago and better off than we would be if we had tried austerity instead of the approach taken by President Obama, which, if we look at the growth in spending, was pretty close to austerity, we are obviously still not where we want to be, either in terms of our economy or in terms of our deficit.

What is the right way going forward? First, let us talk about deficit reduction. It is clear to me that any solution that does not include both increased revenue and decreased spending simply isn't going to work. The hole is too big for us to tax our way out or to cut our way out. We have to do both. The hole is, in fact, so big we can't even get out of it just by taxing and cutting. We have to grow our way out too.

That is why I think we need to invest in education, and infrastructure, and innovation. That means early childhood education, which has a return of investment in every study—quality early childhood education—of \$16 for every \$1 spent, and in workforce training, in roads and bridges and rural broadband, in clean energy and health care technology.

I don't think only government can create jobs. I know that. But I know that only government can make those critical investments that will help the private sector create jobs, and I know it works when we do. It worked after World War II, it worked under President Clinton, and it worked in the Recovery Act. Those investments, however, cost money, and we will not be able to afford them unless we reduce our deficits.

I think people who talk about cutting spending should say what spending they want to cut. I want to cut spending, so let me tell you what spending I want to cut.

I want to cut the billions in subsidies we give to oil companies that simply don't need them. I want to let Medicare negotiate for pharmaceuticals under Part D, just as the VA does, because prohibiting Medicare from doing so amounts to a subsidy for pharmaceutical companies, one that, again, they do not need. I want to make cuts in our military budget, because as the comprehensive defense review found—begun under Secretary Gates and completed under Secretary Panetta—we can make hundreds of billions of dollars in cuts to the defense budget without compromising our fundamental security and military interests.

Of course, we can't only cut the things we think are easy calls to cut. We are going to have to cut some things we don't want to cut. Speaking personally, I have already had to vote for some of those hard cuts, and it was not fun. But there simply aren't enough cuts to make. It is clear to me, if we are going to protect our most vulnerable Americans—our children, the sick, the disabled, our seniors—and make the investments that will grow our middle class and our economy, we are going to have to raise revenue.

Just like President Reagan—but unlike some of today's Republicans—I know we don't raise revenue by cutting taxes. That is why I support restoring the Bush tax cuts for the first \$250,000 of income but after that allowing the top marginal rate to go back to where it was under President Clinton. I know that, as they did in 1993, people will argue that doing so will hurt the economy. But I am equally confident that, as they were in 1993, they will be wrong.

I know we all come to the debate about our Nation's challenges with different philosophies and different convictions and I respect that many of my colleagues feel they would be betraying their own political core by asking the wealthy to pay a little more or investing taxpayer dollars in job creation. I didn't feel great about all the cuts I had to vote for over the last couple years either. But I don't think we are going to get anywhere if we are so invested in following our own ideologies that we refuse to acknowledge the lessons of where we have been or the truth about where we are and where we are headed.

We are not going to get anywhere if we can't agree that, yes, the government does have a role to play in helping the private sector create jobs; and, no, we will not cut the deficit by cutting taxes; and, yes, we are going to have to both raise revenue and reduce spending if we want to get a balanced budget; and, no, asking the wealthy to pay a little more will not drive us back into a recession.

We have debated these issues a lot this year and we haven't resolved the argument. Now we are going home, and it is the American people's time. It is the American people who get to have their say. I hope that over the next 6 weeks we lead them in a debate worthy of the challenges we face—a debate rooted in the facts and mindful of our history.

I hope when we come back we are ready to have that kind of worthy debate ourselves and then make the tough calls, as our constituents will in November.

I wish my colleagues well over the recess, and I look forward to getting back to our important work when we return.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

UNANIMOUS CONSENT REQUEST S. 3576

Mr. MCCONNELL. Madam President, I see my friend, the majority leader, on the floor.

I am surprised they announced no more votes a little while ago. We are prepared to finish business today. In fact, I intend to offer shortly the unanimous consent agreement that the majority leader himself was shopping last night. Our side of the aisle is prepared to finish up the business for this particular preelection session.

I ask unanimous consent that at 5 p.m. today, the Senate proceed to the consideration of S. 3576, Senator PAUL's bill regarding foreign aid; that there be up to 2 hours of debate, equally divided between Senators Paul and Kerry or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the bill; that the vote on passage be subject to a 60-vote affirmative threshold; that if the bill does not achieve 60 affirmative votes, it be considered as having been read twice, placed on the calendar; that following the vote on passage of that legislation, S. 3576, the Senate proceed to consideration of Calendar No. 418, S.J. Res. 41; that there be up to 60 minutes of debate, equally divided between Senators Graham and Senator PAUL or their designees; that upon the use or yielding back of that time, the Senate proceed to vote on passage of the joint resolution; that if the joint resolution is not passed, it be returned to the calendar; that following the vote on the joint resolution, the Senate resume consideration of H.J. Res. 117, the continuing resolution; that the motion to proceed be agreed to, there be up to 30 minutes of debate, equally divided between the

two leaders or their designees, with Senator COBURN controlling 15 minutes of the Republican time, prior to a vote on passage of the joint resolution; that the vote on passage be subject to a 60-vote affirmative threshold; that following the vote, the majority leader be recognized; and, finally, that no amendments, motions or points of order be in order during the consideration of these measures.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, reserving the right to object, we have had the stall for several days now. I wanted to make sure that one of the Senators who wanted to go to a debate would be able to do that tonight. So he can go now, because as I announced half an hour ago there is plenty of time to do the debate.

As I have indicated before, we are anxious to finish the business we have to do this work period. I am happy to vote on the Paul amendment. I have said that. I am the one who arranged it so it is possible to vote on it. I have no regret as to having done that. I am happy to vote on the continuing resolution, something that has 80 or more sponsors.

I am happy to have all these votes. In fact, we can do the debate tonight on the containment resolution and the Paul amendment. But understand this: We are not separating the vote on the CR and a piece of legislation that groups around this country have been trying to get done for years. It has been held up here. As I have said before, everything shouldn't be a fight here.

The Senator from Montana, Mr. TESTER, has assembled a broad package of bipartisan legislation that has wide-ranging support from Republicans. They are noted publicly in publications here saying they support it. They will vote for it. It has the support of sportsmen throughout this country. Getting to vote on this bill should not have to be a big fight. This is the sort of thing we ought to be able to simply vote on, and we are going to do that. But we are not going to separate the two. We are going to have a vote on the CR; immediately thereafter, we will have a vote on the motion to proceed to the sportsmen's bill.

We can get the debate out of the way tonight. We can vote tomorrow. If not, we are going to vote tomorrow after midnight. That will take care of one vote, and the next will be sometime Sunday morning.

We are not having these votes today, so everyone should understand. We are not going to do that for the reasons I have already indicated. So if we want to do this, we can do it early in the morning—that is fine with me—or we can wait until tomorrow night after midnight and then come in Sunday morning.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McCONNELL. Madam President, just so everybody in the Senate will understand, both Democrats and Republicans, I just offered the consent the majority leader himself was trying to get last night.

Senate Republicans are prepared to finish the continuing resolution today, prepared to vote on the Rand Paul proposal today, and prepared to vote on the Lindsey Graham proposal today. That was acceptable to the majority leader; it is not acceptable to him today. Obviously, something changed over on that side of the aisle.

So I just want everybody to understand that I and all the members of my conference are prepared to finish the business of the Senate that was before the Senate at the suggestion of the majority leader as recently as last night.

Mr. REID. While we are educating Senators, I would like to add a little to that.

We are willing to vote on all these things, but we will do it tomorrow, not today. We want the debate to go forward. We are in very important Senate races across the country.

So we will vote early in the morning, get all the debate out of the way or we will do it tomorrow night after midnight because we are not going to separate the sportsmen's bill from the rest of the stuff for obvious reasons.

Mr. McCONNELL. I would only add that is a new development here that the majority leader is saying.

I yield the floor.

Mr. REID. Madam President, there has been no new development. Everyone—Republican staff, Democratic staff, all my caucus—has known for a long time that we are going to have a vote on this sportsmen's package. This is no new development.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The majority leader.

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

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

ORDER OF PROCEDURE

Mr. REID. Madam President, we have a very important matter at 4 today. The Secretary of State is coming to address all of us as to what is going on in the Middle East and around the world. There will be intelligence officers here and a lot of other people. So I ask unanimous consent that the Senate recess from 4 to 5 today to accommodate this very important Senators-only briefing.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, it is my understanding we have a couple Senators who would like to speak before that.

Mr. CORNYN. Reserving the right to object.

Mr. REID. I have no problem with the Senator from Texas speaking. I ask unanimous consent that Senator COR-

NYN be recognized for up to 15 minutes; and when he completes that, the Senate go into recess for 1 hour.

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

The Senator from Texas.

Mr. CORNYN. I thank the majority leader for his courtesy.

LABOR FORCE PARTICIPATION RATE

Earlier this month, we received another big job report and along with it a serious disappointment.

The numbers speak for themselves. In August, a remarkable 368,000 Americans left the workforce. They gave up, bringing the labor force participation rate, as it is known, to its lowest level in more than three decades.

Fewer people are looking for work in America than at any time in the last 30 years. That is a national tragedy. The unemployment rate stayed above 8 percent only because they quit counting the people who have given up. But it had been above 8 percent for the 43rd straight month. If, in fact, the same number of people who were looking for work in January of 2009 are still looking for work today, the unemployment rate would be over 11 percent. That was the date President Obama took office, January 20, 2009. So if the same number were looking today as were looking for work then, it would be over 11 percent, to show you how those numbers don't reveal the true pain and the sacrifice of American citizens who are looking for work.

I don't know of anyone who could look at the August job report or the June or July job numbers and feel good about the economy. I also don't know how they could now support a tax increase when the economy is growing at a much slower pace, contrary to their position—including the President's position—in December 2010, when the economy was growing at roughly 3 percent of GDP.

Beyond our borders, the Europeans are mired in a debt crisis, the Chinese economy has slowed down dramatically, and the United States continues to face major economic headwinds. We can't afford any self-inflicted wounds.

All I am suggesting is that we maintain the current Federal tax rates until we can work together in a bipartisan way and adopt real tax reform. Yet the President occasionally calls that position extreme—ironically, the same position he, himself, held in December of 2010, as I said just a moment ago.

It seems the President does not always understand or appreciate the strong connection between taxes and economic incentives on small businesses and other people we are depending upon to create businesses or to grow existing businesses and create jobs and to put Americans back to work.

We need look no further than the 2010 health care law, the law that went to the U.S. Supreme Court. Two aspects of it were found unconstitutional but not the tax on middle-class Americans.

In addition to that middle-class tax increase, the law contains a new excise

tax on medical device manufacturers that will discourage companies from building factories and creating jobs in the United States. That is not just my conclusion.

For example, Cook Medical, which has roughly 4,000 employees around Bloomington, IN, recently announced it is canceling five new manufacturing plants it had scheduled to open over the next half decade. A senior official estimated the new medical device tax will cost his firm between \$20 million and \$30 million extra each year. That is why they are shuttering those additional five plants and killing those potential new jobs.

Another medical device company in another part of the country—New York—Welch Allyn, recently announced it will be slashing 10 percent of its global workforce in response to this new tax.

All of this is, sadly, predictable and it is common sense. Unfortunately, common sense doesn't seem, to most Americans, to prevail or to be all that common in Washington, DC, these days. But if we raise the taxes on these medical devices, it is only logical, it is only reasonable, it is only common sense to expect that these companies will produce fewer jobs and, in the process, less innovation.

The irony of this discussion over taxes is we now have a growing bipartisan consensus in Congress and in Washington, DC, about the need for commonsense tax reform that would broaden the base, lower the rates, and help grow the economy by creating the proper incentives.

That was the recommendation of the President's own bipartisan fiscal commission, the Simpson-Bowles Commission in December 2010—the President's own bipartisan fiscal commission—where Republicans and Democrats agreed this is a good place to start in reforming our broken Tax Code, paying down the debt, and getting our country and our economy growing again. It was also the recommendation of the Domenici-Rivlin panel, another bipartisan panel. Both recommended a more logical, more equitable, more growth-oriented Tax Code.

Why, we may ask, is tax reform so urgent? Earlier this month the World Economic Forum released its new "Global Competitiveness Report." America is not alone in trying to create jobs and grow our economy. We are competing with other economies and other countries around the world. As recently as 2008, the United States was ranked the most competitive country on the planet.

In the latest index, we fell to seventh. We are heading in the wrong direction when it comes to competing in a global economy for the jobs so that Americans can work and provide for their families and put food on their tables and gain the dignity that goes along with working and providing for your family.

Harvard Business School also surveyed 10,000 of its alumni to find out

their views of America's competitiveness. At Harvard Business School, one of the premier business schools in the country, alarmingly 71 percent of those who responded said America would become less competitive during the next few years. In other words, they were not optimistic about the direction of the country when it came to competitiveness and job creation. One of the biggest reasons for their pessimism is the bewildering complexity of our Tax Code. A large majority said the tax complexity is either "much worse" or "somewhat worse" in the United States than it was in other developed countries. That is why Americans now spend hundreds of billions of dollars on tax compliance, because of a broken, unnecessarily complex and impenetrable Tax Code—unless you have the money to hire armies of lawyers and accountants to help you figure it out.

One more point about our Tax Code. Over time, our Tax Code has become larded with special provisions and tax expenditures that represent what has come to be known as crony capitalism. In other words, the Federal Government just doesn't spend money, the Federal Government has a Tax Code that benefits certain industries and sectors of the economy. Some of them we would largely agree on—such as the mortgage interest deduction or the interest you pay on your home mortgage. There is broad support for that, although everyone realizes we need to get all of these on the table. That is what Simpson-Bowles recommended. Let's get \$1 trillion or more of these special tax expenditures on the table and look at the ones that still make sense and the ones we should do away with. As long as the Tax Code is as complicated as ours is, it is a drag on the economy. It promotes a culture of corruption, where people come to Congress and they lobby for special tax provisions that are not available to the broad population that benefit them. It seeks favoritism and rent-seeking, with companies and industries that try to gain competitive advantages through tax subsidies.

If we want businesses to spend more time in productive activity and less time begging the government for tax breaks, we need to fix the broken Tax Code with a flatter, fairer, more transparent system which encourages working and saving and investing—not lobbying here in Washington, DC, for special breaks. If we want our tax laws to be respected and understood, they need to be clearer, simpler, and more equitable.

Given how much President Obama talks about fairness of the Tax Code, you would think he would be all over this. You might expect he would be an eager champion for tax reform. Instead, the President wants to use the Tax Code as an ATM machine to subsidize particular industries and interest groups while punishing others. We need to get them all on the table, bring them all out into the light of day and

address all of these special tax provisions so we can simplify and make more fair our tax system, unleashing the growth potential of the entrepreneurial American economy to create jobs and prosperity that is sadly lacking now in the current environment.

Unfortunately, President Obama, rather than attack this issue of crony capitalism, has promoted it. During the long government-run Chrysler bankruptcy process, the company-secured bondholders received less for their loans—29 cents per dollar—than the United Auto Workers pension funds. They got 40 cents on the dollar. The UAW pension funds, mind you, were unsecured creditors, entitled to less priority than the bondholders, who were entitled to the highest priority, but because of the way this was manipulated, the bondholders got 29 cents on the dollar, the union got 40 cents on the dollar.

During the automobile bailouts President Obama let politics trump the rule of law. What do I mean by that? I believe that rather than let the rule of law apply, he injected politics and favoritism in the process. In his energy policy, which I alluded to a moment ago, he put politics before his fiduciary responsibility to the American taxpayer. We agree that the Federal Government has a role in funding, through the research and development tax credit and other ways, basic scientific research to promote innovation. But the President and Congress should not be using your tax dollars to make risky, politically motivated investments that benefit specific companies or industries at your expense.

Solyndra offers the most conspicuous example. This now bankrupt solar energy firm received a \$535 million loan guarantee from the Federal Government. According to the Washington Post, the Obama administration "remained steadfast in its support for Solyndra," even after being "warned that financial disaster might lie ahead." Then, as Solyndra went bankrupt, the administration violated the law by making taxpayers subordinate to private lenders.

In other words, even though the taxpayers gave a \$535 million loan guarantee to this company that went bankrupt, the ones who ended up taking it in the neck were the taxpayers rather than the private lenders who should have been subordinated to the taxpayers when it comes to getting paid. If President Obama is as concerned as he claims about dicey investments with taxpayer money, he should repudiate these kinds of boondoggles and let the market work to allocate capital. Washington should not be picking economic winners and losers.

Speaking of winners and losers, the Department of Health and Human Services granted a series of 1- and 3-

year waivers from the annual limit requirements contained in the President's 2010 health care law. These waivers fostered the impression that certain companies, unions, and institutions would be exempted and given preferential treatment.

The health-care law thus highlighted an inconvenient truth about big government: Any dramatic increase in federal regulations and bureaucratic authority will lead to a dramatic increase in rent-seeking and crony capitalism.

Finally, a word about the 2010 Dodd-Frank law. Democrats argue that Dodd-Frank ended "too big to fail." In fact, it codified too big to fail, because certain companies will now formally be identified as "systemically important."

Are we really supposed to believe that "systemically important" companies will be allowed to collapse? The more likely scenario is that these firms will be viewed as too big to fail—both by investors and by federal officials—the way Fannie Mae and Freddie Mac were.

As University of Pennsylvania law professor David Skeel has written:

The companies that are cordoned off as systemically important distort the credit markets, as a result of the Fannie Mae effect. Because these institutions can raise capital more cheaply than financial institutions that do not enjoy implicit government protection, they have a competitive advantage over smaller institutions. This may dampen innovation in the financial system and lead to inefficient allocation of credit to nonfinancial businesses.

In short, regardless of what Democrats may think, Dodd-Frank has actually strengthened the nexus between Washington and Wall Street.

The rise of crony capitalism under President Obama has led many people to question America's commitment to free markets and the rule of law. Likewise, the President's failure to revive our economy has led to widespread pessimism about America's future. I firmly believe we can turn things around and restore our global reputation, and I firmly reject the notion that our decline is inevitable. There is no reason we can't rejuvenate the Great American Jobs Machine and return to prosperity. But it won't happen until we get much better leadership from the White House.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5 p.m. today.

Thereupon, the Senate, at 4:08 p.m., recessed until 5:08 p.m. and reassembled when called to order by the Presiding Officer (Mr. FRANKEN).

The PRESIDING OFFICER. The Senator from Illinois.

SPORTSMEN'S ACT OF 2012 MOTION TO PROCEED—Continued

JOINT REFERRAL

Mr. DURBIN. Mr. President, I ask unanimous consent that, as if in executive session, the nomination of Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training, sent to the Senate by the President, be referred jointly to the HELP and Veterans' Affairs Committees.

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

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

STATE OF THE ECONOMY

Mr. DURBIN. Mr. President, 4 years ago our economy was in a free fall. AIG had been bailed out, and Lehman Brothers plunged into bankruptcy. The depth of the recession we fell into is difficult to understate.

With the economy contracting at nearly 9 percent in the last few months of 2008 and nearly 700,000 jobs lost every month, it is not an exaggeration to call the crisis we faced the worst since the Great Depression. Demand dried up as our financial system collapsed, families struggled to pay the bills, and millions lost their homes to foreclosure. Our unemployment rate peaked at 10 percent nationally and 11.4 percent in Illinois.

It has been a hard road back to stable economic ground, but things have turned around. Private sector businesses are hiring again and have been for 30 straight months. Between July 2011 and July 2012, the economy added an average of 153,000 jobs every month—about 1.8 million jobs. Compare that to the average monthly losses of 544,000 between July 2008 and July 2009.

There is a lot of work still to be done. We all would like to see more jobs created, but it is clear our economy is better off and we are better off than we were 4 years ago.

I saw many examples of our economic progress as I have traveled my State. The Nucor steel plant in Bourbonnais, IL, makes rebar and angle iron that is used in construction across the country. What makes Nucor unique is that during the recession when many other companies were shedding employees, Nucor made a commitment to keep all of their full-time employees. It wasn't easy. When demand slowed, the company's idle workers developed new products for customers or they were actually, in many cases, sent out to work in the community on service projects as they waited for their company to get back into business.

During this time the Bourbonnais facility applied for and received the Department of Labor's Voluntary Protection Program star certification, recognizing their extraordinary efforts to improve workplace safety. Nucor made a commitment not just to the bottom line but to its workers and to the communities where they lived. It has paid off. Demand has returned, and the company is now firing on all cylinders, employing roughly 300 workers.

I have visited a lot of different production facilities. There was nothing more jaw-dropping than to stand in that steel mill and watch these three poles go into a caldron of scrap metal, burst and explode into flames, and then watch steel come trickling out of the bottom into these forms to make rebar and angle iron.

Earlier this summer I also met with the CEO of Woodward, an aerospace and energy firm, about its possible expansion of a facility in Loves Park, IL. Woodward was considering two locations for expanding its airline turbine product line. In the end, thank goodness for us, Woodward picked Illinois. The company is investing more than \$200 million in the facility, and it is estimated that it will add 600 new jobs over the next 5 years.

There is more to the story. While growing demand led to the expansion decision, it was the infrastructure and skilled workers that sealed the deal for Loves Park. Loves Park and the Rockford area has been the home of aerospace companies for decades. Yet they made a concerted effort to grow and expand the training opportunities to meet modern workforce needs. Through a public-private partnership, the community has created an atmosphere that attracts new business investments and new jobs.

Illinois is about the last place—and southern Illinois certainly the last place—one would expect to find a world-leading firm in oilspill cleanups, but if one goes to Fairfield and Carmi, IL, that is what one will find. The Elastec/American Marine Company specializes in equipment to clean up environmental accidents, specifically oilspills. In two former Wal-Mart buildings in those towns, 140 employees have developed new technologies that have expanded our ability to clean up oilspills around the world. Just last year, the company won a \$1 million X PRIZE for recovering more than 2,500 gallons per minute—triple the industry's previous best recovery rate in controlled conditions. This is in southern Illinois. Testing oilspill cleanup in southern Illinois is hard to imagine. Elastec's equipment was used for cleanups during both Exxon Valdez and the more recent gulf spill.

This is American ingenuity at its best, but the business is driven by regulations governing the discharge of oil. Without these "job-killing" regulations, the company, its jobs, and the technology it uses to clean up oilspills probably wouldn't exist.

I also visited Akorn—not the ACORN that has been debated at length on the floor of the Senate. Akorn, spelled with a “k,” is a pharmaceutical company in Decatur, IL, which manufactures products such as drugstore eye drops and liquid injectables used in surgery. Akorn employs 500 people in Illinois at facilities in Decatur, Lake Forest, Skokie, and Gurnee.

Since 2009 the company has been one of Chicago’s and Illinois’ fastest growing public companies. In 2011, Akorn launched a multimillion-dollar expansion at its two Decatur facilities. They have doubled production and added 100 jobs. They are looking to hire another 20 to 25 people with backgrounds in finance, production, chemistry, microbiology, engineering, and business. These are highly technical, good-paying jobs right in central Illinois.

One of my last stops in August was at the Chrysler plant in Belvidere. What a great story. Only 3 years ago there was a serious concern that this plant was going away. At the time Chrysler was facing bankruptcy and the plant was building a now defunct model, the Dodge Caliber, and different models of the Jeep. Plant production had slowed to a single shift, and employment had dropped to as low as 200 people.

The Federal Government offered a bridge loan and helped to facilitate a merger with Fiat. With government assistance, Chrysler has emerged from bankruptcy and is profitable. In October 2010, Chrysler announced a nearly \$700 million investment at the Belvidere plant to retool for the production of a new Dodge Dart. The plant reached full production in July of this year, now employing 4,698 workers. If the auto industry had been allowed to collapse, between 1.1 million and 3.3 million jobs would have been lost between 2009 and 2011.

These are stories of businesses in my home State. I asked my staff to find businesses that survived the recession or are expanding and hiring people. I want to hear their stories and listen to the stories of all kinds of different businesses, large and small, expanding today—businesses that weathered the recession and are now successful. Business is picking up. These businesses are hiring people back, in some cases expanding.

Their stories aren’t unique. Across America, 30 consecutive months of private sector job growth tells us we are moving in the right direction. In that time 4.6 million private sector jobs have been created. In Illinois alone 140,400 private sector jobs have been added since January 2010. Manufacturing employment has rapidly grown, adding 44,600 or 37 percent of 140,400 jobs.

During the last quarter of 2008, the economy was shrinking at a rate of nearly 9 percent. It was in free fall. During the most recent quarter the economy is growing on the positive side—1.7 percent. In March of 2009 the Dow Jones Industrial Average had fall-

en to 6,547. Since then it has nearly doubled to almost 13,000 today.

New home sales were up 3.6 percent in July. That is 25 percent over last year. U.S. goods and services exports increased .9 percent from May 2012 to June 2012 and have increased by 5.9 percent from the same time period last year.

The American people see these facts and figures. They also feel the improvement in their communities, with new businesses opening, and on their blocks, with the housing market recovering as well. We are much better off than we were 4 years ago. Now is not the time to go back to policies that brought us into this recession but to move forward, creating even more jobs and expanding more businesses.

UNANIMOUS CONSENT REQUEST—EXECUTIVE
CALENDAR

Mr. DURBIN. Mr. President, the United States has led the world in creating the legal framework, building the infrastructure, and designing facilities that ensure inclusion and opportunity for people living with disabilities.

Just recently we celebrated the 22nd anniversary of the ADA—Americans with Disabilities Act—by reporting a treaty out of the Foreign Relations Committee on a strong bipartisan basis. Members of this body now have an opportunity to affirm our Nation’s leadership on disability issues by ratifying this treaty. I hope we will do so with strong bipartisan support that has always characterized the Senate’s work on disability issues.

Everyone knows the story of when Bob Dole, a disabled veteran from World War II, and TOM HARKIN, his Democratic colleague from Iowa, with a disabled member of his family, came together to create the Americans with Disabilities Act. It was an extraordinary bipartisan effort. It did our Nation proud. It gave to disabled people a chance to be in the mainstream and part of America.

One of the people it helped, in addition to 54 million Americans living with a disability, was a fellow named Bob Greenberg. Bob Greenberg was the legendary sportscaster who rose to prominence at Chicago’s WBEZ radio station.

At the apex of his career, Bob offered color commentary for Chicago’s major sporting events. He interviewed the very best athletes. He analyzed the players. He rifled off stats and box scores that put the game in context.

For his loyal and large Chicago radio audience, Bob Greenberg described sporting events they couldn’t see. Bob’s story is unique because he couldn’t see the games either. Bob Greenberg was blind, but he never let it stop him from achieving his dreams. There is no doubt that laws such as the ADA helped make Bob’s road to achieving his dream a little bit smoother. We lost Bob to cancer last summer, but we will never lose the power of his life and his life’s story.

Most of us don’t give a second thought to crossing the street, reading

the newspaper, or describing things we have seen. But for Bob and millions like him, our Nation’s commitment to equal access for those living with disabilities has literally expanded their world.

Now we have an opportunity to once again demonstrate our commitment and advance disability rights around the world by ratifying the Convention on the Rights of Persons with Disabilities. The support for this treaty is broad and bipartisan.

I wish to thank my friend, Senator JOHN MCCAIN of Arizona. He is leading this effort with me to pass this Convention on Disabilities. He is a great ally. Without him we wouldn’t have reached this point. I wish to also thank Senators JOHN BARRASSO, TOM HARKIN, TOM UDALL, JERRY MORAN, and CHRIS COONS for their bipartisan support and dedication to ratification.

This treaty is supported by 165 disabilities organizations, including the most prominent, the U.S. International Council on Disabilities, and many others. In addition, 21 veterans groups came and testified. They were the earliest witnesses, and for obvious reasons. Disabled veterans know the limits on life and how important it is to have countries such as the United States and countries around the world opening doors, literally, for them to the future.

The Wounded Warrior Project supports it, as does the American Legion, the Disabled American Veterans, and Veterans of Foreign Wars, and they are all calling on us to ratify this treaty.

President George H.W. Bush signed the ADA into law.

Former Senator Bob Dole, as I mentioned, a lifelong advocate for disability rights, strongly supports this treaty. The Convention on the Rights of Persons with Disabilities is a human rights treaty that seeks to ensure that people living with disabilities have the same opportunities as others.

Thanks to the ADA and similar laws, the United States has been so successful at providing opportunities, increasing accessibility, and protecting the rights of the disabled, our Nation today is in full compliance with every term of the treaty I am bringing to the floor.

Before transmitting this treaty, the Obama administration conducted an exhaustive comparison of the treaty’s requirements to current U.S. law. Their conclusion was that the United States does not need to pass any new laws or regulations in order to meet the terms of the treaty.

The fact that we already meet or exceed the treaty’s requirements is a testament to our Nation’s bipartisan commitment to equality and opportunity for those living with disabilities. So why would we ratify a treaty if it is not going to change life in the United States or put any new requirements on the United States?

Well, there are more than 5.5 million veterans living with disabilities—

American veterans. They and thousands of other Americans live with disabilities, but they travel, study, work and serve overseas, often with their families. Ratifying this treaty will help to ensure that they enjoy the same accessibility and opportunity they do right here at home.

Ratifying this treaty will give the United States a well-deserved seat at the international table so that the United States can provide its guidance and expertise and experience to other countries working to adopt laws, upgrade infrastructure, and modernize facilities to meet the high standards we already set and met.

American businesses have invested time and resources to comply with the ADA, the Americans with Disabilities Act. Businesses in some countries are not required to comply with similar standards. Compliance with the treaty levels the playing field by requiring foreign businesses to meet accessibility standards similar to those already met by American businesses. We also led the world in developing accessible products and technology. As other countries comply with this treaty on disability, American businesses will be able to export their expertise and products to the new markets serving more than 1 billion people living with disabilities around the world.

Ratifying this treaty is not only important to the 54 million Americans living with disabilities, it is important to the 10 percent of the world's population living with disabilities. The 650 million people living with disabilities around the world are looking to the United States to join them and show leadership, as we have here at home, on an international basis.

Not only do these people around the world courageously live with disabilities, they live with many challenges and hurdles in other countries that might be removed if other countries follow our lead. Let me tell you just a few things when it comes to disabilities around the world. Ninety percent of children with disabilities in developing countries do not attend school—90 percent. Less than 25 percent—45 of the 193—of countries in the United Nations have passed laws that prohibit discrimination on the basis of a person's disability. Studies indicate that women and girls in developing countries are more likely than men to have a disability. Women and girls with disabilities in developing countries are more likely to be raped, forcibly sterilized, or physically abused.

This treaty will help provide the framework so countries around the world can help their own citizens living with disabilities improve, live productive, healthy lives. Just as we did by enacting the ADA 22 years ago, ratifying this treaty will send the world a message that people with disabilities deserve a level playing field.

While this treaty will ensure inclusion and access, it is also important to note what it will not do. The treaty

will not require the United States to appropriate any new funds or resources to comply with its terms—not a penny. The treaty will not change any U.S. law or compromise our sovereignty. The treaty will not lead to new lawsuits because its terms do not create any new rights and it cannot be enforced in any U.S. court. For families who choose to educate their children at home in the United States, the treaty will not change any current rights or obligations. I was pleased that the Foreign Relations Committee adopted an amendment I worked on with Senator DEMINT to clarify that particular issue. Let me add too that leading pro-life groups, such as the National Right to Life Committee, confirm that the treaty does not promote, expand access, or create any right to an abortion. Senator MCCAIN, in his testimony before the committee, made that eminently clear. He is pro-life. This treaty has no impact on that issue.

Thanks to decades of bipartisan cooperation, our country embodies the worldwide gold standard for those living with disabilities. When the Senate ratifies the Convention on the Rights of Persons with Disabilities, we can be proud that our coworkers, friends, family members, and courageous veterans will soon enjoy the same access and opportunity when they travel abroad that they have come to expect here at home.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 6, Treaty Document 112-7; that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of ratification; that any committee declarations be agreed to as applicable; that any statements be printed in the RECORD as if read; further, that when the vote on the resolution of ratification is taken, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I would like to take just a few moments to explain why I plan to object.

I have right here a letter that is signed by 36 Members of this body who express the viewpoint that because of the prerogative we have as U.S. Senators to ratify treaties—see, two-thirds of us have to provide our advice and consent to ratify a treaty before it can take effect. This is important, in part because article VI, section 2 tells us that once ratified, the treaty becomes the supreme law of the land.

We have 36 Senators on this letter—a letter addressed to Leader MCCONNELL and Leader REID—explaining that for various reasons we do not think any

treaty should come up for ratification during the lameduck period of the 112th Congress, and we explain that no treaty should be brought up during this time period and conclude that we will oppose efforts to consider any treaty during this time period.

The primary reason cited in the letter is the fact that it is very important to make sure we have a full understanding of what these treaties mean. It is also important that before we undertake any significant changes to the law—law becoming supreme law of the land—we need to understand the implications of these treaties fully.

If it is true, as 36 Members of this body concur in this letter, that it is too fast to move something like this or another treaty through during the lameduck session of the 112th Congress, it follows a fortiori that it is also too fast to do it now. With regard to this particular treaty, we have had exactly one—and only one—hearing on this, on July 26 of this year.

I appreciate and respect the words of my friend, my distinguished colleague, the senior Senator from Illinois, and I am pleased with the fact that he is comfortable with the language of the treaty. I and some of my colleagues are not yet comfortable with it, and I and some of my colleagues are not yet convinced as to the full ramifications of the language of this proposed treaty. I, therefore, object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to respond to my colleague, Senator LEE. Repeatedly he said we should not consider this in the lameduck session. We are not in a lameduck session. This is the regular session of the Senate. We do precious little in this regular session, and now the Senator is saying we should not do it in the lameduck session. We are not in a lameduck session.

And I might say that this treaty has been out there for review for months. It had a full review before the Senate Foreign Relations Committee. Senator KERRY called it. The Senator was there and other Members were there and had a chance to go through it page by page and offer amendments, which many Senators did. So to argue that this is somehow being sprung on the Members of the Senate without time to review it is to ignore the obvious.

We are not in a lameduck session. This was produced for review and amendment in a full hearing before the Senate Foreign Relations Committee, and a vote was taken.

It is disappointing. We had hoped to do this and do it now because many of the supporters of this treaty are facing their own physical challenges. One of them is our former colleague, Senator Bob Dole. Twenty-two years ago, he led the fight for the Americans with Disabilities Act. When Senator JOHN MCCAIN took this up, he said: I am going to call Bob Dole first. And he did.

In his honor, I hope the Senator from Utah will reconsider his position. And now, before the lameduck session, perhaps we can have some communication, and perhaps there is a way we can ratify this treaty in the Senate. We do precious little in the Senate. To do this, at least to honor Senator Dole, is not too much to ask, not to mention the positive impact it will have on so many disabled people around the world. I know Senator LEE is a conservative, but I also know he has a heart and I know he cares, as I do, about these people—children in other countries who have no chance in life because of a disability, women discriminated against because of disabilities. These are things on which we should speak out.

We are proud to be Americans, but we are doubly proud of the values we stand and fight for. This is one we should fight for.

I see Senator HARKIN on the floor. I am going to yield. He has been, literally, the leader on our side of the aisle on disability issues time and time again, and I thank him for his help on this matter.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I truly am sorry to see this happen on the Senate floor, I say to my good friend from Utah.

This has been a long time coming. The Convention on the Rights of Persons with Disabilities started here, started in America. It started with the passage of the Americans with Disabilities Act of 1990. Ninety-one Senators voted yea on that—strongly supported by conservatives, liberals, moderates, understanding that we had to take that next step in having a broad civil rights law that covered people with disabilities in our society. After that was passed and during the 1990s, it became clear that it kind of ignited a conscience around the world that we needed to do something globally about people with disabilities. So really the United States sort of became the leader in promoting this Convention on the Rights of Persons with Disabilities at the United Nations. In fact, I have a quote I would share with my friend. When President Bush signed the bill on July 26, 1990—and we were all gathered at the White House—here is what he said:

This historic act is the world's first comprehensive declaration of equality for people with disabilities—the first. Its passage has made the United States the international leader on this human rights issue.

So starting after that, our diplomats and others started working on this issue, and so this convention was developed through the United Nations. I do not know all the wherewithal of how that was done, but it was done and we had great input.

So now the convention has come out. It was sent to us a couple of years ago. Under our laws, the President, whoever it might be, has to send that out to all of the departments and agencies to see

whether there are any conflicts of laws or did we have to change any of our laws to comport with this convention. Well, that bureaucracy takes a while. That took a couple of years to wind through. I do not know when the President got it back, but he sent it down to us this spring, and the finding was that the administration made it clear that through all of this, the ratification of this convention will not require any change in U.S. law and will have no fiscal impact. So it does not require any change in our laws. That makes sense because we are the leader in the world on disability law. We are the leader.

Senator MCCAIN and I were the two leadoff witnesses when the Foreign Relations Committee had their hearing.

But we were not the only ones. Boyden Gray, who was so very helpful in 1990 in getting the initial ADA passed through the Congress, was there. He testified. Senator Dole sent a letter. He could not show up in person. Former Attorney General Thornburgh testified. Steve Bartlett, who was a Congressman from Dallas, later left the House, became mayor of Dallas, and now I think he is the executive director of the Business Council here, testified and has been instrumental in not only helping us pass the ADA but passing the ADA Act amendments of 2008 which the second President Bush signed into law.

I say this to my friend from Utah. This is not something that sort of popped up overnight. This has been a long time coming. A lot of effort has been put into it. As I said, all the departments have said there is no conflict with our laws. We do not have to change anything.

I also say to my friend that we do want to be that city on the hill, that shining city on the hill. This is one area in which the United States has no equal. We have taken the lead in the world on this issue. Countries come to us to see how they can do something, what they can do for people with disabilities. One hundred sixteen nations have already signed it, and the European Union. If we do not sign it, then when other countries have to change their laws to comport with this convention, I think we should be at the table. We should be there with them, sharing with them what we have done in America to make accommodations better, to make education accessible to people with disabilities, employment, all of those things. If we do not sign it, we are not going to be a part of that. Yet the rest of the countries are looking to us for leadership. So we should be at the table.

One other thing I would say to my friend from Utah is, we are a very mobile people. We travel around the world a lot. More and more people with disabilities are traveling, veterans with disabilities, nonveterans. And yet how many times have I heard from people who have traveled overseas say: Gosh, I wanted to go here, I wanted to go there, but because I have a disability I

could not get around? It would be nice if other countries did this.

Well, other countries have now signed on to it. I was hoping we could vote and we could be a part of it and we could be a part of helping other countries to change their systems and to be more accommodating for people with disabilities. Quite frankly, I must say to my friend from Utah, I am perplexed, I really am, as to why this is an issue. I do not know why there is an objection. Maybe there is something I do not understand. I thought I did. But maybe there is something I do not know that the Senator can enlighten me on as to why we should not bring this up. I suppose if someone wants to vote against it, they can. It takes a two-thirds vote of the Senate to pass this.

I am perplexed as to why we cannot do this. It seems to be so bipartisan. It seems to me to be so much above the political fray. I do not know the politics in this whatsoever. So I had assumed we would bring this up and pass it. I was not aware this was going to happen this way. I was in my office when I was alerted to this. So I say, I do not know why we cannot bring this up and have a small debate on it and vote on it.

I have more to say, but I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, with great respect to my distinguished colleagues who are supporting this treaty and supporting a move to move it to the floor for a full vote right now, I understand and appreciate that they may not share some of the concerns expressed in this letter, concerns surrounding the fact that treaties, once ratified, become the law of the land, the supreme law of the land, concerns surrounding the fact that many Americans may have concerns about this, concerns that may be expressed during the upcoming election season.

To the extent this becomes a matter of debate, it may have an impact on the election. I think this might have been part of what motivated 36 Senators to sign this letter saying that neither this treaty nor any other treaty ought to be voted upon during the lameduck session.

With regard to the comment made by my friend from Illinois, the senior Senator from Illinois moments earlier, I, of course, understand we are not now in a lameduck session. That is my entire point. If it is true that the lameduck session is too soon to consider treaties, it follows a fortiori, it is a much stronger point to make the point now that it is too soon to consider this now.

With regard to the Law of the Sea Treaty, we have held a number of hearings—I cannot remember exactly how many—in the Foreign Relations Committee. I want to say at least three, four, maybe five, this year. We have had exactly one hearing on this one. I understand that some of my colleagues

might be satisfied with the assurances provided by some lawyers within the State Department to the effect that this is entirely compatible with U.S. law to the effect that it would not impose any additional, new, different obligations on U.S. law. I am not satisfied that that is the case. I therefore object.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I do not know what it would take to satisfy my friend from Utah. It goes out to all of the departments. They have to analyze this. They took over a year, almost 2 years, to do this, to find out if there were any conflicts with laws. So if you go through all of that, and all the departments report back and they cannot find any conflicts of laws or any laws we have that need to be changed, I do not know what would satisfy the Senator from Utah. What could that possibly be? He is almost raising an impossible barrier, unless the Senator can inform us as to what it would be that would satisfy him.

I do not know what else you could do other than what has been done on this bill. Again, I can understand people saying they had a hearing on it. I think it was well attended. But as I said, this is not something that sprung up overnight. This has been in the works for a number of years. To think that here we are the world's leader on this issue. I did not understand all the Senator said. He said something about it could have an effect on the election or something like that. I have no idea what he is talking about. If there is truly a nonpartisan, bipartisan issue, it is this. We have always made it thus.

When we passed the Americans with Disabilities Act, it was truly bipartisan. When the Supreme Court made their decisions in the Sutton case, the Sutton trilogy in the Toyota case in the late 1990s, early 2000, that kind of threw a monkey wrench into the works on employment in terms of disability, it caused a lot of consternation in the disability community and in the business community. We had to right that. We had to kind of tell the Supreme Court what we meant.

Well, that was in 2001. It took us 7 years of working with Republicans and Democrats and the administration, everybody. But in 2008 we passed a bill in the Senate unanimously, passed it in the House unanimously. President George Bush, the second Bush, signed it into law. I was down there for it. The first President Bush who signed the initial Americans with Disabilities Act was there. We were there with Republicans and Democrats. It was not seen as any kind of an issue.

If I am not mistaken, 2008 was an election year. And yet President Bush did not say, we cannot sign this because there is an election. This has nothing do with politics. So I find it almost bizarre that the Senate cannot act on something so close to us as a people, something we have taken such

a lead on, something which means so much in terms of our leadership globally, that we cannot act on this.

Again, so many people have taken the lead. Senator DURBIN and Chairman KERRY of Foreign Relations, Senator MCCAIN, Senator BARRASSO, Senator MORAN, Senator LUGAR, Senator UDALL, Senator COONS, many bipartisans have been working on this.

I admit, obviously I have a deep interest in this since I was the Senate author of the Americans with Disabilities Act. It has been a key part of my Senate career for 25 years now—25 years. One of the great joys was passing the Americans with Disabilities Act with such bipartisan support. Thanks to the ADA, our country is a better place for everyone, not just for people with disabilities but for their families, for everyone. I cited earlier what President Bush said when he signed it. He said:

This historic act is the world's first comprehensive declaration of equality for people with disabilities—the first. Its passage has made the United States the international leader on this human rights issue.

That is President Bush, 1990. The first. We were the first. We are the international leader on this issue. And now, 116 other nations, the European Union, can sign onto this but we cannot? This is truly bizarre.

Thanks to the ADA and other U.S. laws passed under the umbrella of the ADA, America has shown the rest of the world how to honor the basic rights of children and adults with disabilities, how to integrate them into society, how to remove barriers to full participation and activities that we now take for granted. We can take pride in the fact that our support for disability rights has inspired a global movement that led the United Nations to adopt the CRPD, the Convention on the Rights of People with Disabilities. We led that. Our legal framework influenced the substance of the convention and is informing its implementation in the 116 countries that have signed and ratified it along with the European Union.

As I said, I am grateful for the leadership on both sides of the aisle; some Senators who were here before but not now, Senator Dole; some who were here who were active in supporting the Americans with Disabilities Act, Senator MCCAIN; new Senators, Senator BARRASSO, Senator MORAN, and others. President George Herbert Walker Bush, the first President Bush, has been an active supporter of the CRPD. His White House counsel Boyden Gray, his Attorney General Dick Thornburg, have all been enthusiastic supporters of the Senate ratifying the CRPD. By ratifying this convention, the United States will be reaffirming our commitment to our citizens with disabilities.

As I said earlier, Americans with disabilities, including disabled veterans, should be able to live, travel, study, work abroad with the same freedoms and access that they enjoy here in the United States.

As the state parties, these different countries, come together to grapple with the best ways to make progress and remove barriers, we, America, should be at the table with them, helping them learn from our experience. As I said, the administration has submitted what they call reservations, understandings, and declarations that make clear that U.S. ratification of the CRPD will not require any change in U.S. law and will have no fiscal impact.

I do not know what else you can do to satisfy someone. I would say, if people feel that we do not want to take that leadership, then they can vote against it. But at least we ought to bring it up for a debate, discussion, and vote on the Senate floor. I would say that although U.S. ratification will have no impact on our laws, it will not have a fiscal impact, my hope is that U.S. ratification will have a moral impact—a moral impact.

My hope is we would send a signal to the rest of the world that it is not okay to leave a baby with Downs syndrome by the side of the road to die. It is not okay to warehouse adults with intellectual disabilities in institutions, chained to the bars of a cell where their only crime is that they have a disability. It is not okay to refuse to educate children because they are blind or deaf or they use a wheelchair. It is not okay to prevent disabled people from voting or getting married or owning property or having children. It is not okay to rebuild the infrastructures in places such as Iraq, Afghanistan, Haiti, and other war-torn or disaster-stricken areas without improving the accessibility of the infrastructure at the same time.

Former President Reagan frequently talked about America as a city on a hill, a shining example for the world of a nation that ensures opportunity and freedom for all its people. Thanks to our country's success in implementing the ADA, advancing that law's great goals of full inclusion and full participation for all our citizens, America indeed has become a shining city on a hill for people with disabilities around the globe. By ratifying the CRPD, we can affirm our leadership in this field. We can give renewed impetus to those striving to emulate us. We can give them that renewed emphasis by our example and by sitting down with them, if we are signatory to this treaty.

Again, I guess I have to recognize there are some Senators who were not part of the bipartisan vote to support it in the Foreign Relations Committee. I guess there are some who are not ready to support the unanimous consent request before us. My hope, since we are obviously coming to a close, is that we will use the time between now and when we come back in our lame-duck session after the election to address any issues that have been raised about the CRPD. If Senators have issues and want them raised, let us get them out and then let us move forward, when we come back after the election,

with a strong bipartisan vote for us to ratify the CRPD.

When we voted on the ADA—the Americans with Disabilities Act—in 1990, we had 91 Senators. OK, there were nine who didn't vote for it. I understand that. But 91 Senators voted in support of that historic law.

My hope is, when this comes up for a vote after the election, we can achieve the same kind of strong bipartisan statement of support for the human rights of 1 billion people with disabilities around the world. We must reaffirm our leadership on this issue and let the rest of the world know we are not stepping back on this. We are going to maintain our support for the dignity and the rights of people with disabilities not only in America but anywhere in the world.

I am very sorry we couldn't have brought this up. I haven't done any head counts for any votes, but I think I know most of the Senators are people of good will, and I believe when they look at this and think about it, it is going to get an overwhelming vote of support. So I am sorry we couldn't bring it up, but I look forward to passing this when we come back after the election.

With that, I yield the floor.

Mr. KERRY. Mr. President, I want to thank Senator DURBIN for his determined support of the Convention on the Rights of Persons with Disabilities and for his request for the Senate to approve the treaty today. I appreciate the thought that he has put into the consideration of this treaty and the work he has done in advancing the rights of persons with disabilities.

It has been 22 years since the landmark Americans with Disabilities Act knocked down barriers to employment and government services here at home. Now it is time to do the same for Americans with disabilities when they travel overseas.

This is not an issue that pits Republicans against Democrats. The Foreign Relations Committee approved this treaty in a strong bipartisan vote on July 26, the 22nd anniversary of the ADA. I am deeply grateful to former Majority Leader Dole and President George Herbert Walker Bush, who have joined a bipartisan group of Senators, including Senators LUGAR, BARRASSO, MORAN, COONS, DURBIN, HARKIN, and UDALL in advocating for such an important cause. Senator Kennedy would be proud if he could see us coming together today in support of the Convention as we did 2 decades ago in support of the ADA.

Members from both sides of the aisle worked hard to achieve this moment. The questions have been answered. The only question that remains is whether we will be remembered for approving the Disabilities Convention and extending essential protections for the millions of Americans with disabilities, or for finding excuses to delay and defer our core responsibility as Senators.

I have heard from countless advocates on this issue—from the Perkins

School for the Blind in my home State to disabled Americans and veterans groups across the country, all of whom tell me that this Convention will make a difference in their daily lives.

And, believe me, it will. This Convention will extend essential protections to disabled persons everywhere, including our disabled servicemen and women and veterans when they travel, live, study or work overseas. It will enshrine the principles of the ADA on the international level and provide us with a critical tool as we advocate for the adoption of its standards globally.

We already live up to the principles of this treaty here in America. Our strong laws—including the ADA—are more than sufficient to allow us to comply with this treaty from day one. Nothing is going to change here at home. But our delay in joining this treaty has an impact abroad.

For decades the world has looked to America as a leader on disabilities rights. It is hard to believe but some are now questioning our resolve—because of the failure to ratify this treaty. That is not acceptable and that is not what America is about.

It isn't a question of time. It is a question of priorities—a question of willpower, not capacity. This treaty reflects our highest ideals as a nation, and now is the time to act.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Alabama.

THE BUDGET

Mr. SESSIONS. Madam President, Senator REID was, I think, stung this morning when remarks were made about the failure of the Senate to pass a budget or to move a single appropriations bill. For the first time in over 100 years, I understand, not a single appropriations bill was brought to the floor. This was a decision made by the Democratic leadership, to not bring up even a single bill, so that we end up with a big omnibus CR. The leadership also didn't bring up the Defense authorization bill for the first time in 51 years.

Senator MCCAIN explained that yesterday and the day before and he expressed his frustration about it. I was disappointed this morning to hear comments from our budget chairman, KENT CONRAD, about this frustration and, I believe, truth-telling from Republicans. Senator REID said: "It's a big lie for the Republicans to come here and say we haven't passed a budget."

Let's look at the facts. The law requires the Senate majority to produce a budget, a financial plan, every single year. It is in the code of the United States—a plan that covers taxes, entitlement spending, and debt. It is fundamental to the future of our country, and that is why it is required by law, because people saw the need for it. That plan must be produced and voted on in committee and brought to the Senate floor.

The Republican House put together such a plan. They moved it and passed it, but Senate Democrats have no plan. They have proposed nothing, offered nothing, put nothing on paper.

Senator REID, our Nation is facing a debt crisis. Surely you agree. What is your plan? Where is your budget? What is your proposal to rescue the finances of this Nation? I haven't seen it, but I am just the ranking Republican on the Budget Committee. The American people haven't seen it. It doesn't exist. The House has a plan. Where is your proposal? Have you forgotten that you canceled our Budget Committee markup on this spring and refused to bring up a budget to the floor last year? What do you plan to do on taxes, on entitlements, on welfare, on spending, on debt? How does your majority plan to balance the budget of this Nation? Do you have a plan? Surely you know the spending caps in the Budget Control Act are not a financial plan for America.

As the magazine Politico put it: "Democratic leaders have defiantly refused to lay out their own vision for how to deal with Federal debt and spending."

Let me say that again. Is there any problem greater for America today than debt and spending? This is what Politico reported not too long ago. "Democratic leaders have defiantly refused to lay out their own version of how to deal with Federal debt and spending."

That is exactly right. It is indisputable. We have had the worst performance of a Senate on financial matters in the history of the country, in my opinion. I can't imagine any Congress being less fulfilling of its duty.

Speaking on FOX News earlier this year, Chairman CONRAD said:

What we need, I believe, is at least a 10-year plan. That's why I am going to mark up a budget resolution the first week we are back in session.

That was in April. That markup never happened.

This is what The Washington Free Beacon reported:

Conrad stunned observers Tuesday when he announced that he would not follow through on his expressed intention to offer, mark up and pass a Democratic budget resolution. Many suspect that Conrad's plan was derailed at the last minute by Senator Majority Leader Harry Reid and other Senate Democrats who did not wish to cast politically difficult votes.

I haven't heard that disputed. There is no dispute that Senator REID decided, along with the Democratic conference, frankly, we are not going to bring up a budget. We would have to vote. We would have to lay out our plan and then people can look at it and say what is wrong with it. We would rather just spend our time attacking their plan. We don't want to show our cards, provide any leadership.

That is what happened. Here is what the New York Times reported regarding Senator CONRAD's canceling of the markup:

Mr. Conrad's announcement surprised Republicans and Democrats who were expecting him to produce a Democratic budget that, if passed by the committee, would have been the first detailed deficit reduction plan in three years.

That is the way the New York Times reported it, and I say they are accurate. That is the way I saw it.

Senator JOE LIEBERMAN caucuses with the Democrats and he said he was “disappointed by the party’s refusal to confront the issue,” and said further, “I don’t think the Democrats will offer their own budget, and I’m disappointed in that.”

Senator MARK PRYOR admitted: “We’ve had three years with President Obama where we’re not able to get a budget resolution passed.”

But it gets worse. Not only have Democratic colleagues failed to do their duty, they have savagely attacked the House for producing a budget and laying out a plan. Here is what Senator CONRAD said today. Senator CONRAD is a good friend, but give me a break, Senator CONRAD. He said the House plan “fails any moral test of government.” He said the House plan failed the “moral test,” and he repeated that several times.

These comments are outrageous. They are inaccurate, but they are also hypocritical. I ask: What is the morality of the majority party in this Senate that has violated the law purposely and deliberately in order to avoid presenting a plan to save this Nation from financial disaster? They have deliberately refused to go forward. What about the families who will be impacted by a debt crisis? What about our military? What about our future as a nation? Where is our duty during this defining hour of our Republic—America’s hour of need? Is there no response and no leadership?

Every Senate Democrat in every State, I think, will have to explain why they have not stood up to Senator REID and his proposal. Presumably, they are all in it together. None have actually come to the floor and opposed him and said they would vote to bring up a budget.

I know the Senator was stung a bit this morning, but it is not a lie to say we didn’t have a budget this year, and I know it was painful to listen to the litany of failures of this Congress. First, no budget in over 3 years—1,240 days; no appropriations bills this year—not one. We failed to bring up the Defense authorization bill for the first time in 50 years. We have failed to confront the sequester and debate how to fix it. We know we are going to have to do that. Yet we are going to let it wait until the end of the year, causing great turmoil at the Department of Defense. We have not dealt with the fiscal cliff.

All of those are fundamental things this Senate should have done and we haven’t done any of them. We don’t even bring up the bills. We should have had a great historic debate for the last 2 years over the future financial status of America because it is clearly the greatest threat facing our Nation. Yet we haven’t had it. We have had little groups meet in secret—gangs and groups and secret committees and special committees.

But this is what I would say about this budget. If I were prosecuting a case—as I used to when I was a Federal prosecutor—I would say the defendant has confessed. This is what Senator REID said back in May of 2011: “There is no need to have a Democratic budget, in my opinion.”

It is not a question of his opinion. It is the law of the United States. Nobody asked his opinion. He has a duty to follow the law, I would think.

How about this. He goes on to state: “It would be foolish for us to do a budget.”

Senator REID, I think, has moved into this modern world—postmodern world—where words mean about anything we want them to mean. We can just say it is a lie that we don’t have a budget; that we produced a budget and refer to the Budget Control Act, which was simply a part of the compromise to raise the debt ceiling and set some spending limits on spending in the discretionary accounts only—not all the accounts of the United States. That is not a budget, and the Parliamentarian has already ruled that is not a budget.

There is no question we don’t have a budget, and we haven’t had leadership. It has been very disappointing. And I was disappointed to have my good friend Senator CONRAD attack the House for having the gumption to lay out a plan that would change the debt course of America and put us on a path to prosperity. I am sorry Senator REID has overreacted and declared that it is not true what we, the Republicans, have asserted, that we don’t have a budget, because we don’t have a budget. It is true.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

COAL ASH RECYCLING AND OVERSIGHT ACT OF
2012

Mr. HOEVEN. Madam President, I rise to speak on energy legislation which is important to this country and legislation I truly believe we can and, in fact, need to pass this year.

The U.S. House of Representatives is working on key energy legislation. I think it is very likely they will pass it this evening. That legislation includes a bill that is very similar to energy legislation I have put forward in the Senate. The legislation I am talking about is the Coal Ash Recycling and Oversight Act of 2012.

Simply put, this legislation sets commonsense standards for managing and recycling coal ash with a States-led, States-first approach.

We have strong bipartisan support for the bill. As I said, we need to take up the bill this year and pass it. Simply put, we have the support on a bipartisan basis to support it. We have more than a dozen Democratic sponsors and more than a dozen Republican sponsors.

So why is it important? In simple terms, this is exactly the kind of energy legislation that can help take our

Nation to energy security or energy independence. What I mean by that is with the right energy plan, we can move this country to the point where we produce more energy than we consume. Working with our closest friend and ally, Canada, we can produce more energy than we consume—meaning we truly are energy independent or energy secure so that we are not importing energy from the Middle East.

And it is not just about energy, it is about jobs—good-paying jobs at a time when we have more than 8 percent unemployment. It is about economic growth—economic growth that we need to get on top of the debt and the deficit. We need to find savings, but we also have to get this economy growing to get on top of this deficit and our \$16 trillion Federal debt.

It also is about national security. Look at what is going on across the Middle East. Yet we still import energy from the Middle East. Americans do not want to be dependent on importing energy from the Middle East. The reality is, with the right energy plan, we can produce that energy at home and be energy secure, create good jobs, and get our economy growing at the same time. This is just one step, but it is one more important step on that journey.

Let me give an example of what we are doing in my home State of North Dakota and doing in States across the country. In North Dakota, just north of the capital Bismarck, there is a large electric power complex, the Coal Creek Power Station, that is operated by Great River Energy, a company that operates from North Dakota to Minnesota. It is a large complex. It generates 1,100 megawatts of electricity, two 550-megawatt powerplants. It employs the latest, greatest technology. It has emissions controls that are state of the art.

This plant captures waste steam, steam that was formerly exhausted into the air, and uses it to power an ethanol plant. So they are making renewable transportation fuel with waste steam, very low cost, very efficient. It reuses the coal ash or the coal residuals that are produced. It recycles those for building materials.

Along with a company called Headwaters, a natural resource company out of Utah, Great River Energy takes this coal ash and makes FlexCrete out of it, which is concrete they use on highways, roads, bridges, anywhere you would use concrete. But they also make other building products as well, such as shingles, that one would use to put on the roof. So this is truly a concept where we are recycling the coal ash and the coal residuals.

Formerly, coal ash was put in landfills, and the company would pay about \$4 million a year to landfill hundreds of thousands of tons of coal ash. Now they sell it, and it is made into these building materials. They generate something like \$12 million a year selling this coal ash for building material. If we do the math, that is about a \$16 million swing from across the \$4 million a

year to a revenue stream of \$12 million a year.

What does that mean? That means families, small businesses, consumers throughout North Dakota, Minnesota, and beyond now pay \$16 million less for their electricity than they did before because of this creative use. This truly is American ingenuity and American innovation at work.

In fact, I have a couple examples of buildings that are made from building material produced with coal ash. The first one is the National Energy Center of Excellence at Bismarck State College, where we train people in the energy field. So people are learning how to have a great career in all different types of energy at a facility that is made with the coal ash that I am talking about. It overlooks the Missouri River. It is an absolutely beautiful facility.

Let me give another example. This is a building under construction right now. This is the North Dakota Heritage Center on the capitol grounds of our State capital in Bismarck. It is our heritage center, so it is a museum of our State history. Right now, we are doing a \$50 million expansion to this facility that is being constructed with coal ash. It is a beautiful building being constructed right now.

By using coal ash nationwide, we reduce energy consumption by 162 trillion Btus a year. That is an energy amount that is equal to 1.7 million homes. So we save an amount of energy equal to powering 1.7 million homes.

Water use. We save by recycling coal ash; we save 32 billion gallons of water annually. That is equal to one-third of the amount of water used in the State of California.

So talk about saving energy and saving water use. This is truly a concept on which those who favor renewable energy, as well as those who favor traditional sources of energy, ought to be able to get together. This is recycling, saving huge amounts of energy, saving huge amounts of water.

So why do I tell this story? The reason I tell this story is this: Right now, coal ash is regulated under subtitle D of the Resource Conservation and Recovery Act. That is nonhazardous waste, but EPA is looking at changing that to regulating it under subtitle C, which is the hazardous waste section. They are looking at doing that in spite of the Department of Energy, the Federal Highway Administration, State Regulatory Authorities, and even EPA itself acknowledging that it is not a toxic waste.

The EPA proposed that change in regulation in June 2010. Clearly, that would undermine the industry, drive up costs, and eliminate jobs when our economy can least afford them. Just to put that in perspective, the industry estimates that it would cost \$50 billion annually and eliminate 300,000 American jobs. Let me go through that.

Meeting the regulatory disposal requirements under the EPA's subtitle C

proposal would cost between \$250 and \$450 a ton as opposed to about \$100 a ton under the current system. That translates into a \$47-billion-a-year burden on electricity generators who use coal. And, most importantly, of course, who pays that bill? Their customers, families, and small businesses across the country. Overall, that could mean the loss of 300,000 American jobs.

That is why I brought this legislation forward with Senator CONRAD, my colleague in North Dakota, and also Senator BAUCUS of Montana and others. We have more than 12 Republican sponsors on the bill and 12 Democratic sponsors on the bill. So it is very much a bipartisan bill.

Furthermore, this bill not only preserves coal ash recycling, as I have described, by preventing these byproducts from being treated as hazardous—and this is important: This bill establishes comprehensive Federal standards for coal ash disposal. Under this legislation, States can set up their own permitting programs for the management and the disposal of coal ash. These programs would be required to be based on existing EPA regulations to protect human health and the environment. If a State does not implement an acceptable permit program, then EPA regulates the program for that State. As a result, States and industry will know where they stand under this bill, and the benchmark for what constitutes a successful State program will be set in statute.

EPA can say, yes, the State does meet the standards or, no, the State does not meet the standards. But the EPA cannot move the goalpost. This is a States-first approach that provides regulatory certainty.

What is certain is that under this bill, coal ash disposal sites will be required to meet established standards. Again, this is important. We are requiring that they meet established standards. These standards include groundwater detection and monitoring, liners, corrective action when environmental damage occurs, structural stability criteria, and the financial assurance and recordkeeping needed to protect the public. So we set stringent standards.

This legislation is needed to protect jobs and to help reduce the cost of homes, roads, and electric bills. I thank the Republicans and the Democrats who have stepped forward on this bill, particularly Senator CONRAD, my colleague in North Dakota, Senator BAUCUS, and others. We have the bipartisan support to move this bill forward. We need to be able to bring it to the floor and do it this year. It is about energy for this country that we need, and it is about jobs for American workers.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

FOREIGN AID

Mr. COATS. Madam President, I rise today to address the legislation that has been offered as an amendment that

would cut off all foreign aid to Egypt, Pakistan, and Libya.

As I watched our flag being shredded by a gloating mob at the walls of the American Embassy in Cairo, I shared with fellow Hoosiers and Americans a sense of sadness and deep anger. That mob, and the one that led to the death of four American diplomats in Libya, including our Ambassador, or those who stormed our Embassy throughout the Muslim world, showed us again how much contempt and disrespect those people have for the United States and for Americans.

Many in those countries clearly still hate us. As displayed on our televisions this past week, the Arab spring is evolving into a very bleak winter. Events this past year, and especially this past week in the Middle East and North Africa, continue to present us with enormous challenges. We have mishandled them badly. No one should be deluded enough to see it in any other way.

The best judge of a policy is the results. By that measure our report card is found among the ashes of the consulate in Benghazi.

The questions the administration and this body must answer soon is how best to react to this failure and what steps offer the greatest chances of making things right—or, at the very least, making things somewhat better. The search for answers must involve a complete reevaluation of the full range of American policy tools, including military actions, diplomatic dialogue, economic measures, multilateral efforts, and, simply, better leadership—not leadership that leads from behind.

Now, it is understandable to ask: Why on Earth should we send one more dime to these people who hate us so much? We will soon be voting on an amendment that codifies the instinct to cut off all assistance programs to, yes, problematic countries including Libya, Egypt, and Pakistan. Based on recent events, I agree we need to reassess the foreign aid we do send to these countries. However, I also believe we need to avoid a shortsighted reaction and consider a broader review of the purposes and the costs of foreign aid. I wish to address those two issues.

First of all, the costs. Foreign aid, as many do not know, is just a fraction of our Federal budget so we need to understand how much foreign aid costs taxpayers. Our foreign aid programs are less than 1 percent of the Federal budget and, put even more vividly, according to the OECD, just 0.12 percent of our gross national income is devoted to foreign aid.

Not only is that figure about a tenth of the number of Sweden or Norway, but it is only a third of the figure for France and half as much as the United Kingdom. We even devote a smaller share of our national wealth for foreign assistance than, of all countries, Greece.

I have been on this floor several times calling for Washington to get

control of excessive spending and I take a back seat to no one in that effort. I have repeatedly said that in order to address our \$16 trillion national debt everything must be on the table, including foreign aid. But we must assess and reassess all foreign aid to determine if it is still effective and even necessary. We should cut where it makes sense to cut. But when there is a discussion about eliminating all aid to Pakistan, Libya, and Egypt, let's be honest with the American people about the true cost of all that. Together, this aid only constitutes a fraction of a single percent of our Federal budget, and cutting it would be nothing but a gesture toward the real austerity required to deal with our \$16 trillion deficit.

But that is not the primary reason and that is not the real question before us. The real question before us is, aside from the cost argument, which is minuscule, the national security reasons for why we should pause and consider our next step very carefully ought to drive us to think this through.

We must keep a clear eye and recognize that sending American taxpayer dollars overseas is, first and foremost, a matter of strategic purposes and national security.

I want to repeat that. We must remember that the money we send overseas is, first and foremost, a matter of strategic purpose and national security. Without that component, then we do have to reassess the value and what we receive in return for foreign aid.

We can be sure that foreign assistance plays a role in the struggle for the hearts and minds of the world's poor. Today it is also central to the contest for political power.

Other rivalries are apparent as well. China plays in the contest for political influence and access to natural resources by engaging in foreign assistance as defined by their own standards. Chinese assistance activities in Africa, Latin America, and Southeast Asia grew from \$1.5 billion in 2003 to \$27.5 billion in 2006, a nearly twentyfold increase in 3 years, and it continues to grow and their influence continues to grow in those countries around the world as China expands its reach and exerts its influence.

None of this means that we in the Senate should support wasteful foreign aid programs with little regard to solid purpose, good design, proper accountability, and visible standards of positive result.

I want to see our foreign aid program reassessed. I believe we need to re-evaluate the way we make our foreign aid determinations. But rather than cutting off all foreign aid in an instinctual way after these horrific scenes we have seen on television, it is important to step back and assess how we go about reassessing our distribution of foreign aid, what our strategic purposes are, and the other criteria that ought to be applied before we make a knee-jerk or too quick decision.

To achieve our support I think these programs need to achieve three guide-

lines. First, which programs most clearly achieve our national security interests? If they do, it is money well spent. Second, which best reflect American values and encourage foreign countries to support and adopt those values? We need to support our friends first. And, third, which programs are most effective at the least cost? We need clear, unambiguous standards of what effective means.

The consequence of no aid, though, is far greater now to the immediate question before us, which is the question of how we serve national security interests while at the same time ignoring the fact that the recipient may not be our best friend and may not support our broader purpose. In those cases—and Libya, Pakistan, and Egypt recently are among them—our broader strategic interest linked to our national security must have priority.

Let's look at Pakistan. In the case of Pakistan, I and some of my colleagues are profoundly skeptical. In the State and Foreign Operations appropriations bill markup this year, I joined with my colleague Senator GRAHAM to cut a portion of our assistance to Pakistan because of the outrageous conviction and imprisonment of Dr. Shakil Afridi, the doctor who helped us locate Osama bin Laden. The cut was a gesture of our dissatisfaction with the regime's behavior and a signal more cuts could come should that behavior not improve.

Yesterday I met with the Pakistan Foreign Minister and Ambassador to America from Pakistan. Earlier, Senator GRAHAM and I had a lengthy discussion with the Ambassador. We conveyed our dissatisfaction with this decision and a number of other things that we have differences about with that country. At the time, Senator GRAHAM said at the hearing that it may become necessary to cut aid off altogether but that time has not yet come. In my view, that time is not yet here, because what is at stake in Pakistan is so vast as to defy a brief description.

A radicalized and hostile Muslim country with a potent, fully developed nuclear arsenal is the most dreadful global nightmare. We must continue to employ every single tool available to us to make sure that does not come to pass, despite how skeptical and pessimistic we might be about the future of that country.

I am not arguing that our assistance packages to Pakistan have been well used, or even resulted in the support we seek or that the regime there has even shown much gratitude or respect in return. I am simply noting in this case the stakes are huge; the assistance programs do give us some leverage; and anger and despair are not a proper basis for us to make policy judgments, particularly when it comes to the security of the American people and our national interests.

Let's look at Egypt. Similarly, we cannot abandon Egypt despite how we

have come to judge the results of their elections. Those elections have shown us that once again a democratic vote does not ensure democracy or stability. Elections are a necessary condition for modern enlightened government, but much more is required. We must be there to help the political and security environment evolve in the right direction. Cutting off aid to the Egyptian military, arguably an essential element in Egypt's future political evolution, is bound to make it far harder to achieve our strategic objectives in the entire region. I believe even the Israeli Government would oppose an end to U.S. assistance because such a step could further radicalize the new government, the military, and even the population itself. Aid is one of the few tools we have that requires Egypt to maintain observance of the Egypt-Israel peace treaty.

Let's look at Libya. The issue of aid to Libya is even clearer. It is no coincidence that the attack on our diplomat occurred on September 11. This attack was almost certainly generated by radical elements connected to al-Qaida or similar terrorist organizations active in this country. We have seen ample confirmation that neither the Libyan Government nor the vast majority of the Libyan people supported that violence in any way. What we have seen is Libya is in a fragile state of transition that simply must be supported and encouraged by us and our allies. We have seen a Libya that wants to support us, wants to go forward with democracy, but has yet to gain control of certain parts of its country and certain elements, infiltrated by terrorists and al-Qaida, certain elements that need to be addressed in terms of Libya's future and in terms of our own national interests.

If we cut off aid to Libya, we risk losing the gains of that revolution to the radical elements that are active there and everywhere else in the region. It is impossible to see how ending our assistance programs would be a responsible move for our country and for our allies.

Most of us in this body have just come from a lengthy discussion with our Director of National Intelligence, with Secretary Clinton, our Secretary of State, with top representatives from our military, from the FBI, and from the administration, discussing this very question, gathering all the information we possibly can, making sure we have the facts before we make a quick judgment about the role of Libya and the role of terrorists, and what we have seen to date is the response by the Libyan Government, even the firing of one of their top officials who made an inappropriate remark relative to this attack.

In conclusion, I encourage my colleagues to pause and look at the larger picture when it comes to foreign aid. Cutting off aid and disengaging from these countries is exactly what the perpetrators of these attacks and protesters are trying to achieve. I do not

know if supporting the government in this volatile region and this revolutionary movement will bring the results we so urgently need, but if we are to review the tools available to us, and I am convinced we must, we should not begin by throwing out the tools we have. We need to sharpen those tools, better define their use, but not discard them prematurely.

I yield the floor.

MORTGAGE FORECLOSURE PRACTICES

Mr. BLUMENTHAL. Madam President, I rise to protest an action by the Federal Housing Finance Agency, Fannie Mae and Freddie Mac, that punished my State of Connecticut and four other States for effectively protecting our citizens against unfair and abusive mortgage foreclosure practices.

I want to say right at the outset I am determined to fight this action along with my colleagues during the comment period that we have, to contest this very unwise, misguided, unacceptable decision. These agencies have just posted for 60-day comment a decision to increase Fannie Mae and Freddie Mac's guarantee fee for Connecticut and four other States—New Jersey, New York, Illinois, and Florida.

Why? Because of the protections we have in place now against those abusive banking tactics that have so pervaded the mortgage foreclosure process and increased the length of time that it sometimes takes for foreclosure. And we have a mediation process that keeps people in their homes and enables settlements that actually save money. That is Connecticut's crime. That is the reason Connecticut and four other States and our homeowners will pay more in those guarantee fees.

Those fees, by the way, are imposed by Fannie Mae and Freddie Mac in exchange for assuming the risk that a loan will default. These entities guarantee investors in mortgages and mortgage-backed securities, making it less expensive and easier for home purchasers to obtain financing.

The cost of the guaranteed fund is generally passed along to the borrower so homeowners will pay these increased fees. They will bear this burden, and it will be a burden not only on those homeowners, but eventually on the housing market, which is in all too slow and fragile a recovery. Also, our economy depends so vitally on the housing market.

I am proud of Connecticut. I am proud of every State like Connecticut that protects its homeowners from robo-signing or fraudulent affidavits. We believe in justice and due process. We believe in giving homeowners an opportunity to mediate with the banks because so often the banks fail to come to the table. In effect, they give homeowners the runaround. They often fail to even give them a person with whom to negotiate in good faith, and mediation forces them to come to the table.

In 80 percent of the cases where there is mediation, homeowners stay in their homes. That saves money for other

homeowners in the neighborhood because their property values are maintained. It saves money for the homeowner who doesn't have to find a place to live and maybe even buy another house, and it saves money for Fannie Mae and Freddie Mac. In fact, every time they avoid foreclosure, they save on average at least \$11,000. That is the kind of savings they ought to relish, not reject. The foreclosure process around the country has rightly raised fears of abuses that Connecticut has sought to prevent. This kind of protection ought to be rewarded, not rejected.

The additional time it has taken for foreclosure because of these protections is a cost well worth the larger savings that are eventually realized. That is the reason I have determined that I will fight this new proposed guarantee fee, which increases significantly and substantially by 30 basis points for every homeowner who takes advantage of a Freddie Mac or Fannie Mae loan. From the moment families take out a loan, they are faced with fees and charges that we ought to seek to minimize so we can expand and enlarge and continue the recovery in our housing market while preventing unnecessary and illegal foreclosures. I am determined to fight this fee.

I will enlist help from other colleagues who have already indicated their opposition, and I believe that together we will succeed in persuading Fannie Mae and Freddie Mac that this increase in fee is misguided, unwise, and unacceptable.

I also want to speak separately and distinctly about the DREAM Act.

DREAM ACT

Last week I came to the floor to talk about the importance of the DREAM Act and to share the story of a Connecticut DREAMer. I am here again with the story of a different DREAMer. This is another young person from Connecticut. Again, I urge my colleagues to take action on this critically important bill. Young people who are known as DREAMers are undocumented immigrants who were brought to this country at an early age. Some were infants. Through no fault of their own, the consequence is they are here without proper documentation. America is their home. They often know no other language. All of their life they have been here. They have no memories of the country of their origin, where they were born. Our unfair and impractical immigration system fails to give them a path to citizenship and to stay in this country, the country they know and love.

The DREAM Act would give these young immigrants a chance to earn their citizenship through education or military service. By earning their citizenship they can begin to give back to this country. In fact, they are individuals who will continue to contribute to this country and give back to it.

Again, I wish to recognize the distinguished leadership of my colleague

Senator DURBIN, who has been fighting tirelessly for the passage of the DREAM Act for over 10 years. At the State level I have fought for similar measures that would give rights, particularly in the area of education and tuition aid, to these DREAMers. We have succeeded in Connecticut in giving them the benefit of in-state tuition.

The immigrants who would benefit from the DREAM Act have already been helped by an order from the President that defers their deportation for 2 years. Although it defers their deportation, it does not permanently grant them any rights. In fact, if there is a change in administration, that order could be easily reversed. So the benefit is temporary and the need is for a more certain, stable, and secure solution so they can come out of the shadows, avoid being marginalized by our outdated immigration laws, gain the kind of scholarship aid they need, seek to serve our country on a more permanent basis, and benefit, but also discharge the obligations of citizenship in this country.

I want to talk today about Yusmerith Caguao. Yusmerith Caguao is a college student who grew up in Norwalk, CT. She was born in Venezuela. She came to this country when she was 11 years old. She was told by her mom that the reason for coming here was to learn English, and the idea of learning a new language in a new country was immensely exciting to her. Her family settled in Norwalk, and she began middle school a week or two after arriving in America. She remembers those early days of her life, but she also remembers the excitement and struggle. Arriving without any knowledge of English, she mastered this language. Her grades improved over time and she kept in mind why her parents had brought her to America. She was dedicated to that day when she would be successful, when she would have visions realized and dreams achieved that she could not accomplish in Venezuela.

She graduated from middle school with excellent grades. She was proud of what she had accomplished and learned, and soon after completing middle school, to her dismay, she became aware of her legal status in this country. Learning that she was undocumented affected her performance and her state of mind. By the time Yusmerith Caguao was in high school, she stopped trying to get perfect grades because she feared that colleges would not accept her anyway.

At this point Yusmerith says she became depressed and felt hopeless. She graduated high school. She had almost given up the idea of attending college, but she didn't lose hope. After she graduated from high school, she decided to continue her education in Norwalk Community College, a wonderful institution. I attended their graduation this year. It is a place that does wonders and provides immense opportunities for people regardless of their race

or background or documentation and citizenship. It did wonders for Yusmerith.

She worked at a lot of different jobs to pay for her education, from waitressing in restaurants to working at a pet store and babysitting. She continues to work to pay for her education.

Now having graduated from Norwalk Community College, Yusmerith went on to attend Western Connecticut State University. This picture is of her graduation, but we are hopeful she will have another graduation. She is currently pursuing a double major in accounting and finance at Western State University and expects to graduate in 2014. She hopes to be an accountant. She hopes to have a career where she can put her skills to work. She hopes to give back to this country. That hope deserves recognition and realization, and that is why I stand here asking this body to give Yusmerith and thousands of other young people in Connecticut, the DREAMers, that opportunity to have a secure and permanent status, a path to citizenship that they will earn through education or military service.

I am hopeful my colleagues, even in a time of tremendous partisanship, will see the importance of what Yusmerith and the DREAMers can do not only for themselves but what they can give to our Nation and us. With her skills, talent, and dedication, this Nation will be even greater. We are the greatest Nation in the history of the world, but even greater with the contributions of young people such as Yusmerith.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I ask unanimous consent to speak as in morning business.

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

NOMINATIONS

Mr. CASEY. Madam President, I rise tonight to speak about one subject, but a very important subject for our country and for our system of justice, and that is the confirmation of Federal district court judges. I will focus tonight on one Federal district in Pennsylvania, the Middle District. By way of background, I will review where we are in the Senate.

Earlier today Majority Leader REID was required to ask for unanimous consent in order to proceed on Senate confirmation votes for 17 district court nominees. Of course, this is from district courts across the country. As the majority leader and many of our Senate colleagues have noted, the district court nominees on the Senate Calendar are nearly all noncontroversial and have received significant bipartisan support. The judges I will speak about tonight fit that description.

Historically the Senate has deferred to the nomination of the President and the support of home State Senators. Unfortunately, that doesn't seem to be the case today in too many instances.

Of course, not in every instance but too many instances. There is an old expression in the law that many of us have heard, and it is very simple, but I think it has substantial consequences for real people. The expression is: Justice delayed is justice denied.

When we have a situation where we have two judges in the Middle District of Pennsylvania—I should say for the record and for the description of the geography in our State we have three Federal judicial districts: the Eastern District, the Middle District, and the Western District. When we have two district court nominees in Pennsylvania, or in any of the other States that have judges who are still pending, we can imagine the number of cases. It is not just hundreds but thousands of cases. In this case 17 judges could be handling these cases right now across our country. That old expression, justice delayed is justice denied, has real significance for real people out there, people who come before the district court as litigants. Whether they are individuals, corporations, or whatever the party, they come for basic justice and that gets very difficult when there is a backlog and there are not enough judges.

It is especially egregious and outrageous that they are held up here when in many cases they get out of the Judiciary Committee after a long process of getting to the Judiciary Committee. Sometimes there are many months of vetting and investigation work. Often the names are available for voting here in the Senate after not just getting through the Judiciary Committee, but part and parcel of that means in almost every instance the two Senators from that State have agreed they should come up for a vote. Yet when it lands here on the Senate floor after committee consideration, judicial nominees are held up.

The ability of the Federal courts to provide justice for the American people has indeed been threatened by the vacancy crisis and the overburdened Federal district courts. Families, communities, and small businesses are not able to get a fair hearing or have their claims resolved in a timely fashion. These Federal court vacancies need to be filled to mature a functioning democracy and a functioning judicial system.

The Pennsylvania nominees to the Senate Calendar are two individuals, Malachy Mannion and Matthew Brann. Both are to be confirmed as U.S. district judges for the Middle District of Pennsylvania.

I won't go through their backgrounds and qualifications today. We have done that already. They don't need me to do that. They are through the Judiciary Committee. These men are both very well qualified to be U.S. district judges.

Both of these judges would fill judicial emergency vacancies in Pennsylvania's Middle District. Just to give my colleagues a sense of what we are

talking about, the Middle District of Pennsylvania has six posts, six judicial slots, and these are two vacancies for those six. The Middle District is the largest Federal district in Pennsylvania geographically, and there are four courthouses, one of which is several hours' drive from the others. Because of the vacancies, the judges with senior status still continue to hear cases. Three of these judges are at least 86 years old. Let me say that again. Three of these senior judges who have to do extra work because of the vacancies are at least 86 years old.

Mal Mannion and Matthew Brann were both reported by voice vote out of the Judiciary Committee earlier this year, and both nominees were supported by Senator TOOMEY as well as me. Both of us came together through the process of introducing both of these nominees to the Judiciary Committee. They are, as I said before, through that process.

I strongly urge that we move forward and allow a vote on all of these highly qualified, noncontroversial U.S. district court nominees, two in particular in Pennsylvania.

I should mention that there was an article written—I won't summarize it here—in the Atlantic magazine just last week by Andrew Cohen that highlighted some of the impacts this crisis has on real people when they appear before district courts such as the Middle District of Pennsylvania.

I yield the floor.

NOMINATIONS

Mr. LEAHY. Mr. President, today the majority leader was required to take the extraordinary step of asking for unanimous consent to secure Senate confirmation votes for 17 district court nominations. 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.

However, Senate Republicans have raised the level of partisanship so that these Federal trial court nominees have now become wrapped around the axle of partisanship. Despite a vacancy crisis that threatens the ability of Federal courts to provide justice for the American people, Senate Republicans now refuse to allow a vote on any of the 17 pending district court nominees, including 12 that have been declared judicial emergency vacancies. Senate Republicans' across-the-board obstruction of President Obama's judicial nominees that began with their filibuster of his very first nominee continues. For the first time I can recall, even district court nominees with support from Republican home State Senators face

months of delay if not outright opposition from the Senate Republican leadership and Senate Republicans.

The long delays and backlog we are seeing on the Federal trial courts and Senate Republicans' refusal to vote on so many consensus judicial nominees before we recess for the upcoming Presidential election are entirely without precedent. The Thurmond rule has never been applied to stop votes on consensus district court nominees. In September 2008 we reported and confirmed 10 of President Bush's district court nominees and left none on the Senate calendar as we headed into that Presidential election. In contrast, this year we are still waiting on votes for district court nominees reported by the Judiciary Committee in April, June, July, and August. All but 1 of these 17 district court nominees was reported with significant bipartisan support, all but 3 nearly unanimously.

The partisan refusal to allow votes on consensus nominees has become standard operating procedure for Senate Republicans. In each of the last 2 years, Senate Republicans refused to follow the Senate's traditional practice of clearing the calendar of non-controversial nominees. As a result, there were 19 judicial nominees pending without a final confirmation vote at the end of 2010 and another 19 left without a vote at the end of 2011. Due to this latest refusal to consent to vote, Senate Republicans are ensuring that the Senate will recess for the election without voting on 21 judicial nominees ready for final Senate action. The result is that for the first time in decades Federal courts are likely to have more vacancies at the end of these 4 years than at the beginning of the President's term. Federal judicial vacancies have been at historically high levels for years, remaining near or above 80 for nearly the entire first term of the President. Judicial vacancies today are more than 2½ times as high as they were at this point in President Bush's first term, with nearly 1 out of every 11 Federal judgeships currently vacant.

I urge Senator TOOMEY, Senator KIRK, Senator RUBIO, Senator COBURN, Senator INHOFE, Senator HATCH, Senator LEE, Senator COLLINS, and Senator SNOWE, all of whom have judicial nominees on the calendar ready for a final Senate vote, to reason with their leadership about this obstruction. I ask other Republican Senators who know better to weigh in with their leadership. This is wrong for the country, damaging to the Federal courts, and harmful for the American people looking to our courts for justice.

I ask unanimous consent to have printed in the RECORD at the conclusion of my statement a column by Russell Wheeler entitled "The Case for Confirming District Court Judges" that appeared in Politico on Wednesday and notes the unprecedented and destructive nature of this obstruction.

The PRESIDING OFFICER. Without objection, so ordered.

Mr. LEAHY. I have served in the Senate for 37 years, and I have never seen so many judicial nominees, reported with bipartisan support, be denied a simple up-or-down vote for 4 months, 5 months, 6 months, even 11 months. And if there was any doubt that Senate Republicans insist on being the party of no, their current decision to deny votes on these highly qualified, non-controversial district court nominees—while we are in the middle of a judicial vacancy crisis—shows what they stand for. They care more about opposing this President than helping the American people.

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

[From Politico, Sept. 18, 2012]

THE CASE FOR CONFIRMING DISTRICT COURT JUDGES

(By Russell Wheeler)

The accepted wisdom on Congress is that the presidential campaign is likely to crowd out most real work until after Nov. 6, when all its focus abruptly changes to the fiscal cliff.

There is, though, one important non-controversial matter that the Senate should take up now—as have previous Senates at this time: confirming district judges.

A government that can't do its mundane business is surely unlikely to be able to deal with more controversial problems. History shows that the Senate should be able to confirm a respectable number of long-standing district court nominations before Election Day—certainly before adjournment. If it cannot, this may signal that the past four years of delayed and confrontational nominations have not been an aberration but represent the new normal of district court confirmations.

Sixty-one of the nation's 673 lifetime appointment district court judgeships are vacant. President Barack Obama has submitted nominees to fill 24 of the vacancies. Seventeen of the 24 have cleared the Senate Judiciary Committee and are awaiting final action by the full Senate.

As of Sept. 10, the Senate had confirmed 126 of Obama's district nominees—81 percent. In comparison, President George W. Bush had a 97 percent district confirmation success rate in his first four years, and President Bill Clinton an 87 percent rate.

If the Senate confirms 10 of the 17 Obama nominees, this would lift his four-year success rate to equal Clinton's. Confirming all 17 would lift it to 91 percent.

Rates aside, however, even if all 17 were confirmed, Obama would have made roughly 20 fewer district appointees than Clinton or Bush. Obama has submitted fewer nominees.

Extended vacancies often mean long delays, especially in civil cases. They often mean full caseloads for judges in their 70s and beyond—despite statutory promises that, at that age, judges who have put in substantial service are entitled to scale back.

Filling judicial vacancies is part of the business of government, and like much of that business, it is more mundane than dramatic. Federal district caseloads consist largely of commercial disputes and federal crimes like immigration law violations—issues important to litigants and collectively important to all of us. They are part of how our society resolves disputes and help set the framework for commercial and social intercourse.

But you might say, judges can't get confirmed this close to a presidential election

because opposition senators are hoping their guy will soon be in the White House and make his own nominations to those vacancies.

That may be true now for court of appeals nominees—you have to go back to the first Bush administration to find a circuit confirmation after July of a presidential election year—but not for district courts. There's plenty of precedent for late-election year confirmations.

In 1980, 1984 and 1992—when Presidents Jimmy Carter, Ronald Reagan and George H.W. Bush were up for reelection—the Senate each time confirmed roughly 10 district court nominees between the political conventions and election day. That number dropped to zero in 1996 under Clinton but shot up to six in 2004 under Bush.

In years when the incumbent president wasn't on the ballot, the Senate also confirmed district judges, including 10 in September 2008—even as Obama's victory seemed increasingly likely.

There's plenty of recent precedent for confirming at least the 17 pending Obama nominees. But the past four years of district confirmations haven't followed precedent.

Not only is the confirmation rate lower, at least for now, but time from nomination to confirmation has spiked. Eight percent of Clinton's district confirmations in the first four years took more than 180 days, as did 27 percent of Bush's. But it's now up to 67 percent for Obama.

The increase in time has been matched by an increase in contentiousness. All of Clinton's district appointees were confirmed by voice vote—even those who merited more attention, like the subsequently impeached and convicted Thomas Porteous of New Orleans. All but four of Bush's appointees were approved by either voice or unanimous vote. Of the four, one got 20 "no" votes and one got 46.

Most of Obama's appointees have also been confirmed with no, or token, opposition—even those who waited a long time. But 11 received more than 20 "no" votes. It's hard to believe, however, that the quality of Obama appointees plunged so decisively compared with those of his immediate predecessors.

So district confirmations—especially in double digits—in the next several months may be iffy, and those who do get confirmed will have waited considerably longer than late-year confirmations in previous administrations.

We've come to accept, or at least recognize, as the new normal that only six or seven out of every 10 circuit nominees will get Senate approval. Are the district courts next?

The PRESIDING OFFICER (Mr. SANDERS). The Senator from New Hampshire.

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

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

VAWA

Mrs. SHAHEEN. Mr. President, I rise today to again raise my concerns about and the desire to see action in the House to pass the Senate bill reauthorizing the Violence Against Women Act. We need to continue this critical funding for survivors of domestic violence.

In the discussions on the Senate floor, we have heard about the protections offered in the Senate bill that have not been included in the bill the House has pending. They are protections that would help women on college

campuses, women on tribal lands, gay and lesbian victims, and immigrants. However, it is really important for us to remember not just those provisions but all of the other ways the Violence Against Women Act has benefited not just the victims of domestic violence but really all of us because domestic violence isn't just a women's issue. It affects all of us. It affects our entire economy. It affects our families. The Centers for Disease Control estimates that the direct health care costs associated with domestic violence are about \$4.1 billion every single year. We know this is a conservative estimate because so many of the victims never come forward.

The protections offered by the Violence Against Women Act have proven to be absolutely essential in preventing abuse. Last week was the 18th anniversary of the original passage of VAWA, so this is a good time to reflect on the progress we have made.

Over the past 18 years, the reporting of incidents of domestic violence has increased by 51 percent. At the same time, according to the FBI, the number of women who have been killed by an intimate partner has decreased by 34 percent. So clearly it is having some effect. Researchers at the North Carolina School of Public Health estimate that VAWA saved \$12.6 billion in its first 7 years alone. So even if one doesn't support the legislation because it does good work for families, this is a bill that is also a good investment.

This is about telling the victims of violence that we stand with them because having safe, healthy citizens benefits all of us. We all do better when fewer women are going to the emergency room, are missing work or giving up their children in order to protect those children from violence at home. We are all in this together.

I have had a chance as we have had this debate in the Senate to visit a number of crisis centers in New Hampshire—centers that benefit directly from the funding in the Violence Against Women Act. Recently I visited the city of Keene's Monadnock Center for Violence Prevention and had a chance to speak with one of the caseworkers there and with two of the survivors. Those two women told me what it was like as they were trying to figure out how to leave their abusers. I asked them: What would have happened if this center wasn't here? Both of them said they had nowhere else to go. One of the women said: My husband would have killed me. That was how desperate she was.

While I was there, I also had a chance to meet some of the children who were staying at the center. I wish to take a minute to talk about how important this is for them, the children who were witnesses of domestic violence or who, as the result of that violence, are victims themselves.

Centers all over New Hampshire and the United States have advocacy programs that are funded by VAWA that

offer support groups for children. Children are particularly vulnerable and ill-equipped to deal with the trauma of domestic violence. This is trauma that affects them for their entire lives.

A study by the World Health Organization found that children raised in households where domestic violence occurred are more likely to have behavioral problems, to drop out of school early, to experience juvenile delinquency. It is not surprising.

A child who witnesses domestic violence between parents is more likely to view violence as an acceptable method of conflict resolution. Boys who witness domestic violence are more likely to become abusers, and girls who witness domestic violence are more likely to become victims of domestic violence as adults. One advocate at the Bridges Crisis Center in Nashua, NH, works to prevent this cycle by providing safety planning for children. She teaches them they can live a life that is free of violence. This free preventive care for children is made possible by a grant from VAWA. Our children deserve this. This is why we need to reauthorize the Violence Against Women Act. This is about women who are in danger, about children and families who are at risk.

One of the stories I found particularly touching when I was at Bridges was about a young boy named Brian. The caseworker told me that Brian was really nervous about going back to school. He was supposed to bring with him a story about something fun he had done over the summer, but he had been in the shelter at Bridges with his mother and it really hadn't been a very fun summer. So the child advocate organized a barbeque in the park across the street, and everybody from the center came and joined in that barbeque and gave him a happy memory that he could take with him to the first day of school. This is the kind of healing we need more of. We can help this continue by reauthorizing the Violence Against Women Act.

I hope that as Senators go home for the next 6 weeks, as we go back to our States and travel around and hear from people in our States the issues they are concerned about, we won't forget about the task we have at hand when we come back. We need to reauthorize the Violence Against Women Act. We need to get the House to join with us in passing the Senate bill so we can include those expanded protections that are needed so much by women and families across this country. I know the Presiding Officer joins with me in recognizing that we still have time to get this done this year.

Thank you, Mr. President. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Vermont.

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

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

SOCIAL SECURITY

Mr. SANDERS. Madam President, I wish to spend a few minutes talking about an issue that I believe has not gotten the attention it deserves, especially in the midst of the contentious Presidential campaign we are witnessing, and that is the need to discuss a program which is probably the most successful social program in the modern history of the United States, a program that provides dignity and security to well over 50 million Americans, and that is Social Security.

Just this afternoon, 29 Senators sent a letter to all of our colleagues that says:

We will oppose including Social Security cuts for future or current beneficiaries in any deficit reduction package.

Let's be very clear. Our country does have a serious deficit problem. Our deficit this year is about \$1 trillion, and our national debt is \$16 trillion. That is a serious problem. However, let's be equally clear in understanding that Social Security has not contributed one nickel to the Federal deficit. So despite what we are going to hear tonight on cable television or some of the speeches my colleagues will give, let me reiterate: Social Security has not contributed one nickel to our Federal deficit.

In fact, the Social Security trust fund today, according to the Social Security Administration, has a \$2.7 trillion surplus—let me repeat that: a \$2.7 trillion surplus—and can pay out 100 percent of all benefits owed to every eligible American for the next 21 years.

Although many Americans now take Social Security for granted, we should never underestimate the incredibly positive impact Social Security has had on our Nation. In fact, one could well argue that Social Security has been the Nation's most successful social program—certainly in the modern history of this country.

In the 77 years since Social Security was signed into law, it has been enormously successful in reducing poverty for senior citizens. Before the advent of Social Security, back in the 1920s, early 1930s, about half of the senior citizens in this country lived in poverty, some in dismal poverty. Today, while the number is too high, the number of seniors living in poverty is less than 10 percent. We have gone from 50 percent to less than 10 percent. That, to my mind, is a real success story and something of which this Nation should be incredibly proud.

Today Social Security not only provides retirement benefits for 34 million Americans but also enables millions of people with disabilities and widows, widowers, and children to live in dignity and security. I hear in Vermont very often—and I expect the Presiding Officer hears in New Hampshire—about young people who have been able to go to college, live with some sense of security, despite the death of a parent, precisely because of Social Security.

Yet, despite all of these success stories, today Social Security is on the chopping block. Millions of Americans, when asked in polls, make it very clear—including people all across the political spectrum—saying: No, we should not cut Social Security. Millions of people understand that Social Security—and this is simply an extraordinary record—has been there in good times and in bad times. And in 77 years, not one American, no matter what the state of the economy, has not received all of the benefits to which he or she is entitled. It is an insurance program that has worked, and worked extraordinarily well.

What we are looking at right now are attacks on Social Security coming from Mitt Romney, from PAUL RYAN, and from virtually every Republican in Congress, who are calling for major cuts in Social Security. Many of them, including Romney and RYAN, also want to begin the process of privatizing Social Security and turning it over to Wall Street, putting the retirement dreams of millions of Americans at risk. They are also pushing to increase the retirement age to 68 or 69, forcing older Americans who have worked their entire lives—sometimes in physically demanding jobs in construction; maybe they worked in restaurants being waitresses their whole lives and now some folks want these people to still be working at the age of 68 or 69.

While virtually every Republican in Congress is pushing to cut Social Security benefits, there are also some Democrats who are considering cutting Social Security as part of some deficit reduction grand bargain. I strongly disagree with that approach, and I hope President Obama will make it clear, as he did 4 years ago, that he also disagrees with that approach.

Let me quote what President Obama said 4 years ago when he was Senator Obama running for the White House. This is what he said:

John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost of living adjustments or raise the retirement age. Let me be clear: I will not do either.

End of quote of Senator Barack Obama on September 6, 2008. What then-Senator Obama said in 2008 was exactly right, and I hope that now, in 2012, we will hear the President reiterate that position.

One of the most talked about ideas, when we hear discussions about cutting Social Security—and nobody outside of the beltway has a clue about what this means. I can tell you, I have been to many meetings in Vermont, and I have asked Vermonters: Do you know what the chained CPI is? And nobody has a clue. But one of the most talked about ways to cut Social Security is moving toward a so-called chained CPI, which changes how cost-of-living adjustments for Social Security benefits and veterans benefits are calculated.

So what it does right now: There is a formula by which the government de-

termines what kind of COLA—cost-of-living adjustment—seniors and veterans will get. It is a complicated formula. But what these guys want to do is cut back, readjust that formula so that the benefits will be less.

People who support this concept of a chained CPI, such as Alan Simpson, Erskine Bowles, and Wall Street billionaire Pete Peterson—and Peterson is one of the guys, a billionaire on Wall Street, putting in huge amounts of money in order to cut Social Security and other important programs—they believe Social Security COLAs and COLAs for veterans benefits are too generous, and they want to cut those COLA benefits.

Well, I will tell you something. When I talk to seniors in the State of Vermont and I say there are people in Washington who think their COLA benefits are too generous, usually they laugh. The reason they laugh is that for 2 out of the last 3 years, they have not received any COLA whatsoever—nothing—while at the same time their prescription drug costs and their health care costs have been soaring. And they look at me and say: What? Are these people crazy? If we have not gotten a COLA in 2 out of the last 3 years, while our expenses have risen, how do they think that COLA formula is now too generous?

Let's also be very clear that when we talk about this chained CPI, this means not only cuts for seniors, it means cuts for veterans, and that is an issue we have not talked about very much.

So let me talk about what the chained CPI means. It means—and they want to implement this, by the way, very shortly. Romney and RYAN are talking about changing Medicare, as we know, over a 10-year period, and I think that is a disastrous idea. But what these guys now are talking about are immediate cuts in the COLA, starting as soon as they can pass that legislation.

What it would mean is that for a senior citizen who is 65 years of age today, by the time that senior reaches 75, there would be a \$560-a-year cut compared to what they otherwise would have gotten. Some folks here on Capitol Hill may not think \$560 is a lot, but if you are struggling on \$14,000 or \$15,000 a year, that is quite a hit. And once that 65-year-old, in 20 years, reaches 85, that cut will be approximately \$1,000 a year.

Now, I have a problem; in a nation that has the most unequal distribution of wealth and income, where the rich are getting richer and their effective tax rate is the lowest in decades, some folks around here, pushed by Wall Street billionaires, by the way, say: Hey, we have a great idea on how we could deal with deficit reduction: Let's tell a senior living on \$15,000 a year, Social Security, that we are going to cut them by \$1,000 in 20 years. I think really that is morally grotesque, and it is also bad economics.

But this chained CPI would not only impact seniors, it would also impact 3 million veterans. Three million veterans would be impacted by this chained CPI. For example, a veteran who put his life on the line to defend this country and who was severely wounded in action and who has a 100-percent service-connected disability is currently eligible to receive about \$32,000 a year from the VA. Under the chained CPI, this disabled veteran, who started receiving VA disability benefits at age 30, would see his benefits cut by more than \$1,300 a year at age 45, \$1,800 a year at age 55, and \$2,260 a year at age 65.

In other words, moving toward a chained CPI would be a disgraceful effort to balance the budget on some of the most vulnerable people in this country, including people who have suffered severe wounds and disabilities in defending this country. Those are not the people upon whom you balance the budget.

Madam President, I will conclude by reminding the American people that when Bill Clinton left office in January 2001, this country had a \$236 billion surplus, and the projections were that that surplus was going to grow every single year. But some of the same people in Congress right now, including Congressman PAUL RYAN, who is running for Vice President, who are so concerned about the deficit, who want to cut Social Security, end Medicare as we know it, make devastating cuts in Medicaid and education—these very same people voted to go to war in Iraq and Afghanistan and not pay one nickel for those wars but put them on the credit card and increase the deficit. These same people who now want to go after wounded veterans gave huge tax breaks to the wealthiest people in this country, adding to the deficit. They passed a Medicare Part D prescription drug program and forgot to pay for that as well. So, to my mind, I have a real problem with folks who went to war without paying for it, gave tax breaks to billionaires without paying for it, passed a Medicare Part D prescription drug program without paying for it, and now they say we have to cut Social Security, Medicare, Medicaid, education, and the needs of working families and low-income people. I think that is absolute hypocrisy.

So our charge is that instead of listening to the Wall Street billionaires who want to move to deficit reduction on the backs of the elderly, the children, the sick, the poor, wounded veterans, there are better ways to do deficit reduction. I hope that as a Congress we will come together and say that when the wealthiest people are doing phenomenally well, yes, they are going to have to pay more in taxes. When a quarter of the corporations in this country pay nothing in taxes, yes, they are going to have to pay their fair share of taxes. When we are losing \$100 billion a year because of tax havens in the Cayman Islands and elsewhere, we

are going to have to deal with that issue before we cut programs on which elderly people and veterans and children depend.

So we have a lot of work in front of us, but the bottom line is that I will do everything I can to make sure we do not balance the budget on the backs of the elderly, the children, the sick, and the poor. That is immoral, and it is also bad economic policy.

Madam President, I ask unanimous consent to have printed in the RECORD the letter signed by 29 Members of the Senate opposing cuts in Social Security.

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

U.S. SENATE,
Washington, DC.

DEAR COLLEAGUE: We are writing to inform you that we will oppose including Social Security cuts for future or current beneficiaries in any deficit reduction package.

Under long-standing Federal law, Social Security is not part of the Federal budget and cannot contribute to the federal deficit. This reflects Social Security's structure as an independent, self-financed insurance program, in which worker contributions, not general taxes, finance benefits. In our view, it is essential that Social Security's status as a separate entity be fully maintained.

Contrary to some claims, Social Security is not the cause of our nation's deficit problem. Not only does the program operate independently, but it is prohibited from borrowing. Social Security must pay all benefits from its own trust fund. If there are insufficient funds to pay out full benefits, benefits are automatically reduced to the level supported by the program's own revenues. Social Security cannot drive up the deficit by tapping general revenues to pay benefits.

Even though Social Security operates in a fiscally responsible manner, some still advocate deep benefit cuts and seem convinced that Social Security hands out lavish welfare checks. But Social Security is not welfare. Seniors earned their benefits by working hard and paying into the system. Meanwhile, the average monthly Social Security benefit is only about \$1,200, quite low by international standards.

For all these reasons, we believe it would be a serious mistake to cut Social Security benefits for current or future beneficiaries as part of a deficit reduction package. To be sure, Social Security has its own long-term challenges that will need to be addressed in the decades ahead. But the budget and Social Security are separate, and should be considered separately.

Thank you for your consideration of our views.

Sincerely,

Bernard Sanders; Harry Reid; Charles E. Schumer; Sheldon Whitehouse; Sherrod Brown; Patrick Leahy; Debbie Stabenow; Al Franken; Jeff Merkley; Barbara Mikulski; Jack Reed; Mark Begich; Ron Wyden; Ben Cardin; Richard Blumenthal; Tom Harkin; Frank R. Lautenberg; Patty Murray; Barbara Boxer; Daniel K. Akaka; John D. Rockefeller IV; Tom Udall; Carl Levin; Joe Manchin III; Maria Cantwell; Tim Johnson; Daniel K. Inouye; Robert Menendez; Kirsten Gillibrand.

Mr. UDALL of Colorado. Mr. President, I rise to speak on the amendment I have filed to the House continuing resolution, House Joint Resolution 117, which we are currently considering.

I understand that House and Senate leadership came to an agreement that seeks to keep the government running for the next 6 months and I want to applaud their willingness to work in a bipartisan fashion to reach an agreement that avoids a government shutdown. Still, after the House passed this funding bill, I was greatly concerned that emergency funding for Colorado and other states impacted by natural disasters this year was left out.

In my state, these funds are essential to protecting and restoring critical watersheds that were damaged by the most devastating wildfires in Colorado's history—which if left unaddressed present serious flooding, landslides and other risks that threaten the lives of residents in our state.

My amendment would provide the U.S. Department of Agriculture \$27.9 million in emergency funding to mitigate watershed damage through the Emergency Watershed Protection Program, or EWP, in areas that have been presidentially declared disaster areas as authorized under the Stafford Act.

As of September 18, 2012, the USDA estimated \$126.7 million in funding needs for EWP projects in 15 States. Of that total, \$27.9 million is needed to mitigate the aftermath of presidentially declared disaster areas in Louisiana, Florida, Oklahoma and Colorado, as authorized under the Stafford Act. Currently, Stafford Act funds for EWP have been depleted and as I have noted the House Continuing Resolution provided no emergency funds for EWP. Mr. President, the need for this amendment to provide emergency funding is critical and let me tell you why.

The two most devastating Colorado fires this season, High Park and Waldo Canyon, burned more than 100,000 acres and led to the catastrophic loss of property and regrettably loss of life. Now as Coloradans pick up the pieces, the burned and barren areas present an additional threat.

Without site rehabilitation and restoration, the watersheds that provide municipal and agricultural water supplies are at risk from landslides, flooding and erosion, which could result in serious infrastructure damage, water supply disruptions and even loss of life.

Coloradans unfortunately have already experienced some of these effects. For example, in the Poudre River, which drains part of the area burned by the High Park fire, the ash and runoff from the fire caused the water flowing into drinking water filtration plants to turn black. This forced the downstream city of Fort Collins to shut off their water intakes for over 100 days and further downstream the city of Greeley was forced to shut off their water intakes for 36 days and use only a small fraction of their normal intake for an additional 38 days.

How much more of an emergency need do we have to show when our most basic resource—drinking water—is threatened?

I will give you one more example. After the devastating Waldo Canyon Fire that burned several homes in Colorado Springs and surrounding areas, the flood potential in the burned areas is now 20 times higher than before the fire. So now folks in the burned area and others downstream could see a 100-year flood from the same amount of rainfall that would have caused a 5-year rainfall before the wildfires occurred. Already property owners in the Colorado Springs vicinity have received at least four flash-flood warnings since the fire. The need for stabilizing this ground and restoring the burned areas on both federal and private land is critical to public safety, public health and the prevention of another disaster.

This is why I have filed an amendment to provide additional emergency funds to the Emergency Watershed Protection Program. This program provides funding and technical support to restore and stabilize soil in critical watersheds in the aftermath of severe wild fires and other natural disasters, such as floods and hurricanes—which are also important to many members from our coastal states.

I understand that there will not be an opportunity to amend the pending bill as a result of an agreement made with the House to avoid a government shutdown, so I will not attempt to call up my amendment. But, I want to ensure that my colleagues here understand the gravity of the situation faced by those who supply safe drinking water to the people of Colorado, by those who store water in our reservoirs to irrigate, and by those who fear a rainfall could devastate their livelihoods again after already experiencing significant loss from wildfire.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, discussions continue about processing the business we need to address before we leave. As I have said repeatedly, we need to do just a couple things before we break for the elections. We need to pass the CR. We need to vote on proceeding to the sportsmen's package.

To help move the CR, we have been told that the Republicans now have decided they are willing to vote sometime on the Paul bill on foreign aid and also the Iran containment resolution. As I said yesterday, we are willing to do that.

In the worst case, under the rules, the cloture vote on the CR would occur tomorrow night—at 1 a.m. on Saturday. Once we invoke cloture on the continuing resolution, the 30 hours postcloture would run out at about 7:30 or 8 o'clock in the morning Sunday, and we would vote then to pass the CR, which would be immediately followed by a vote on the sportsmen's package.

I am happy to continue these discussions. We are working to see if we can schedule these votes to occur at a time that is more convenient to Senators. I

hope we can have more to report on that tomorrow. It appears at this stage there is no agreement on having any votes tomorrow, so we may have to finish our work tomorrow, beginning tomorrow night, very late.

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. MERKLEY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. MERKLEY. Madam President, I ask unanimous consent 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 END OF NUCLEAR TESTING

Mr. REID. Mr. President, it has been 20 years since our Nation's final nuclear weapons test. "Divider" was the name appropriately given to the final test on September 23, 1992; 8 days later, President George Bush, Sr., declared a moratorium on testing that is still in place today. That last test, along with nearly 1,000 others, was carried out at the Nevada National Security Site, formerly known as the Nevada Test Site.

This site has a storied history; it was used intensively during the Cold War to test nuclear weapons in our fight against tyranny and is remembered by all Americans for the iconic images the atomic bomb continues to invoke. Testing weapons and building our nuclear arsenal was necessary, but there was a price to pay—and it was the health of our hard-working and patriotic Cold War veterans and the many people who lived downwind of the test site.

Since January 11, 1951, hundreds of thousands of men and women—including miners, millers, and haulers—played a critical role in building the nuclear deterrent that kept our Nation secure during the Cold War and still contributes to our national security today. These American heroes were on the front line of our national security. They served valiantly to help our Nation defend itself, but their personal sacrifice was immense. While serving their country honorably during one of the most dangerous conflicts in our Nation's history, many of Nevada's Cold War veterans sacrificed their health and well-being for their country.

After personally meeting with and listening to many unfortunate stories from brave Nevadans about illnesses they had gotten from their nuclear weapons work, I was pleased to help pass the bipartisan Energy Employees Occupational Illness Compensation

Program Act in 2000, as well as an expansion of the law in 2004. This important program provides vital monetary compensation and medical coverage to Nevada's test site workers suffering from radiation-induced cancers, beryllium disease, silicosis, and other illnesses caused by toxic chemicals.

In 2005, I began to hear from workers and survivors saying that they were being put through a seemingly endless stream of bureaucratic redtape only to be denied compensation in the end. I was enraged that workers who had developed cancer while protecting our Nation were being denied compensation simply because their employer failed to keep accurate records of each worker's radiation exposure.

While we succeeded in securing automatic compensation for workers during the atmospheric testing years, those who served their Nation during the underground testing years were let down by their country. I fought on their behalf and finally secured automatic compensation for thousands of workers during the underground testing years. I am proud that this important program resulted in the payment of almost \$500 million to 4,599 sick test site workers and their survivors. Nevada's Cold War heroes have made immeasurable contributions to our Nation's security, and the sacrifices they have made—to their health and their lives—make it impossible for us to ever adequately thank them.

Today, the Nevada National Security Site has taken on new roles to address 21st-century threats. This includes detecting dangerous weapons, treaty verification, fighting terrorism and nuclear smuggling, and training first responders. The site can even play a role in clean energy demonstration and development to meet our Nation's energy needs using a resource southern Nevada has an abundance of—sunshine. I am also proud of the growing non-proliferation mission at the Nevada National Security Site. These critical activities are playing a vital role in the Nation's arms control efforts while putting Nevadans to work making our Nation more secure.

There are many more opportunities to utilize the Nevada National Security Site's ultrasecure location to bolster out Nation's security. It is an installation whose relevance is timeless because we will always need a place to test new technologies, house sensitive materials and equipment, train our security forces, and know for sure that unwanted eyes are not watching.

Finally, I am proud that while we work to grow and modernize the mission of the Nevada National Security Site, the site's storied past and the people behind it will never be forgotten. The National Atomic Testing Museum in Las Vegas is an affiliate of the Smithsonian Institution and recently was named by Congress as a "National" museum. This important institution collects and publicly displays artifacts and documentation that tell

the stories of how the Nevada Test Site helped protect our country during the Cold War.

I am proud to stand here today to recognize this historic day in Nevada and America's history, marking 20 years since we have ended nuclear testing.

TRIBUTE TO DENNIS MEYERS

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a man that will leave a legacy of firm economic performance, solid physician recruitment, and a commitment to nurture community partnerships in the hospitals of his area. Mr. Dennis Meyers of Clay County, KY, was named to the Clay County Days Wall of Fame in August 2012 for the amazing work he has accomplished in his community and the community's hospital, Manchester Memorial Hospital.

Dennis Meyers's spectacular working experience began as a pastor in 1969 in Nebraska and Illinois. In 1986, he decided on a change of career. He accepted a job as a registered nurse at Hanford Hospital. After 4 successful years, Dennis transferred to San Joaquin Community Hospital to fill the position of vice president. Dennis never stopped dreaming and believing. He continued his career to become chief operating officer and vice president of Manchester Memorial Hospital.

Dennis initiated numerous community-outreach programs, each serving as evidence to show the worth of this man and the dedication he displayed towards his community. Dennis introduced Mission in Motion, public health screenings, Live It Up!, and mission-outreach programs to enrich the Clay County community.

Dennis married Susan Meyers, who also works for the hospital. They have three children, who, like their father, hold nursing degrees. Dennis urges that success come to everyone in life. He strategizes on helping the community that is served by the hospital through Community Outreach and church programs.

At this time, I would like to ask my colleagues in the U.S. Senate to join me in honoring Mr. Dennis Meyers as he has been named to the Clay County Days Wall of Fame. His ambition and hard work ethic has improved and will continue to improve the Commonwealth of Kentucky.

A news story highlighting the accomplishments of Dennis Meyer was recently published in the Manchester Enterprise. I ask unanimous consent that said story be printed in the RECORD.

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

[From the Manchester Enterprise, August 30, 2012]

DENNIS MEYERS LED MANCHESTER MEMORIAL TO GROWTH

Clay County Days Hall of Fame inductee Dennis Meyers retired from the lead role at Manchester Memorial Hospital recently after 12 years in the position.

Meyers began as a pastor in 1969 in Nebraska and Illinois. In 1980, his career took a dramatic shift when he began working as a recreational therapist at the Battle Creek Sanitarium. In 1986, he transitioned to Hanford Hospital, where he worked as a registered nurse.

Four years later, Meyers accepted a position as vice president of nursing at San Joaquin Community Hospital.

From there, he became chief operating officer and vice president of nursing at Manchester Memorial, and then president and chief executive officer.

Several community outreach initiatives began under Meyers's direction, including Mission in Motion, public health screenings, Live It Up!, and mission-outreach programs that enrich the community.

Meyers holds a bachelor of arts in religion, a bachelor of science in nursing, and a master's of divinity from Andrews University.

He is married to Susan Meyers, who works for the hospital, and all three of his children hold nursing degrees.

Meyers plans to continue helping the community outreach and church programs.

TRIBUTE TO TESS LIPPS

Mr. McCONNELL. Mr. President, I rise today to pay tribute to an honored Kentuckian who has worked to better the Commonwealth. Mr. Tess Lipps of Clay County, KY, was named to the Clay County Days Wall of Fame in August 2012 for the extraordinary work he has accomplished in his community during his lifetime.

Tess Lipps was born July 8, 1947, in a section of Clay County known as Martin's Creek. Growing up with eight brothers and sisters, Tess and siblings learned what some would call the essentials in life: integrity to others and faith in God. Upon graduating from Clay County High School in 1964, Tess applied these essentials to his life.

In 1971, Tess married Barbara Hicks. From this critical point in life, Tess and Barb spent the next greater portion of their lives living to serve God and their community. They became youth leaders at the Manchester Pentecostal Church and taught a teenage boys' Sunday school class. In 1972, the couple opened the first Christian bookstore in the area in which they lived, the Gospel Variety Shoppe.

Tess continued to accomplish and succeed in a plethora of activities. He became an agent with the Commonwealth Insurance Company in 1984. Progressing through the ranks, he was promoted to sales manager and also branch manager. He retired from this position in 2003, but his work to the community did not cease.

In addition to serving as a board member of Agape and emcee of the Halleluiah Day Festivals, Tess answered his calling in life and became pastor of the Manchester Gospel Mission Church in 2006. Tess also formed the Clay County Cancer Coalition and the UPWARD Soccer Program in Clay County, despite some doubts from others. He was told that the community and church were too small to support such large programs. But Tess's faith allowed him to dream the impossible, and then accomplish that dream.

This year, 250 kids played soccer on a brandnew field in the community. Tess and Barb have been blessed beyond measure. The wish of Tess for the community is that all people can work together making greater opportunities for future generations. Mr. Tess Lipps has served his community well.

At this time, I would like to ask my colleagues in the Senate to join me in honoring Mr. Tess Lipps, an individual whose hard work and dedication to the community, combined with faith and persistence, has forever changed the Commonwealth of Kentucky.

A news story highlighting the achievements of Tess Lipps was recently published in the Manchester Enterprise. I ask unanimous consent that said story be printed in the RECORD.

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

[From the Manchester Enterprise, Aug. 30, 2012]

LIPPS KNOWN FOR COMMITMENT TO COMMUNITY CLAY COUNTY DAYS HALL OF FAME SPONSORED BY THE MANCHESTER ENTERPRISE

Tess Lipps, recognized this year as a Clay County Days Hall of Fame inductee, is known as a community volunteer who helped form the Clay County Cancer Coalition and UPWARD Soccer.

Lipps was born July 8, 1947, in the Martin's Creek Section of Clay County, along with eight brothers and sisters. His parents, Henry and Georgia Lipps, instilled honesty, faith, and a hard working ethic.

He attended a two-room school at Martin's Creek for seven years, and was part of the first graduating class of the new Goose Rock Elementary in 1960. He graduated from Clay County High School in 1964.

He and his wife, the former Barbara Hicks, were youth leaders at the Manchester Pentecostal Church for over 13 years, and taught a teenage boys' Sunday school class for the next 12 years.

In 1972, they opened the first Christian book store in the area, and operated it until they sold it in 1983.

He became an agent with Commonwealth Insurance in 1984, and served in that capacity until he was promoted to sales manager in 1997. He was promoted to branch manager in 2001, and was there until his retirement in 2003.

A dream of his was realized in January 2006 when he became pastor of the Manchester Gospel Mission Church.

In May of that year, he was part of a group of concerned citizens that formed the Clay County Cancer Coalition. He was president of the coalition for five years, stepping down in June of this year.

In 2009, he and the congregation of the church, with the leadership of Joe and Tracy Farmer, started the UPWARD Soccer Program. This year, 250 youth are playing on a new field, with a vision for greater things in the future.

Lipps and his wife have a son, a daughter, and two goddaughters, along with grandchildren.

50TH ANNIVERSARY OF THE USTR

Mr. BAUCUS. Mr. President, William Shakespeare once said, "Nimble thought can jump both sea and land."

Today I wish to pay tribute to a U.S. Government agency whose thinking is

nimble and its actions as well. The Office of the U.S. Trade Representative is celebrating its 50th anniversary this year.

For 50 years, USTR's small but elite staff has been crossing the globe, over sea and land, to break down barriers to American exports, and they have helped develop a world linked by trade, a world governed by rules, to ensure a level playing field for our exporters and their workers.

USTR has been remarkably effective at that task. Since the creation of the Special Trade Representative in 1962, annual U.S. trade has grown from \$52.1 billion to \$4.8 trillion, contributing to economic growth of nearly 350 percent. USTR led the way through 20 FTA negotiations, multiple GATT and WTO Rounds, and countless bilateral trade negotiations in its quest to create opportunities abroad for U.S. businesses, workers, farmers and ranchers, in order to reach the 95 percent of global consumers who live outside the United States.

USTR spearheaded the effort to create the fundamental rules and structures that underpin the global trading system. It successfully concluded the Uruguay Round negotiations that created the World Trade Organization. The WTO contributed to an explosion of trade and extended the rules-based trading system to nearly every trading nation of the world.

Throughout it all, the dedicated officials at USTR have maintained their commitment to expanding economic growth through trade, for the benefit of all Americans. Through Democratic and Republican administrations, USTR officials have put the interests of all Americans first. And they have accomplished so much with so little. Never larger than its current strength of about 250 professionals, USTR has turned its small size into a virtue. USTR acts and reacts quickly, cutting through bureaucratic obstacles in the government to develop and execute market-opening strategies to break down barriers facing American exporters abroad.

As part of the Executive Office of the President, USTR is perfectly positioned to leverage the resources of the entire U.S. government and to integrate the full range of stakeholder interests on trade issues. And it is perfectly positioned, and has served well, as an effective and indispensable interlocutor with the U.S. Congress. USTR understands and respects Congress's constitutionally established role in the regulation of international trade. Through its close consultations with Capitol Hill, USTR presents to the world a trade policy that enjoys broad support.

USTR would not be as effective and it could not perform its role if housed elsewhere in the government or were it to become much larger and more bureaucratic. As others have observed over the years, if USTR did not exist in its current form, it would have to be reinvented.

USTR is now hard at work on a number of initiatives that continue its legacy of expanding trade for the benefit of all Americans, such as the Trans-Pacific Partnership, the Asia-Pacific Economic Cooperation forum, and World Trade Organization agreements on topics from services liberalization to customs reform. And USTR remains hard at work enforcing our existing trade agreements at the WTO and elsewhere, to ensure the United States receives the full benefit of those agreements.

So I would like to extend my congratulations to Ambassador Kirk, his predecessors, and the entire USTR team past and present for reaching the 50-year milestone. I look forward to another half century of stellar accomplishments, and I can assure you that I will do everything I can to help make that possible.

SECOND BIG SKY HONOR FLIGHT VISIT TO D.C.

Mr. BAUCUS. Mr. President, I rise to recognize a very important event that will be occurring this Sunday and Monday. Eighty-nine World War II veterans from Montana will take part in the Big Sky Honor Flight and come to Washington, DC, to visit their monument—the WWII Memorial.

Their trip is hosted by the Big Sky Honor Flight Program. The mission is to recognize American veterans for their sacrifices and achievements by flying them to Washington, DC, to see their memorials at no cost.

These veterans come from all parts of our great State. This is a special weekend for this group of heroes. It is also a time to give thanks for the courage and sacrifice of all our veterans and servicemembers. It is a time to reflect on the sacrifices made by those who fought on the front in Europe, on the battlefields of Korea, in the jungles of Vietnam, the deserts of Iraq, and those who are currently fighting in the mountains of Afghanistan. We must not forget their sacrifices.

I am so pleased I will be able to meet with these courageous Montanans. I ask the Senate to join me in welcoming these heroes to our Nation's Capital this weekend, and I ask unanimous consent that their names be printed in the RECORD.

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

Lee Alderdice; Milton Lyman Amsden; Harry A. Arvidson; Peter N. Bertram; Leonard E. Bestrom; Warren Charles Bodecker; Ralph Floyd Brewington; James C. Brook; William B. Brown; Jackson L. Burger; Filmore B. Canon; John M. Clark; Harold Lee Conrad; Hollis E. Coon; Gool Counts; Carley Rhein Cromwell; Leo Eckhardt; James E. Elander; James Ellison; Charles T. Eskro.

Frank D. Evans; Alvin Oscar Fisher; Samuel W. Frank; Durl J. Gibbs; Raymond P. Gregori; Robert Glover Hall; Charles E. Halstead; Thomas A. Hanel; Russell LeRoy Hartse; James Hasterlik; Milam V. Hearron; McDonald W. Held; Lewis W. Holzheimer;

Bernard E. Hertson; Earl T. Jackson; Elwin M. Johnson; George L. Kimmet; Vincent Leo Koefeld; Vernon Lee Koelzer; Frank J. Koncilya.

Andre Rioul Kukay; Willard E. LaCounte; Albert R. Lasater; Harold J. Lasater; Gorvan J. LeDuc; Oscar L. Lee; Norman D. Leonard; Joseph Biggs Little; Max E. Long; Robert W. Lubbers; Leonard John Mager; James J. Marshall; William R. Matthew; Paul Messer; Elizabeth S. Meyer; Geraldine E. Mihalic; Gerald K. Nelson; John H. O'Bannon; Clarence A. Olson; Eddie C. Olson.

Ray A. Olson; Thomas F. Patterson; Roy Louis Peters; John W. Porter; Carl Redding; Michael G. Rhodes; Robert V. Ryan; Charles F. Sandford; Dave Schledewitz; Laurence N. Shipp; William James Sivelle; Anthony W. Skorupa; Charles E. Smith; Donald E. Smith; Kenneth C. Smith; Robert M. Standefer; John R. Stevenson; Frank Phillip Thatcher; Clifford V. Thomsen; Robert E. Torgrimson; Ronald W. Torstenson; James Arthur Vick; Albert Wade; James Forest Walker; Bernard Edgar Wanderaas; Joseph A. Weber; Allen L. Whittington; Bryce Wood Williams; Andrew R. Winter.

MODIFICATIONS TO S. 1956

Mr. CARDIN. Mr. President, would the Senator from South Dakota enter into a colloquy to discuss concerns I have with his bill S. 1956 and a suggested amendment I have filed for consideration, which is currently running through the hotline process?

First of all I want to thank my colleagues for their willingness to work with me to address some of the concerns I have with this bill as it was reported out of the Commerce Committee.

While I have some ongoing reservations about the precedent and potential impacts this bill could have on our relations with our closest European allies, I am willing to allow legislation to move forward if I may get consent to have my amendment agreed to.

I would like to discuss my amendment and the process which the legislation prescribes the Secretary of Transportation to follow in determining whether to prohibit U.S. airlines from participating in the European Union's carbon emissions trading scheme.

The second paragraph of subsection (a), section 3 of the legislation contains a provision that is designed to "hold harmless" U.S. airlines from the fees, taxes or fines that they incur from the EU under the emissions trading scheme.

While the Secretary of Transportation has discretion as to how he will act to "hold harmless" our air carriers, it is understood that these actions could possibly require some form of payment by the Federal Government.

One of my greatest concerns with the bill, which I believe the sponsors of the bill share with me, and I appreciate their interest in working with me to address this issue, is that any payments that may result from this provision not come at the expense of the American taxpayer.

I would like to ask the Senator this question: is it correct that it is not his intent that any costs or remunerations

triggered by this legislation come at the expense of U.S. taxpayer dollars?

Mr. THUNE. That is correct, it has always been my intent, and it is shared by the Congressional Budget Office, and the Secretary of Transportation, who will have the primary responsibility of implementing this legislation.

According to the CBO, "enacting S. 1956 would have no significant impact on the federal budget."

I ask unanimous consent at this time to have their entire report printed in the RECORD.

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

AUGUST 1, 2012.

Hon. JOHN D. ROCKEFELLER IV,
Chairman, Committee on Commerce, Science,
and Transportation, U.S. Senate, Wash-
ington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1956, the European Union Emissions Trading Scheme Prohibition Act of 2011.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

S. 1956—European Union Emissions Trading Scheme Prohibition Act of 2011

The European Union (EU) has established the European Union Emissions Trading Scheme (ETS), a regulatory framework related to greenhouse gas emissions. Currently, the ETS covers emissions from air carriers that operate flights within, to, and from EU member states. Negotiations between the U.S. government and the EU about the applicability of the ETS to U.S. air carriers are ongoing, and the potential outcome of those negotiations is unclear.

S. 1956 would direct the Secretary of Transportation to prohibit U.S. air carriers from participating in the ETS if the Secretary believes such a prohibition to be in the public interest. The bill would direct federal agencies to continue negotiations in pursuit of a worldwide approach to addressing aviation-related emissions and would authorize the Secretary to use existing authorities to ensure that U.S. air carriers are held harmless for any costs they incur if they participate in the ETS.

CBO estimates that enacting S. 1956 would have no significant impact on the federal budget. We expect that the bill would not alter the scope of diplomatic efforts currently underway or federal agencies' costs to participate in those efforts, which are subject to appropriation. The bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 1956 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

S. 1956 would impose a private-sector mandate, as defined in UMRA, if U.S. air carriers would be prohibited from participating in the ETS. The cost of the mandate would depend on how the prohibition is administered by the Department of Transportation. Because information about how the prohibition would be implemented is not available, CBO has no basis for estimating the cost, if any, to U.S. air carriers. Consequently, CBO cannot determine whether the cost of the mandate would exceed the annual threshold established in UMRA for private-sector mandates (\$146 million in 2012, adjusted annually for inflation).

On September 23, 2011, CBO transmitted a cost estimate for H.R. 2594, the European Union Emissions Trading Scheme Prohibition Act of 2011, as ordered reported by the House Committee on Transportation and Infrastructure on September 23, 2011. The two bills are similar, and the CBO cost estimates are the same.

The CBO staff contacts for this estimate are Megan Carroll (for federal costs) and Amy Petz (for the impact on the private sector). The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

Mr. THUNE. Additionally, at a recent Commerce Committee hearing on my bill, Secretary LaHood was asked if any possible action of implementation could "include the U.S. government paying EU authorities directly or compensating the operators for any fines incurred for non-compliance with EU ETS."

He responded, "We have absolutely no intention of asking the U.S. taxpayer to pay any ETS fines incurred for non-compliance with EU ETS, directly or indirectly."

I appreciate Senator CARDIN and LAUTENBERG for coming forward and working with me to clarify this point, and I thank them both for releasing their hold.

I am happy that we have been able to come to a bipartisan agreement on my bill and look forward to final passage today in the Senate and hopefully soon by the House of Representatives so we can send a clear message to the EU that ETS is arbitrary, unfair, and a clear violation of international law.

Mr. CARDIN. I appreciate the Senator clarifying his intent, and I am glad he shares my concern.

I believe my amendment helps make the intent of the legislation clear.

My amendment adds a third paragraph to subsection (a) of section 3 of the bill.

The amendment will explicitly exclude any appropriated funds or user fee receipts to be expended on actions taken under the hold harmless clause.

This amendment will ensure that any taxpayer dollars, either through appropriations or through user fee receipts, are expressly prohibited from supporting actions resulting from the held harmless clause of the bill.

Would my colleague agree that my amendment assures that no U.S. taxpayer dollars will be expended on any held harmless actions that may result from this bill?

Mr. THUNE. Yes.

Mr. CARDIN. I thank the Senator for his cooperation with me on this important fiscal matter.

I want to make it clear to my colleagues, as this bill progresses forward or is reconciled with a less thoughtful House proposal, I do want my colleagues to understand that should the Senate have to reconsider a different proposal in a conference report that I intend to reserve my right to object.

I also want my colleagues to understand that I feel that the United States and countries around the globe must take actions to address the threat car-

bon emissions pose to the global environment.

I think there are some legitimate concerns with the way the EU has proposed to take unilateral actions to reduce carbon emissions from the aviation sector.

I don't fault the EU for their leadership in the face of what has thus far been nearly 15 years of failed multinational negotiations on how we as cooperating nations should be reducing or mitigating aviation carbon emissions.

I would like for the United States to take greater action to address this problem, and in many respects I think it is unfortunate that the United States has not demonstrated the same kind of leadership that the nations of Europe have taken on this issue.

HUMANITARIAN CATASTROPHE IN SUDAN

Mr. BOOZMAN. Mr. President, I rise today to highlight the following letter written by over 60 genocide scholars, including Dr. Samuel Totten of the University of Arkansas. Their letter urges the Obama administration to do more to end the humanitarian catastrophe occurring in South Kordofan and Blue Nile States of Sudan.

Last summer I joined a group of bipartisan Senators in making a similar request of the administration. Unfortunately, humanitarian aid to South Kordofan and Blue Nile continues to be severely limited and the violence has not ceased.

I applaud the authors of this letter for their continued advocacy to ensure that another genocide does not occur in Sudan, and I ask unanimous consent that it be printed in the RECORD.

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

AUGUST 31, 2012.

To: President Barack Obama; Secretary of State Hillary Clinton; Ambassador to the United Nations Susan Rice; Special Assistant to the President Samantha Power.

From: The Undersigned Genocide Scholars
Subject: Humanitarian Catastrophe in South Kordofan and Blue Nile States of Sudan

DEAR PRESIDENT OBAMA, SECRETARY OF STATE CLINTON, AMBASSADOR RICE AND SPECIAL ASSISTANT POWER: On June 6, 2011, the Sudanese regime, led by indicted war criminal Omar al-Bashir, unleashed a wave of targeted ethnic killings against the people of the Nuba Mountains in South Kordofan state, Sudan. Since then this state-sponsored violence has spread to engulf much of South Kordofan and Blue Nile states.

The continuing multiple atrocities amount to at least crimes against humanity. This, in and of itself, is alarming. According to the tenets of the Responsibility to Protect now is the time to protect the targeted population.

Satellite imagery has revealed mass graves, razed communities, and the indiscriminate low altitude aerial bombardment of civilian areas in South Kordofan state. Reliable eyewitnesses continue to report systematic government shelling and bombing of refugee evacuation routes, helicopter

gunships hunting civilians as they flee their homes and farmland to hide in caves, and a deliberate and widespread blockage of humanitarian aid into South Kordofan and Blue Nile states. Anecdotal evidence of perpetrators screaming racist slurs as civilians are killed and raped are familiar to anyone who knows what has been happening in Darfur since 2003.

Sufficient evidence exists for us to believe the Sudanese regime is attempting to annihilate those whom the government suspects of supporting the Sudan People's Liberation Movement-North's (SPLM-N) aims. Hence many local people are automatically targeted regardless of their true political affiliations.

Hundreds of thousands of Sudanese remain trapped in South Kordofan, the victims of forced starvation, unable to farm their land. This critical situation largely mirrors what the same regime perpetrated in the 1990s, a case of genocide by attrition.

Meanwhile in Blue Nile state, a scorched earth campaign by government forces has forced the SPLM-N to retreat, leaving tens of thousands with no protection from the perpetrators.

As genocide scholars we have a solemn responsibility to educate the public about the horrors of the past in the hope of creating a future free of such crimes. We are the keepers of the chapters of human history that are difficult to confront, casting a dark shadow on all of humanity. We study the past to find ways to prevent such egregious actions in the future. We exist to remind the world of humanity's capacity to commit genocide anywhere and against any group of people.

It is because of that responsibility that we write to you. We call on you to fulfill your responsibilities as global leaders when it comes to confronting mankind's most terrifying of crimes.

Although we welcome your efforts to aid the refugees who have found their way to camps in South Sudan, we must point out that as world leaders you have the moral authority granted by the UN's unanimous 2005 declaration of the Responsibility to Protect to demand delivery of aid to those inside Sudan. As guarantors of the Comprehensive Peace Agreement signed that same year, moreover, you have not fulfilled your legal and moral obligation to sanction violators of that agreement.

The Sudanese regime continues to slaughter its own civilians, while denying them access to aid and in defiance of various international treaties and conventions it has signed, not to mention the Sudanese constitution.

The Tripartite Agreement signed on 4 August 2012 in Addis Ababa, called upon the Government of Sudan to allow humanitarian access to all areas of the Nuba Mountains and the Blue Nile state dependent on certain conditions. Yet the Bashir regime's track record leads us to fear it will interfere with aid delivery to those in most need. Seasonal inaccessibility also requires extraordinary and timely arrangements, such as airdrops. Hence we beseech you to take the following steps immediately to ensure aid is delivered to South Kordofan and Blue Nile.

Establish a land and air humanitarian corridor through which aid can be delivered without interference or hindrance from Sudanese security, military or other forces or proxies.

Secure arrangements with the SPLM-N for the airlifting of these supplies directly into territory in their control.

Inform relevant Sudanese officials that, due to the urgency of the catastrophe created by their actions, the United States will deliver relief directly into the war-affected areas underneath SPLM-N control.

Invite relevant Sudanese officials to observe the cargo to be delivered so they can verify the contents.

Use the most effective means possible, including airlifts, to get supplies into affected areas in SPLM-N control.

Keep armed escort planes on standby for the protection of aid delivery planes if necessary.

It is therefore unwise to respond to the Khartoum regime's various crimes with appeasement. By allowing the NCP to behave with impunity, the U.S. and the rest of the international community signals a weakness that only emboldens those who would flout its own international agreements.

Furthermore, it is unwise to assume, as the international community does, that Khartoum intends the best for its citizens. Therefore we call on your administration to end Khartoum's effective blockade of aid to South Kordofan and Blue Nile. The regime will continue to kill their own people if once again the United States declines to use the economic and diplomatic leverage at its disposal to enforce the delivery of aid into South Kordofan and Blue Nile states under internationally acceptable terms.

We strongly urge you to act now to stave off the starvation of an entire people. Nothing would speak louder to the United States' concern for the protection of international human rights than an immediate operation to deliver aid to the Nuba Mountains people while they are still alive and able to be helped.

If your administration chooses to stand with the victims of Sudan's continuing campaign of ethnic cleansing, then history will accord you respect and honor. If you do not stand with the victims, history will be much harsher.

We very much look forward to hearing from each of you in regard to our letter and the suggestions therein.

In solidarity with the victims, and with respect,

Dr. Samuel Totten; Professor Emeritus, and author of *Genocide by Attrition: Nuba Mountains, Sudan (2012)*; University of Arkansas, Fayetteville; samstertotten@gmail.com.

Dr. John Hubbel Weiss; Associate Professor, History; Cornell University.

Mr. David Kilgour, J.D.; Former Canadian Secretary of State for Africa; Ottawa, Canada.

Dr. Israel W. Charny (dual citizenship, U.S. & Israel); Director, Genocide Prevention Network and Past President of the International Association of Genocide Studies, and Chief Editor, *Encyclopedia of Genocide*; Jerusalem, Israel.

Dr. Helen Fein; Chair of the Board, Institute for the Study of Genocide, and author of *Human Rights and Wrongs: Slavery, Terror and Genocide*; New York, NY.

Dr. Roger Smith; Professor Emeritus and Past President of the International Association of Genocide Studies, and editor of *Genocide: Essays Toward Understanding, Early Warning Prevention*; College of William and Mary, Williamsburg, VA.

Dr. John Hagan; MacArthur Professor, and Co-Director, Center on Law & Globalizations, American Bar Foundation Co-author of *Darfur and the Crime of Genocide* (Cambridge University Press, 2008); Northwestern University, Chicago, IL.

Craig Etcheson; Author of *After the Killing Fields: Lessons from the Cambodian Genocide*; Canton, IL.

Dr. Ben Kiernan; Whitney Griswold Professor of History and Director of Genocide Studies Program (Yale University); Author of *Blood and Soil: A World His-*

tory of Genocide and Extermination from Sparta to Darfur Yale University; New Haven, CT.

Dr. Herb Hirsch; Professor, Department of Political Science and Co-Editor of *Genocide Studies and Prevention: An International Journal* and author of *Anti-Genocide: Building An American Movement to Prevent Genocide* (Praeger, 2002); Virginia Commonwealth University, Richmond, VA.

Dr. Hannibal Travis; Associate Professor of Law and author of *Genocide in the Middle East: The Ottoman Empire, Iraq and Sudan (2010)*; Florida International University College of Law.

Professor Linda Melvern; Department of International Politics, and author of *A People Betrayed: The Role of the West in Rwanda's Genocide*; University of Aberystwyth, Wales.

Dr. Henry Theriault; Professor and Chair, Department of Philosophy, and Co-Editor of *Genocide Studies and Prevention: An International Journal*; Worcester State University, MA.

Dr. Eric Weitz; Dean of Humanities and the Arts, and author of *A Century of Genocide: Utopias of Race and Nation* City College, City University of New York; New York, NY.

Dr. Gregory Stanton; President, Genocide Watch, Research Professor in Genocide Studies and Prevention, School for Conflict Analysis and Resolution; George Mason University, Fairfax, VA.

Dr. Rouben Adalian; Director, Armenian National Institute; Washington, D.C.

Dr. Susanne Jonas; Professor (retired), Latin American & Latino Studies, and author of *The Battle for Guatemala: Rebels, Death Squads and U.S. Power*, University of California, Santa Cruz.

Dr. Robert Skloot; Professor Emeritus; University of Wisconsin-Madison.

Nicolas A. Robins; Co-editor, *Genocide Studies and Prevention: An International Journal*, and author of *Genocide by the Oppressed: Subaltern Genocide in Theory and Practice*; Raleigh, North Carolina.

Dr. John D. Ciocriari; Assistant Professor of Public Policy; Gerald R. Ford School of Public Policy; University of Michigan, Ann Arbor.

Dr. George Kent; Professor, Department of Political Science; University of Hawaii, Honolulu.

Dr. Elisa Von Joeden-Forgey; Visiting Scholar, Department of History; University of Pennsylvania; Philadelphia, PA.

Dr. Peter Balakian; Donald M. and Constance H. Rebar Professor in Humanities, and author of *The Burning Tigris: The Armenian Genocide and America's Response*; Colgate University, Hamilton, NY.

Dr. Ernesto Verdeja; Assistant Professor of Political Science and Peace Studies; University of Notre Dame;

Mr. Stephen D. Smith; Executive Director, USC Shoah Foundation, and Adjunct Professor of Religion; University of Southern California; Los Angeles, California.

Dr. Paul Slovic; Professor, Department of Psychology; University of Oregon, Eugene.

Dr. Jason Ross Arnold; Assistant Professor of Political Science; L. Douglas Wilder School of Government and Public Affairs; Virginia Commonwealth University, Richmond, VA.

Dr. Jason K. Levy; Associate Professor; Homeland Security and Emergency Preparedness and Director; National Homeland Security Project; Virginia

Commonwealth University, Richmond, VA.

Dr. Amanda Grzyb (Dual Citizen, U.S. and Canada); Assistant Professor, Information and Media Studies; and editor of *The World and Darfur: International Response to Crimes Against Humanity in Western Sudan*; University of Western Ontario (Canada).

Dr. Alan L. Berger; Reddock Family Eminent Scholar in Holocaust Studies, and Director, Center for the Study of Values and Violence After Auschwitz; Florida Atlantic University, Boca Raton.

Dr. Douglas H. Johnson; International Expert, Abyei Boundaries Commission, 2005; Author of *The Root Causes of Sudan's Civil Wars*; Haverford, PA and Oxford, UK.

Dr. Gagik Aroutiunian; Associate Professor, Department of Art, Media & Design; DePaul University, Chicago, IL.

Dr. Gerry Caplan; Independent Scholar and Author of *Rwanda: The Preventable Genocide*; Richmond Hill, Ontario, Canada.

Dr. Dominik J. Schaller; Lecturer, History Department, and author of *The Origins of Genocide: Raphael Lemkin as a Historian of Mass Violence*; Ruprecht-Karls-University, Heidelberg, Germany.

Dr. Philip J. Spencer; Director of the Helen Bamber Centre for the Study of Rights, Conflict and Mass Violence; Kingston University; Surrey, England.

Dr. Maureen S. Hiebert; Assistant Professor, Department of Political Science, University of Calgary, Alberta, Canada; University of Calgary (Canada).

Dr. Eric Reeves; Professor, and author of *A Long Day's Dying: Critical moments in the Darfur Genocide*; Smith College, Northampton, MA.

Dr. Robert Hitchcock; Professor, Department of Geography, and co-editor of *Genocide of Indigenous Peoples*; Michigan State University, Lansing.

Dr. James Waller; Cohen Professor of Holocaust and Genocide Studies, author of *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing*; Keene State College, Keene, New Hampshire.

Dr. Rubina Peromian; Research Associate; University of California, Los Angeles.

Dr. Colin Tatz; Visiting Fellow, Political and International Relations, and author of *With Intent to Destroy: Reflecting on Genocide*; Australian National University, Canberra.

Dr. Kjell Anderson; Project Manager; The Hague Institute for Global Justice; The Hague, The Netherlands.

Dr. Adam Jones; Associate Professor, Department of Political Science, and author of *Genocide: A Comprehensive Introduction*; University of British Columbia.

Dr. Elihu D. Richter, MD MPH; Jerusalem Center for Genocide Prevention and Hebrew-University-Hadassah School of Public Health and Community Medicine; Jerusalem, Israel.

Matthias Bjornlund; Historian/Lecturer; Danish Institute for the Study Abroad, Copenhagen, Denmark.

José Carlos Moreira da Silva Filho; Professor, Criminal Law Post Graduate Department; Pontifícia Universidade Católica do Rio Grande do Sul, Port Alegre RS—Brazil.

Tamar Pileggi; Co-Founder, The Jerusalem Center for Genocide Prevention Jerusalem, Israel.

Dr. Uriel Levy; Director, Combat Genocide Association; Jerusalem, Israel.

Dr. Penny Green; International State Crime Initiative; Kings College, London.

Dr. Tony Ward; Professor of Law; University of Hull, UK.

Ms. Amy Fagin; International Association of Genocide Scholars; New Salem, MA.

Dr. Ann Weiss; Director, Eyes from the Ashes Educational Foundation, and author of *The Last Album: Eyes from the Ashes of Auschwitz-Birkenau*; Bryn Mawr, PA.

Dr. Rick Halperin; Director, Embrey Human Rights Program; Southern Methodist University, Dallas, TX.

Mr. Geoff Hill; Bureau Chief, The Washington Times; Johannesburg, South Africa; South Africa.

WIND PRODUCTION TAX CREDIT

Mr. ALEXANDER. I ask unanimous consent that the following article from the *Wall Street Journal* on September 18, 2012, on the cost to taxpayers for the wind production tax credit be printed in the RECORD.

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

PUFF, THE MAGIC DRAG ON THE ECONOMY
TIME TO LET THE PERNICIOUS PRODUCTION TAX
CREDIT FOR WIND POWER BLOW AWAY

(By Lamar Alexander and Mike Pompeo)

As Congress works to reduce spending and avert a debt crisis, lawmakers will have to decide which government projects are truly national priorities, and which are wasteful. A prime example of the latter is the production tax credit for wind power. It is set to expire on Dec. 31—but may be extended yet again, for the seventh time.

This special provision in the tax code was first enacted in 1992 as a temporary subsidy to enable a struggling industry to become competitive. Today the provision provides a credit against taxes of \$22 per megawatt hour of wind energy generated.

From 2009 to 2013, federal revenues lost to wind-power developers are estimated to be \$14 billion—\$6 billion from the production tax credit, plus \$8 billion courtesy of an alternative-energy subsidy in the stimulus package—according to the Joint Committee on Taxation and the Treasury Department. If Congress were to extend the production tax credit, it would mean an additional \$12 billion cost to taxpayers over the next 10 years.

There are many reasons to let this giveaway expire, including wind energy's inherent unreliability and its inability to stand on its own two feet after 20 years. But one of the most compelling reasons is provided in a study released Sept. 14 by the NorthBridge Group, an energy consultancy. The study discusses a government-created economic distortion called "negative pricing."

This is how it works. Coal- and nuclear-fired plants provide a reliable supply of electricity when the demand is high, as on a hot summer day. They generate at lower levels when the demand is low, such as at night.

But wind producers collect a tax credit for every kilowatt hour they generate, whether utilities need the electricity or not. If the wind is blowing, they keep cranking the windmills.

Why? The NorthBridge Group's report ("Negative Electricity Prices and the Pro-

duction Tax Credit") finds that government largess is so great that wind producers can actually pay the electrical grid to take their power when demand is low and still turn a profit by collecting the credit—and they are increasingly doing so. The wind pretax subsidy is actually higher than the average price for electricity in many of the wholesale markets tracked by the Energy Information Administration.

This practice drives the price of electricity down in the short run. Wind-energy supporters say that's a good thing. But it is hazardous to the economy's health in the long run.

Temporarily lower energy prices driven by wind-power's negative pricing will cripple clean-coal and nuclear-power companies. But running coal and nuclear out of business is not good for the U.S. economy. There is no way a country like this one—which uses 20% to 25% of all the electricity in the world—can operate with generators that turn only when the wind blows.

The Obama administration and other advocates of wind power argue that the subsidy provided by the tax credit allows the wind industry to sustain American jobs. But they are jobs that exist only because of the subsidy. Keeping a weak technology alive that can't make it on its own won't create nearly as many jobs as the private sector could create if it had the kind of low-cost, reliable, clean electricity that wind power simply can't generate.

While the cost of renewable energy has declined over the years, it is still far more expensive than conventional sources. And even the administration's secretary of energy, Steven Chu, calls wind "a mature technology," which should mean it is sufficiently advanced to compete in a free market without government subsidies. If wind power cannot compete on its own after 20 years without costly special privileges, it never will.

Mr. Alexander is a Republican senator from Tennessee. Mr. Pompeo is a Republican congressman from Kansas.

RECOGNIZING THE CHILDREN'S LEUKEMIA FOUNDATION

Mr. LEVIN. Mr. President, I am proud to recognize all those affiliated with the Children's Leukemia Foundation of Michigan as they celebrate 60 years of dedicated service and invaluable support for Michigan families. Their efforts have made a tremendous difference in the lives of individuals diagnosed with leukemia or a related disorder. This is important work, and we are all grateful for their efforts. An exciting evening has been planned to commemorate this milestone in Birmingham, Michigan this Saturday.

The Children's Leukemia Foundation of Michigan has been at the forefront of the battle against various blood disorders for six decades, helping countless families across Michigan deal with these devastating illnesses and to navigate the many important decisions they face as a consequence. Since its inception in the late 1940s and its incorporation in 1952, this organization has sought to equip patients and their loved ones with the resources, information, and guidance they need to make informed decisions.

Each individual who is diagnosed with a disorder must make a number of important decisions about their care

and circumstances. This is where the CLF steps in. The mission of the CLF is "to provide and promote compassionate, personalized support to people in Michigan affected by Leukemia and other related disorders." This is accomplished through a comprehensive array of services for patients and their loved ones, ranging from support groups, to an online resource room, to a resource kit for families and caregivers that contains useful and timely information about the disorder and the road ahead.

The financial and emotional support the CLF provides is crucial. Whether it is listening to patients and caregivers, helping to defray the cost of a prescription, referring an individual to the appropriate agency or service provider, or paying lodging for a family member, the CLF stands ready and willing to assist families in their time of need. Understanding that illness affects the entire family, the CLF offers services such as a day of respite for family members, peer support from others who share a common experience, a holiday toy program for children, and a ticket program that gives families a precious few hours of fun and joy. The deep concern and care this organization shows certainly helps to lessen the stress on families.

Organizations like the CLF help to provide a measure of comfort and assistance to patients and their loved ones. I know my colleagues will join me in thanking all those affiliated with the Children's Leukemia Foundation of Michigan for their hard work and tireless commitment on behalf of families across Michigan. The positive impact they continue to have on the lives of Michiganders living with leukemia and related disorders, is tremendous, and I extend my deepest appreciation for their many years of service.

TRIBUTE TO ROSS OGDEN

Mr. BLUMENTHAL. Mr. President, today I wish to honor a dedicated, inspiring—and one of our Nation's longest serving—emergency responders. Ross Ogden has quite literally given to the American Red Cross for his entire adult life.

Beginning his service in 1960 as one of the youngest members of the Greenwich chapter of the American Red Cross, Mr. Ogden served since his high school days with his local chapter, now known as Metro New York North. Throughout his academic tenure at Swarthmore College and then the University of Virginia, Mr. Ogden has helped and rescued fellow Americans confronting crisis, loss, and pain. He has administered aid during our most devastating national disasters, traveling around the country to join his family of Red Cross volunteers, ready to help at a moment's notice. In the wake of Los Angeles' deadly earthquake in 1994, on 9/11, and during Hurricane Katrina, Mr. Ogden risked danger to help others without hesitation. He is

now, most deservedly, the national chair for disaster services.

While giving on a national scale, Mr. Ogden maintains his regional allegiance to the Connecticut area, currently a member of the board of directors for the Red Cross' blood services in the metro north region. He is passionate about maintaining a plentiful blood supply for Americans in critical need, working as a blood volunteer for Greenwich's emergency blood coverage team.

Over the past years, Mr. Ogden has been formally recognized through two significant lifetime achievement awards, including the Clara Barton Award and the Harriman Award for Distinguished Volunteer Service, which is the most highly regarded, national recognition given by the Red Cross. Appropriately, Mr. Ogden received this high honor on the anniversary of his 50 years of service to the Red Cross. A mentor to young volunteers and passionate about inspiring citizens and communities to volunteer for the first time, he is unwaveringly committed to the future of the American Red Cross.

Mr. Ogden is a role model for all who give back. I welcome my colleagues in the Senate to join me in commending Mr. Ross Ogden for his tremendous personal service.

125TH ANNIVERSARY OF UNITED WAY

Mr. BLUMENTHAL. Mr. President, today I wish to recognize United Way of Connecticut as they celebrate their 125th anniversary and over a century of mobilizing local communities to achieve positive change.

Founded in 1887 by community leaders in Denver, CO, United Way Worldwide is now the world's largest privately supported nonprofit organization. This invaluable national network—rooted in our country's history but ever-attuned to the present—brings together a diverse collection of community stakeholders for a common purpose. Schools, government agencies, businesses, labor groups, the faith community, and many others have combined to promote academic achievement, financial stability, and healthy living. Connecticut is lucky to have 15 local United Way chapters serving communities all across the State. Remarkably, United Way of Connecticut has enhanced the quality of life for countless citizens. Almost everyone benefits from programs supported by United Way. Almost every community has critical organizations whose good work is supported by United Way.

Connecticut's United Way pioneered use of an informational database for citizens. While many States and major cities have developed an information hotline in the last few years, United Way of Connecticut had already created its "2-1-1" system in 1976. Connecticut's system quickly gained national recognition for its efficiency and effectiveness, and by the middle of the

1980s, it had become a model emulated by the rest of the country. In 2012 alone, this hotline was used over 550,000 times by constituents of all ages to find assistance on topics ranging from health and early childcare to crisis intervention and disaster response. This information is offered in a streamlined and user-friendly manner, and in this way, United Way and United Way of Connecticut help constituents help themselves. These excellent communication methods and this attention to accessibility at State and local levels have enabled the incredible influence of United Way throughout the Nation and world.

Sensitive to the rise of unemployment, United Way of Connecticut has also developed crucial resources that help constituents get back to work. After losing a job, many are unaware of the Federal, State, and local resources at their disposal. Thankfully, local United Way chapters can offer support, such as assistance with unemployment compensation, job training services, foreclosure prevention aid, and utility assistance programs. Every day, these United Way chapters are helping Connecticut citizens get back on their feet.

Additionally, despite challenging economic times and thanks to a robust partnership with local labor organizations, United Way has made significant contributions to alleviating hunger. Annually, on the second Saturday in May, the National Association of Letter Carriers and United Way of Connecticut team up with the Connecticut Food Bank for the Stamp Out Hunger Food Drive. In 2012, this invaluable initiative, which has become the world's largest 1-day food drive, collected over 70 million pounds of nonperishable food items.

When a citizen is struggling to comprehend a complex health insurance program, searching for answers about their child's development, or simply looking for a helping hand, they know that they can count on their local United Way. The Connecticut chapters have done extraordinary work in educating citizens, making accessible important community resources, and serving as a constant source of hope. I applaud the wonderful work of United Way in local communities over the last 125 years and look forward to supporting and celebrating their accomplishments in the years ahead.

2011 and 2012 CONNECTICUT TEACHERS OF THE YEAR

Mr. BLUMENTHAL. Mr. President, today I proudly celebrate two of Connecticut's most outstanding teachers, who have been recognized as Connecticut Teachers of the Year. Kristen Record, physics teacher at Frank Scott Bunnell High School in Stratford, was awarded in 2011, and David Bosso, social studies teacher at Berlin High School, was honored in 2012.

Since 1952, the Connecticut Teacher of the Year program has highlighted

educators who make significant impacts in Connecticut classrooms and schools. Sponsored yearly by the Connecticut State Department of Education, one teacher in each local district is nominated. These district educators of the year have the opportunity to exchange advice and strategies and partake in advisory committees, workshops, conferences, and forums, serving as changemakers for public education on a national level. A teacher from each State is selected yearly from this pool and considered for the title of National Teacher of the Year.

I applaud Ms. Record and Mr. Bosso for earning this very well deserved distinction. This yearly award highlights the vital importance of teachers in our States who can show our future leaders how to embrace accountability, self-assessment, and motivation for years to come. They demonstrate that the quest to learn does not end at school, inspire exceptional teaching, and encourage all members of a community to become involved as teachers, mentors, and coaches.

Kristen Record has been central to the Bunnell High School community for 12 years as a physics teacher, mentor to colleagues, and adviser on education policy. Community participation and lifelong learning are key principles of her successful teaching methodology. In addition to her daily responsibilities, Ms. Record is able to take a larger view of her classroom, developing updated curriculum and achievement assessments while ensuring that every student is learning effectively. She has worked with her school district and throughout the State to improve the physics curriculum, institute electronic grading methods, create digital databases, and develop more effective ways of evaluating teachers and forming professional standards. Additionally, she has volunteered as senior class adviser, supported fellow teachers as a TEAM mentor, and volunteered on the Stratford Education Association's executive board. Ms. Record is regarded as a leader throughout the State in roles to include science education consultant for the Connecticut Clean Energy Fund and the Connecticut Science Center and high school director for the Connecticut Science Teachers' Association, demonstrating that opportunities to bring about positive change as a teacher are vast and exciting. Last year, she was appointed by the Connecticut Commissioner of Education to the Legislative Task Force for Secondary School Reform. And, recognized nationally in 2009 with the Presidential Award for Excellence in Mathematics and Science Teaching, she serves as a model of engaged teaching around the country. Growing up in a family of teachers, Ms. Record has continued her legacy, sharing this wisdom and experience with our future leaders.

David Bosso earned degrees from Eastern Connecticut State University and the University of Hartford, and has

given back to the State as a social studies teacher at Berlin High School since 1998. Beloved by students, he has inspired proficiency in communication skills, analysis, and reading comprehension by comparing current events with historical patterns. Mr. Bosso has also advised student government and coached basketball. He is a national leader for social studies, serving on the board of directors of the Connecticut Council for the Social Studies, as cochair of the Northeast Regional Conference on the Social Studies in 2012, and a participant of this year's National Council for the Social Studies' annual national conference. He has been published in Connecticut History and is currently working towards a doctorate in education.

When named 2011 Connecticut Teacher of the Year, Ms. Record eloquently described her role and the important job of educators around the world, recognizing that "tonight, we celebrate the fact that, as a teacher, you never truly know where your influence will end." Mr. Bosso similarly proclaimed the significant, multifaceted role of teachers, while speaking at the Connecticut Education Association's Representative Assembly this year, urging fellow teachers to "never, never, again use the phrase, 'I am just a teacher.'" I invite my colleagues to join me in acknowledging Ms. Record and Mr. Bosso, and ask for their continued support of our concerned, courageous teachers.

CONGRATULATING DOUGLAS HUTTON

Mr. BLUMENTHAL. Mr. President, today I wish to honor Douglas Hutton, recipient of the 2011 Milken Educator Award. He is the first teacher from Glastonbury High School to have ever received this prestigious award and the only educator from Connecticut to be awarded last year by the Milken Family Foundation.

Since 1985, the Milken Family Foundation—under the leadership of education visionary Lowell Milken and his family—has given thousands of Milken Educator Awards to top innovators of elementary and secondary education across the country. Whether teachers, principals, or specialists, these honorees are an exclusive group of experts who contribute every day to the critical debate on how we can make our Nation's schools better spaces for learning, growth, and the sparking of lifelong interests. One of the Milken Family Foundation's initiatives—through the Lowell Milken Center—is distinguishing "unsung heroes that have changed the course of history." And so with the Milken Educator Award, we acknowledge our Nation's dedicated educators who are not usually spotlighted but conscientiously work to help turn ideas, thoughts, and questions into interests, passions, and projects.

Mr. Hutton has taught physics for 19 years, serving 17 of them at Glaston-

bury High School in Glastonbury, CT. He illuminates abstract concepts that are difficult to grasp, sharing his love of Stephen Hawkins, science, and math with his students. Through practical demonstrations, group projects, and experiments, he shows that problem-solving is challenging but rewarding. Mr. Hutton has said that teaching "all comes down to seeing [the students'] eyes light up when they understand a new idea."

Mr. Hutton did not apply for this award but was selected by a panel of education experts who, each year, seek out unsung teachers who demonstrate potential for and proven success in the classroom, engage in national discourse on academia, and convey an "engaging and inspiring presence that motivates and impacts students, colleagues, and the community."

The Milken Family Foundation makes education a shared national agenda, connecting educators with other sectors of our society. The foundation's multifaceted and interdisciplinary approach brings business, government, and philanthropic leaders together in the quest for innovative, realistic, and well-tested teaching methodology. Through programs administered by the Milken Family Foundation's National Institute for Excellence in Teaching, NIET, such as the System for Teacher and Student Advancement and the NIET Best Practices Center, the Milken Educator Award regards our Nation's best early to mid-level teachers as policy figures who can contribute their practical knowledge on a national stage.

The Milken Family Foundation and especially Douglas Hutton, now a member of the Milken community, deserve thanks for restoring faith in our educational system. I invite my Senate colleagues to join me in congratulating Mr. Hutton, who has contributed to the lives of our young people in lasting, significant ways.

REMEMBERING ZEV WOLFSON

Mr. BLUMENTHAL. Mr. President, I rise in a tribute to Zev Wolfson, an extraordinary philanthropist and humanitarian whose great deeds are unknown to most people because he never sought to make them known. Throughout his remarkable career, Mr. Wolfson offered millions of people—of all ages all around the world—the opportunity to experience Jewish education and give back to their families, religion, and communities with dignity and pride. He dedicated his life to supporting and advocating for Jewish outreach projects, tirelessly devoted to the power and importance of faith for future generations.

Throughout his life, Mr. Wolfson constantly aided communities wherever Jewish education was endangered. He began as an advocate for the Jewish nation. Walking the halls of Congress, he vigorously and expertly supported programs and institutions in Israel,

such as schools and other educational centers—many helping Jewish refugees and their children who had escaped from Arab countries. Committed to providing assistance on a global scale, he focused on a particular project and, once it was sustainable and self-sufficient, moved to the next one.

Mr. Wolfson donated millions of dollars to underprivileged areas of the United States and underserved areas of the world. He drew from the personal pain of exile to Siberia in wartime—where he carried his father's body to a place where he could have a proper Jewish funeral in the freezing tundra—and then served as a father figure to millions. He helped young people, students, and families to stay connected with the Jewish nation, in lands stretching from the former Soviet Union and Israel to France and the United States.

As deliberately and tirelessly as he advanced his good deeds, he consistently avoided public recognition for them. He gave without any expectation of praise or acclaim, and his anonymity was purposeful and persistent. His diverse and numerous initiatives—birthright programs in colleges around the country, vocational and religious education activities around the globe, and many other programs—made Mr. Wolfson one of his generation's most influential leaders, but he remained virtually unknown. Now, I invite my colleagues to join me in according Mr. Wolfson this measure of recognition for the millions of people whose lives he touched and enhanced.

100TH ANNIVERSARY OF CATHOLIC CHARITIES

Mr. PORTMAN. Mr. President, I rise today to recognize the 100th anniversary of Cleveland Catholic Charities and its mission to serve people in need throughout the Catholic Diocese of Cleveland.

Catholic Charities was established in Cleveland in 1912 under the direction of Bishop John Farrelly during a time when there were few organized charities in the United States. It was founded in response to challenging economic conditions that existed for the poor and orphaned of the day. Throughout the organization's 100-year history, its work, programs and family centers have touched the lives of many people throughout northeast Ohio.

Over the years, Catholic Charities' leaders, employees, supporters and volunteers have cared for their neighbors and provided guidance to address the social needs of our community. Their charitable mission is inspirational and their generous work has had great impact, helping millions of people. Their efforts provide meals, shelter, emergency assistance, counseling services, training and employment for many throughout the 8 northeast Ohio counties in the diocese.

On this occasion I would like to congratulate Bishop Richard Lennon,

Cleveland Catholic Charities, and the Catholic community and thank them for their leadership, kindness, commitment and collective effort to serve the community and improve the lives of those in need. It is a privilege to recognize this centennial anniversary, and wish Cleveland Catholic Charities all the best for the future.

TRIBUTE TO TERRANCE C.Z. EGGER

Mr. PORTMAN. Mr. President, today I wish to recognize Terrance C.Z. Egger for his many contributions to the news industry over the past 30 years. Mr. Egger will be retiring early next year from The Plain Dealer in Cleveland, OH, where he has served as publisher, president, and chief executive officer since 2006. I would like to recognize his accomplishments, his contributions to journalism, and his commitment to the Greater Cleveland community.

Terry enjoyed an early start in the news business, when as a young man, he started his first newspaper job as a 6-year-old paperboy. Egger is a native of Rock Island, IL, and became the first in his family to attend college. He received a bachelor's degree from Augustana College in Sioux Falls, SD, and a master's degree from San Diego State University.

Terry began his 30-year career at a small biweekly newspaper in Southern California. Before joining the Plain Dealer in 2006, he worked for Copley Los Angeles Newspaper, Tucson Newspapers in Arizona, and as publisher and president of the St. Louis Post-Dispatch.

He is known not only for his professional leadership, but also for his civic engagement. He has faced the challenges of the news industry and provided steady and confident direction during a crucial time. He has a reputation for being deeply committed to the mission of a daily newspaper and the important role it plays in the community and in the democratic process. As an executive and manager, he is known for connecting with employees on a personal level and taking great interest in their professional success and family lives.

Beyond his work in news, Terry brought with him to Cleveland a long-standing commitment to civic involvement. He quickly integrated himself into the Greater Cleveland community, serving as an active member of several area boards including: the Greater Cleveland Partnership, the Cleveland Clinic Foundation, the Musical Arts Association, and the Cleveland Museum of Art. He is a member of the United Way of Greater Cleveland Board and served as the organization's board chairman from 2010 to 2012.

Terry and his wife of more than 24 years, Renuka, have three children and live in Bay Village, OH. I would like to congratulate Terry on his many contributions to the news industry and to the Plain Dealer and wish him and his family all the best for the future.

RECOGNIZING TAIWAN'S NATIONAL DAY

Mr. JOHNSON of South Dakota. Mr. President, I rise today to recognize Taiwan as their National Day of Celebration, October 10, 2012, approaches. This day commemorates the end of imperial rule in China.

Since that day more than 100 years ago, Taiwan has successfully transitioned to a democracy. Taiwan has peacefully transferred power between political parties and earlier this year held another free and fair Presidential election. As we know from our own American history and have seen in countries around the world this past year, achieving a democracy is no easy feat, and I commend all those who have helped Taiwan reach this point.

The United States and Taiwan continue to enjoy a close friendship, and I hope my colleagues will join me in congratulating the people of Taiwan on the 101st anniversary of their National Day.

I also would like to take this opportunity to congratulate Ambassador Jason Yuan, Representative of the ROC, Taiwan, to the United States, on his new post as Secretary-General of the National Security Council of Taiwan. I cherish the friendship with Ambassador Yuan and wish Ambassador and Madame Yuan the very best of luck in the future.

TRIBUTE TO 2012 OLYMPIC GOLD MEDALIST KAYLA HARRISON

Mr. BROWN of Massachusetts. Mr. President, I rise today in tribute to a young woman from Marblehead, MA, who made us so proud during the 30th Olympiad. Like all our Olympians and Paralympians, judoka Kayla Harrison practiced for years, put in thousands of hours in training, sacrificed mightily and defeated countless competitors just to make Team USA.

At 6 years of age, Kayla's mother, herself a black belt, introduced Kayla to judo. Kayla excelled at the sport and by the time she was in her teens, was a two-time national champion. Yet, while this talented and dedicated athlete, still just a girl, was taking the judo world by storm, she was doing so while suffering in silence from the pain of sexual abuse.

If Kayla had never fought again or if she simply faded away, people would have understood. But with Wakefield coach Jimmy Pedro at her side, Kayla used martial arts to transcend the trauma, anger, and pain. Judo wasn't a way out, it was a way through. She went on to fight harder, and better, than ever. Watching Kayla compete, you get the sense that she is fighting at a whole different level. Kayla doesn't just defeat her opponents; she leaves them wondering why on Earth they ever fought her in the first place. Kayla would go on to win countless American and international competitions, all of which led to the 2012 London Olympic games.

In London, Kayla and countless others inspired our Nation. For the millions who themselves have suffered abuse, Kayla's gold medal was far more than a point of national pride, it was the most powerful reminder that there is hope. She reminded us that we can rise above any obstacle and that we don't have to be ruled, defined, or limited by the evil done to us. In the pursuit of a gold medal, Kayla taught us that we can be free.

Days before her first Olympic match, Kayla recorded a video in which she described each step she would take, from waking and eating breakfast on the morning of her first Olympic match, to her victory over her final competitor, and even predicting her tears of joy upon hearing our national anthem at her gold medal ceremony. Her commitment to her vision and her determination to see it through are a lesson in true perseverance.

We cannot underestimate the odds that Kayla faced in her chosen sport; no American man or woman had ever won an Olympic gold medal in Judo. Yet there is the enduring image of Kayla in London, overcome with emotion, standing at the highest point on the podium, hearing the notes of the "Star Spangled Banner." Kayla Harrison's immense courage, raw talent, and pursuit of an audacious dream inspire us all.

In closing I congratulate all our Olympians and Paralympians. In a time of uncertainty where there is so much focus on what separates and divides us, for a few weeks in late summer Kayla Harrison and her fellow athletes helped us come together as a nation and showed the world the best of America.

TRIBUTE TO 2012 UNITED STATES OLYMPIAN ALY RAISMAN

Mr. BROWN of Massachusetts. Mr. President, heading into the summer games, much of the focus was on the superstar athletes considered our best hope to bring home the gold. Certainly this was the case with Michael Phelps, LeBron James, and Sanya Richards-Ross, who seemed destined to secure gold medals for their teams. Yet, as is often the case, the Olympics produced upsets and triumphs and story lines that no one could predict. This is such a story.

Alexandra Raisman from Needham, MA, was the obvious choice for captain of the U.S. women's gymnastics team in the 30th Olympiad. She was coached by the best, the award-winning Mihai Brestyan, who, along with his wife Silvia, owns Brestyan's American Gymnastics Club in Burlington, MA, one of our country's top training facilities for gymnasts at all levels. Mihai also coached 2008 Olympic silver medalist and Winchester, MA native Alicia Sacramone.

Aly was calm under pressure, a solid performer, and could be counted on to consistently do exceptionally well. There seemed to be a peace about the

American gymnastics captain; watching her was a remarkable lesson in focus. "Reliable Raisman," as she was called, would be USA Gymnastics' foundation and, with the help of her teammates, would compete for individual gold medals and an elusive team gold against the world's best.

The day before the all-around team competition, Aly's teammate, the No. 1 gymnast on Earth in the individual all-around, fell. A team gold now hanging in the balance, her teammates covered their mouths and fought back tears as their coaches nervously paced. In a hushed arena, the cameras and the eyes of tens of millions of TV viewers turned to Reliable Raisman, who would now have to turn in the performance of a lifetime to secure gold for the American women.

Aly had in several previous competitions selected a modern rendition of "Hava Nagila," the popular Jewish folk song of celebration, as the music for her anything-but-routine floor exercises. Meaning "let's rejoice" in Hebrew, the song seemed a natural choice for this young woman, whose Jewish heritage is a central part of her life and family. After steady performances in the vault, beam, and uneven bars, the opening notes of "Hava Nagila" rang through the arena for her floor exercise. Before her routine, a TV commentator remarked that for Aly to secure the gold would require an "unreal" performance and a tumbling run that many thought "was not possible." Raisman exceeded expectations as she executed her tumbles and stuck her landing with a brilliant smile. This near-perfect floor routine solidified the first gymnastics all-around gold for American women since 1996.

A gold medal was also on the line as Aly again drew the world's attention to a 12-by-12 meter mat in London for the games' final gymnastic event. Raisman's floor routine came on the heels of a bronze medal in the individual balance beam competition providing her with a boost of confidence. A slow motion replay of her final tumbling run showed her tears of joy beginning before she stuck her final landing as she knew she would be the first American woman to win gold in the floor exercise.

In closing, Aly Raisman did more than win our Nation's first ever Olympic gold medal in the women's floor exercise, did more than deliver the first women's gymnastics team gold for American women in 16 years; Raisman is an inspiration for the youth of Massachusetts that with hard work and dedication to your craft, anything can be achieved.

Mr. President, I congratulate Aly on her historic gold medal and wish her all the best in the years ahead. And to all our Olympians and Paralympians, thank you for so ably representing our Nation in the 30th Olympiad.

RECOGNIZING ALASKANS OLYMPIANS

Mr. BEGICH. Mr. President, I wish to recognize three outstanding Alaskans who won in the 2012 U.S. Olympics and Paralympics: Ms. Janay DeLouch who calls Eielson Air Force Base home, Ms. Shirley Reilly who hails from Barrow, and Mr. Seth McBride from Juneau. I am proud of their accomplishments and honored to recognize these three talented young adults.

First, I would like to recognize Ms. DeLouch who competed in the women's long jump and placed bronze in the 2012 Olympic Games. Her other career highlights include placing third place in the 2012 U.S. Olympic Trials and placing silver in the 2012 World Indoor Championships. She is also a two-time National indoor champion for 2011 and 2012 and has placed second in the 2011 USA Outdoor Championships.

Ms. Reilly competed in various events in track and field of the 2012 U.S. Paralympics. She placed gold in the women's marathon, silver in the women's 5000 m and bronze in women's 1500 m. An extraordinary and talented individual, Ms. Reilly's other career accomplishments include placing first in the 2012 Boston Marathon, LA Marathon and Bolder Boulder (10K). She is a previous 2011 IPC World Championships Competitor and she finished second in the 2011 Chicago Marathon. Ms. Reilly has been a Paralympics Games Competitor since 2004.

Mr. McBride placed bronze in the mixed wheelchair rugby event in the 2012 U.S. Paralympics. His previous Paralympics experience includes placing gold in the 2008 Paralympics Games. Mr. McBride has competed in a variety of different sporting events and has placed gold at the 2005 World Wheelchair Games, the 2006 North American Cup, the 2006 Canada Cup, the 2006 World Championships, the 2008 Canada Cup and the 2010 World Championships.

Once again, it is my privilege to recognize these individuals for their hard work, dedication and their medals. They make Alaska proud.

TRIBUTE TO 2012 OLYMPIC BRONZE MEDALIST PAIGE McPHERSON

Mr. THUNE. Mr. President, today I wish to recognize Paige McPherson of Sturgis, SD, who earned a bronze medal in Taekwondo at the 2012 Olympic Games in London, England, this summer. Despite facing the popular British world champion in the first round of competition in London, Paige fought her way to the bronze medal in the women's 67-kilogram division. Paige possesses an outstanding record of success in Taekwondo, beginning at a young age and, most recently, as a silver medalist at the 2011 Pan American Games. She was also a successful member of the U.S. National Team in 2009, 2010, and 2011.

Growing up in Sturgis, Paige pursued excellence in many areas. Paige is a

passionate dancer and an active member of her church, pursuits which, along with her family and friends, helped her accomplish the amazing feat of earning an Olympic medal. She graduated from Black Hills Classical Christian Academy in 2009, at which point she was already nationally recognized in Taekwondo, and went on to attend Miami-Dade College in Miami, FL. Some of her most notable awards include 2007 Outstanding Female Athlete at the Senior National Championships, 2008 Chris Canning Award of Excellence Winner, and 2009 Outstanding Female Athlete at the USAT National Championships.

Paige should be extremely proud of her remarkable accomplishments. I am more than happy to extend my congratulations on her Olympic medal and to offer congratulations on behalf of the State of South Dakota. We are extremely proud and wish her continued success in the years to come.

NATIONAL DAY FOR THE REPUBLIC OF CHINA ON TAIWAN

Mr. MENENDEZ. Mr. President, I rise today to honor the people and leaders of Taiwan on their National Day on October 10. This is a day for celebration, a special day that recognizes the founding of the country 101 years ago.

I would like to highlight the economic success of Taiwan over the last century—a success that has rightly been called a "miracle" and resulted in a strong and dynamic economy. The United States and Taiwan have a long history of mutual trade and friendship that has promoted economic prosperity on both sides of the Pacific. I am particularly pleased that the U.S.-Taiwan bilateral relationship has become even stronger in recent years.

I also would like to take this opportunity to congratulate Ambassador Jason Yuan, Representative of the ROC (Taiwan) to the United States, on his new post as Secretary-General of the National Security Council of Taiwan. I cherish the friendship with Ambassador Yuan and wish Ambassador and Madame Yuan the very best of luck in the future.

I urge my colleagues to join me in congratulating the people of Taiwan on their success and thanking them for their continued efforts to work with the United States to foster a strong economic growth and cooperation. On this day of National Celebration, the people of both the United States and Taiwan have much to celebrate.

HISPANIC HERITAGE MONTH AND HISPANIC-SERVING INSTITUTIONS WEEK

Mr. MENENDEZ. Mr. President, this week I submitted two resolutions: The first recognizes September 15 through October 15 as Hispanic Heritage Month; the second designates the week of September 16 as "National Hispanic-Serving Institutions Week" and honors the

critical work of Hispanic-serving Institutions across the United States.

These resolutions celebrate the immense contributions of Hispanic Americans to our great Nation and pay tribute to over 300 nonprofit Hispanic-serving Institutions for their important role in educating and empowering Hispanic youth.

Latinos have a long and decorated history in the United States, full of extraordinary contributions to America's past, present, and future. Latinos have proudly served, helped build, and defended our country and have done so for hundreds of years, honorably serving in every action since before the founding of the Nation.

Hispanics fought alongside patriots in the American Revolution and rallied in the Civil War, serving bravely in both the Union and Confederate armies. Latinos rode in Teddy Roosevelt's Rough Riders during the Spanish-American War, received Congressional Medals of Honor in both world wars, and made the ultimate sacrifice for our country in Korea and Vietnam. As of July 2012, over 143,000 Hispanic Americans were actively serving with distinction in the U.S. Armed Forces, including 19,752 Hispanics serving in Afghanistan.

Just as Hispanics have defended our Nation, we have also helped shape and build it. That is why I also want to honor the exemplary institutions that are making vital investments in the next generation of Latino leaders.

Hispanic-serving Institutions are colleges or universities where total Hispanic enrollment constitutes a minimum of 25 percent of the student body, and they serve over half of all Hispanic students in the United States. As a product of a Hispanic-serving Institution in my home State of New Jersey, my experience is a living testimony of the important role that HSIs play in providing opportunities to Hispanic students in States such as Arizona, California, Colorado, Connecticut, Florida, Illinois, Kansas, Massachusetts, New Jersey, New Mexico, New York, Pennsylvania, Texas, Washington, and the Commonwealth of Puerto Rico.

With these resolutions, we celebrate the contributions of all Latinos and the institutions that serve the Hispanic community in the United States. This month, let us celebrate not only Hispanic Heritage, but Hispanic-serving Institutions as well.

I am pleased with the overwhelming support these important resolutions have from my colleagues, both Democrats and Republicans, particularly Leader REID and Senator CORNYN. This outpouring of bipartisan support is a strong indication of how far our community has come and how important our contributions are to this country. I look forward to celebrating the heritage and culture of Latinos and our valuable contributions to this Nation.

TRIBUTE TO CORTNEY JORDAN

Mr. HELLER. Mr. President, today I wish to recognize Nevada's own Cortney Jordan for her outstanding performance in the 2012 London Paralympic Games.

Cortney participated in six events: the 50 freestyle, 100 freestyle, 400 freestyle, 100 backstroke, 100 breaststroke, and 200 individual medley. She brought home four medals for Team USA; three silver (50m freestyle, 100m freestyle, 400m freestyle) and one bronze (100m backstroke).

Cortney had her first taste of Paralympic medal glory at the 2008 Paralympic Games in Beijing, where she was awarded four medals; one gold—50m free, two silver—400m freestyle, 100m freestyle, and one bronze—200m IM.

This 21-year-old Paralympic medalist is not only a remarkable athlete, but a talented student and an aspiring elementary school teacher. Recognized for her commitment to school and community involvement, Cortney is a Nevada Interscholastic Activities Association Top Ten Scholar Athlete and an Academic All-American. Serving as a role model for all Nevadans, I wish Cortney continued success on her future endeavors.

On behalf of the residents of the Silver State, I am proud to recognize Cortney's accomplishments. Today, I ask my colleagues to join me in congratulating a talented Nevadan as we show our pride and support for the entire U.S. Paralympics Team.

ADDITIONAL STATEMENTS

60TH ANNIVERSARY OF THE LINKS, INCORPORATED

• Mr. BENNET. Mr. President, I rise today, September 20, to celebrate the 60th anniversary of the Denver, CO chapter of The Links, Incorporated, and to honor dedicated women actively working to build a stronger community in the greater Denver area. As the father of three daughters, these women exemplify role models and are leaders in our community in the areas of business, civic duties, mentorship, activism, and volunteer work.

Founded in 1946, The Links is one of the oldest and largest volunteer service organizations committed to enriching, sustaining, and ensuring the culture and economic survival of people of African descent. Their membership consists of over 12,000 professional women of color in 276 chapters located in 42 States, the District of Columbia, and the Commonwealth of the Bahamas.

The Links focus on our five major facets: national trends and services, the arts, services to youth, international trends and services, and health and human services. The combined 276 chapters contribute more than 500,000 documented hours of community service.

For over 50 years, the Denver chapter has sponsored numerous projects in-

cluding support to Stovall Care Center nursing home; Cleo Parker Robinson Dance; the George Washington Carver Day Care Center; the East High School Community Forum; and the Marcus Garvey Center at the University of Northern Colorado. Internationally, this chapter has also helped to increase access to basic necessities such as water by building water wells in African countries.

This chapter has honored and awarded scholarships to high school and college students. Our current mayor, the Honorable Michael B. Hancock, received one of these scholarships to help him attend Hastings College in Nebraska.

Since 2009, the Denver chapter has made a tradition of targeting programs that aim to close the achievement gap of middle school students at Hallett Fundamental Elementary School in Denver. In response to the academic needs of youth at Hallett, they have tutored, mentored, donated computers, and coordinated cultural, career, health, and violence prevention programs.

As the former superintendent of Denver Public Schools and a person devoted to enhancing volunteerism and commitment to community service among Americans of all ages, I am proud to honor the Denver chapter of The Links, Incorporated.

Mr. President, our Nation is profoundly affected by the service of volunteers. Generations of individuals from different backgrounds have served each other and have focused on making our communities a better place for all. Please join me in celebrating the 60th anniversary of Denver's chapter of The Links, Incorporated, and their commitment to purposeful service and transformational programs to enrich the quality of life for local, national, and global communities everywhere.●

REMEMBERING KENYON MARC YOUNGSTROM

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the life of Kenyon Marc Youngstrom, a dedicated husband, proud father, loving son, devoted friend, and respected law enforcement official. Officer Youngstrom lost his life serving the California Highway Patrol on September 5, 2012. He was 37 years old.

Kenyon Youngstrom was born in Pasadena, CA and raised in Riverside. He served as a U.S. Army Reservist from 1994 to 2000, attaining the rank of Specialist. He graduated from the California Highway Patrol Academy in February 2006 and served at both CHP Headquarters and CHP's Contra Costa Area Office.

Officer Youngstrom served his community with a heroism that extended beyond his own life. As the Vallejo Times Herald wrote, Officer Youngstrom "wanted his organs donated so that if something did ever happen to him in the line of duty, others might live even if he would not."

Officer Kenyon Youngstrom, like all those who serve in law enforcement across California, put his life on the line to protect his community. He is survived by his loving wife Karen and four children: Alexander, Madison, Andrew, and Kennedy. My heart goes out to his family and loved ones, and my thoughts and prayers are with them. We are forever indebted to him for his courage, service, and sacrifice.●

TRIBUTE TO ALVIN ROHRS

● Mr. BLUNT. Mr. President, I am on the Senate floor today to honor Alvin Rohrs for his 30 years of leadership and dedication to SIFE, Students in Free Enterprise. SIFE brings together today's business leaders and thinkers with enterprising college students on every continent who develop small businesses to solve local problems and create wealth and hope where there was little of either. SIFE is a hands-on business leadership opportunity, and Rohrs directs this unique business gospel toward those who want to live a financially, personally, and environmentally sustainable life.

While Rohrs has carried the title of president and CEO of SIFE, he has also been known as the enabler, chief cheerleader, and director of SIFE over these many years. Alvin Rohrs is an educator, motivator, guidance counselor, spiritual leader and the wizard behind the curtain at SIFE, working with other captains of business and industry to bring new opportunities to campuses around the globe. The list of American and international corporate titans that have brought their energy, insight and resources to SIFE is extraordinary. Even the United States State Department recognizes the value of SIFE in developing "more effective, socially responsible business leaders."

SIFE has been a key sponsor of sustainable business practices on every continent for three decades. SIFE educates students about the virtues of the risk-reward system known as free enterprise. SIFE applies free enterprise principles to lift people out of poverty and give them new opportunities for personal enrichment and service to their neighborhoods and communities. Among many examples, SIFE teams have shown poor single mothers how to start their own small businesses that boost their incomes and provide for their families. Farmers and small business people are given instruction about turning their ideas into companies that solve problems and provide jobs in disadvantaged neighborhoods. It is the free market system at its best. It is SIFE. It is Alvin Rohrs.

Rohrs heads a staff of more than 60 professionals at the headquarters in my hometown of Springfield, MO. Dozens of staffers help with SIFE's efforts to spread the positive word about business development and how it can influence initiatives through which scores of students develop projects to lift others out of despair. More than 1,600

teams on college campuses—more than 57,000 students—are active in 39 counties, including China and Russia, demonstrating the power of local business to solve local problems and create wealth. SIFE is a powerful force for enlightenment and good works.

Rohrs has led SIFE's development into a megaphone for the positive power of business in the world community. This year he reaches a milestone—30 years at the helm. He has earned many awards and accolades for his works in the charity community and in the business world. He has an unwavering belief in the work of SIFE and the message it carries into energizing entrepreneurs and creating new wealth.

I congratulate Alvin Rohrs and SIFE on their growth, accomplishments and good work providing the world community with personal understanding of free enterprise and the rewards it offers to people in all walks of life and all economic ranks. My hope is that SIFE and Alvin Rohrs continue this critical work for many years to come.●

REMEMBERING JOHN FRANCIS DIGNAM

● Mr. BROWN of Massachusetts. Mr. President, I rise today to pay tribute to an extraordinary Bay State resident and patriot, John Francis Dignam, who passed away on March 18, 2012, at the age of 78.

John Francis Dignam's life story is truly an American story. Born in Lawrence, MA, John attended St. Mary's Grammar School and graduated from Central Catholic High School at the age of 16, in 1950. He attended Tilton Prep School and Holy Cross, before enlisting in the Army in 1953, where he received numerous commendations. Upon his discharge from the Army, John attended Northeastern University in Boston, and earned a degree in physics and Applied Science in 1962. He returned to Northeastern many years later, and earned a degree from the executive MBA program.

John is best known for his work as a civil servant at the Watertown Arsenal from 1966-1996, where he served with and led a core team of national experts focused on the development of advanced materials and structures to meet the highly challenging requirements of United States ground and space-based defense systems. At the time of his retirement, he served as the Chief of the Ballistic Missile Defense Materials Program Office; Physical Science Administrator in the Materials Directorate; and Director of the Hardened Materials Program.

Following the closure of Watertown Arsenal in 1996, John retired from government service and founded a small company named Mentis Sciences. At Mentis Sciences, John and his team have conducted cutting-edge materials research, engineering and manufacturing support for the Department of Defense on many high priority tactical and strategic missile defense programs.

John Francis Dignam loved our great country, and his record of academic and professional achievement is both substantial and impressive. But it tells only part of the story. Alongside of his beloved wife of 49 years, Rita, he was a life-long resident of Massachusetts who was active in his community and his church. Throughout his decades of service to the country, John never lost sight of his Massachusetts roots, and he always made time to support his community and his church. He led others through his example. And today he lays at rest along the hillside at the Immaculate Conception Cemetery in Lawrence.

I am proud to rise today to honor his service to the Nation, and to recognize his profound contributions to Massachusetts, the greater Lawrence community, and his family.●

TRIBUTE TO MOIRA MCCARTHY STANFORD

● Mr. BROWN of Massachusetts. Mr. President, today I wish to recognize Ms. Moira McCarthy Stanford, who has contributed enormously and tirelessly to the cause of fighting diabetes.

Moira's support for diabetes research stems from her personal journey learning about diabetes. Her daughter, Lauren, was diagnosed with type 1 diabetes shortly after her sixth birthday. Type 1 diabetes is a chronic disorder that occurs when the pancreas does not produce enough insulin to properly control the body's sugar levels. We can all agree that navigating through diabetes management for both parents and children is extremely difficult, and with no cure for this disease, Moira's advocacy for research is essential.

Now, you may be familiar with the ongoing clinical trials for an artificial pancreas, which will dramatically improve the quality of life for individuals living with diabetes. This device has the potential to improve diabetes control by automatically providing the amount of insulin an individual needs to maintain healthy glucose levels. I am encouraged by these developments, which Moira has strongly supported. Her daughter Lauren will participate in these trials, and I am impressed that she is following in her mother's footsteps to help others living with diabetes.

I would also like to mention that Moira will be riding in this year's Juvenile Diabetes Research Foundation's Ride to Cure Diabetes. She will be bicycling 105 miles through Death Valley to raise money for the foundation. An avid cyclist myself, I understand the dedication required to train for this type event. I am also impressed that she is the second highest fundraiser in the Nation for this race. Moira has worked tirelessly for the Juvenile Diabetes Research Foundation, JDRF. She has served as president of the JDRF and was named JDRF International Volunteer of the Year in 2007.

I would like to thank Moira McCarthy Stanford for her tremendous work

on behalf of the diabetes community and the JDRF. I know that her family, her daughter, Lauren, and the people of Massachusetts are extremely proud of her advocacy and service.●

TRIBUTE TO ROBERT F. GILLIGAN

● Mr. CARPER. Mr. President, along with my colleague Senator COONS, I wish to recognize a valued leader and respected public servant as he embarks upon his retirement following a long and distinguished career: the Honorable Robert P. Gilligan, speaker of the House of Representatives of Delaware.

As the longest serving house member in Delaware's history, Bob Gilligan has devoted his career to bettering the State of Delaware. A native of Wilmington, Bob went to Pennsylvania to earn his bachelor's degree from St. Joseph's University and a master's degree from Villanova University. But, fortunately for the people of Delaware and specifically those in Sherwood Park in northern Delaware, Bob soon returned to the First State to begin a remarkable career in public service.

Bob was first elected to the Delaware House of Representatives in 1972, and he has served there with distinction for the past 40 years. As representative of the 19th District, he has served as house majority leader from 1983-1984, house minority whip from 1985-1995, and house minority leader from 1995-2008. In 2008, Bob was elected by his peers to be the 145th general assembly speaker of the house.

During my time as Governor of Delaware, I had the great fortune of working with Bob on a host of important issues, including education reform, welfare reform, and fiscal policy that led to Delaware's credit rating being raised to AAA for the first time in State history—a rating that the State still enjoys today. I have had the privilege of watching Bob grow as a leader in the State house and, ultimately, as speaker over the course of his 40-year tenure. During that time, what I came to admire most about Bob was his ability to bring people together to work collaboratively. His peers on both sides of the aisle have noted Bob's ability to form partnerships and ensure the house proceeds in a civil and orderly manner. This is a truly laudable feat made even more impressive by the fact that over the past 40 years, Bob has worked with 8 different Governors, 67 different State senators, 176 different State representatives, worked on 12 different committees, and had the opportunity to vote on over 15,000 House Bills.

Bob leaves behind a legacy of creating a more open, responsible, and accountable government. When he first took office as speaker in 2008, Bob's goal was clear: He wanted to change business as usual in Dover. Almost immediately, sessions began on time, committee meetings were scheduled at least 48 hours in advance, and agendas were made public at least 24 hours prior to meeting. But the reforms

didn't stop there. Under Bob's new leadership, the first bill of the new general assembly was his bill, House Bill 1, which made the Freedom of Information Act, FOIA, applicable to the general assembly, effectively opening the legislature to FOIA requests. And, fittingly, as Bob closed the chapter on his career in the house, he introduced one of his final bills, House Bill 300, which requires stricter disclosure laws with regard to campaign finance, helping to ensure that elections in Delaware races are conducted in a fair and transparent manner.

Upon his retirement, Bob described the essence of his leadership and reiterated his faith in Delaware's approach to good governance: "I hope this place never becomes like Washington D.C. It's our state. You've got to do what's right for the state. Good government and making good decisions is good politics, and if you don't get elected because of a tough decision, you still sleep well. All the decisions I've made, I never lost any sleep."

A man of extraordinary service, Bob is known as a hard-working and active legislator. In addition to his responsibilities as speaker of the house, he served on the House Administration, Ethics, House Rules, and Veteran Affairs Committees. Prior to his role as speaker, Bob served as a member of the Joint Finance Committee and was chairman of the Bond Bill Committee, the Health and Human Development Committee, and the Energy and Natural Resources Committee. Bob's leadership and commitment to serving others extends well beyond the State house. He is a life member of the Mill Creek Fire Company; a board member of the Blood Bank of Delmarva; a co-founder of the Mid-County and Absalom Jones Senior Centers; and, a parishioner of St. John the Beloved in Wilmington, DE. In addition to his title of "speaker," Bob is also known by the title of "professor" to many students through his role as an educator at Delaware Technical and Community College in Stanton.

Given Bob's incredible career of public service—both as an elected official and as a private citizen—I was of two minds when I heard of his plans to retire. On the one hand, Delaware will sorely miss its devoted public servant and leader. On the other hand, however, he will take some very well-deserved time to enjoy life with his wife Jeanne, their two daughters, son-in-law, and three grandchildren, Cole, Delaney, and Asher. We are in Jeanne's debt for sharing her husband of many years with the people of the First State.

I am truly honored to have worked with Bob Gilligan for many years and call him my friend. It is truly a privilege to pay tribute to a man who has done so much for the great State of Delaware for all of these years.●

● Mr. COONS. Mr. President, I am honored to join my senior Senator, TOM CARPER, as we rise today to honor the

legacy of one of Delaware's longest serving elected officials—Speaker of the House Bob Gilligan.

Speaker Gilligan has served in the Delaware House of Representatives for 4 decades, elected to 20 consecutive terms by his constituents. Bob was first elected in 1972 at age 29—a remarkably young age to be so focused and service-minded.

A lot has changed in this country since 1972, but not Bob's commitment to Delaware, to education, to equal rights and to making our State a better place to live.

After 40 years of service, Speaker Gilligan is retiring at the end of this legislative session to spend more time with his family, including his wife Jeanne, his daughters Katie and Shannon, and his son-in-law Gavin, as well as his grandchildren, Delaney, Cole, and Asher.

Earlier this year, a number of us gathered at the Mill Creek Fire Hall, where Bob is a lifetime honorary member, and celebrated 70/40—his 70th birthday and his 40th year of public service. All it took was a look at the crowd that gathered to see the real and positive impact Speaker Gilligan has had on our community. He always kept his constituents from his district first and foremost on his mind, even as he worked on issues of broader impact to our State and even our Nation.

It was through Speaker Gilligan's leadership that real transparency and openness was brought to Delaware State government. He led the way for House Bill 1—legislation in 2009 that made our State's open-government laws apply to the General Assembly. That may sound like simple fairness and good governance, but it wasn't an easy road to get there. It took all of Bob's legislative acumen to get it done, and now all Delawareans benefit from a more accountable and open government.

Our State has benefitted from Bob's passion and commitment in other ways, too. His legacy is felt in education programs and schools across our State, as well as at the Mid-County Senior Center, which he helped found to support local seniors and provide the recreational, educational, and nutritional services necessary for a dignified retirement.

In these times of deep division and heated political rhetoric, Bob is a breath of fresh air. He listens to diverse perspectives and values principled compromise. As someone who has been around long enough to serve as both Speaker of the House and Minority Leader for Delaware, he has worked hard to find ways to bring people together.

Our State and our Nation could use more Bob Gilligans, and I join Delawareans of all political parties in thanking him for his decades of service and wishing him well in his retirement.●

RECOGNIZING THE DEVEREUX FOUNDATION

• Mr. CASEY. Mr. President, today I have the honor of highlighting the Devereux Foundation, a nonprofit behavioral health organization that supports many underserved and vulnerable communities. The Devereux Foundation is based in Villanova, PA, but provides critical services throughout the entire country. They are about to celebrate their 100th anniversary.

The Devereux Foundation began as the Devereux School, which was established in 1912 by Helena Devereux. Helena Devereux was a Philadelphia schoolteacher known for her success at working with special needs children. Devereux attempted an integrated, residential therapy approach, where lessons were integrated into daily routines. This was a radical approach for its time, but it was one based on Helena Devereux's firsthand experiences as a teacher. The results were a resounding success: by 1920, 22 children out of her 30 students had improved significantly.

By 1938, the State of Pennsylvania granted the Devereux Schools a nonprofit charter, and the Devereux Foundation was established. The foundation expanded to the west coast in the 1940s, and in the 1950s, it began research and clinical training efforts. Today, the Devereux Foundation operates a national network of clinical, therapeutic, educational and employment programs that serve children, adolescents, and adults. Their services include, but are not limited to, residential and day treatment programs, foster care homes, special education day schools, family counseling, and prevocational training. In this role, the Devereux Foundation has played a critical part in uplifting the needy and assisting the vulnerable, in Pennsylvania and across the Nation.

I am grateful for all of the work that Devereux and its employees have done over the last century, and I am proud that Devereux, a national leader in the field of behavioral health care, calls Pennsylvania home. I have heard stories of the many individuals with special needs whom Devereux supports and nurtures. Many are children, and I have seen how these families struggle to find the appropriate care and educational services for them. There is a line in Scripture that says, "Every child has a light." Devereux plays an especially important role in nurturing children who need a little more help to reach their full potential, a little extra to let their light shine out. I congratulate them on a century of hard work and wish them many more years of success.

As we move forward with the fight to ensure that quality and affordable health care is accessible to all Americans, I call on us to recognize and emulate the efforts of the Devereux Foundation and the role they have played in bringing about positive change throughout the country.●

REMEMBERING HENRY MOORE

• Mr. CASEY. Mr. President, today I rise to honor and remember Henry L. Moore for his exceptional service to his community, Commonwealth, an country.

Born April 8, 1921 in Ocilla, GA, the son of Andrew and Eliza Moore, Henry entered the armed services on September 22, 1942. Though originally from the Peach State, Henry spent his adult life living in Pennsylvania.

Henry was a man of service, a man of science, and a man of faith. Today I wish to honor him as such.

As a man of service, Henry distinguished himself as one of the Tuskegee Airmen who so faithfully served our country during one of its darkest hours. Drafted in 1942, Henry graduated from the only class of African-American airplane mechanics at Lincoln Airbase in Nebraska in June 1943. After graduation he was assigned to the ground crew of the Fifteenth Air Force 332nd Fighter group. By 1944 Henry had become a crew chief working on B-25 bombers in the Mediterranean theater.

The Tuskegee Airmen hold a special place in American history, and Henry never forgot his part in it. Throughout the rest of his life, he remained active in the Tuskegee Airmen Inc., a nonprofit organization dedicated to honoring the accomplishments of African Americans in the U.S. Army Air Corps during WWII and introducing young people across the Nation to the world of aviation and science through local and national programs. At the time of his passing, Henry was serving his second term as the national parliamentarian of that organization.

As a man of science, Henry graduated from West Virginia State College with a bachelor of science in physics and electrical engineering and later with a master of science from Temple University. Following graduation, Henry began a career physics and electronic engineering until retiring from government service after 26 years.

Henry loved science, and, following his retirement, he continued to pass this passion on by teaching science and math, first at Roosevelt Middle School and then later at Abraham Lincoln High School in the Philadelphia school district.

As a man of faith, Henry was very active in his church. Always involved, Henry served on a number of boards and was president of both the deacons and trustees. His love of music intertwined with his church life as he sang in the choir and on special occasions played his trumpet.

As Henry's family and friends mourn his loss, I pray that they will be comforted by the knowledge that this great Nation will never forget the service and sacrifice of Henry L. Moore. May he rest in peace.●

HONORING COLONEL EUGENE SMITH

• Mr. COONS. Mr. President, I wish to commemorate the extraordinary life of Col. Eugene Smith of Wilmington, DE.

Gene was the eldest child of Pat and Mary Smith, and his family's story is the American story. He was born in Ireland but moved to Wilmington at age 13, where he grew up playing sports and joined the Delaware National Guard while he was still attending Salesianum High School. After spending some time at seminary and working at DuPont—a great Delaware tradition—Gene went on Active Duty when the National Guard was federalized in the early 1940s. Colonel Smith served with honor in World War II and rose quickly to become a highly regarded military investigator with the Office of Strategic Services, leading the now-famous investigation into the post-war theft of over \$1 million in jewels.

On Thanksgiving Day 1952, the Smiths heard the knock at the door that every military family fears. Two Air Force officers brought news that a plane en route from Washington State to Alaska had crashed, and all 51 onboard were missing, including Gene.

The wreckage of the aircraft was spotted east of Anchorage, but by the time recovery teams entered the area, it had vanished, likely buried by an avalanche. The crash was simply stamped "unresolved."

But America doesn't give up on our military heroes. We don't abandon our service men and women, no matter how long it takes. That is why I was so glad to read in the News Journal that on June 10 of this year, the Smith family finally got the closure they have been seeking. An Alaska Army National Guard team in a helicopter spotted debris on a glacier, and a specialized team was called in to officially identify it as the lost aircraft from more than 60 years ago. The remains of the souls lost that day were exhumed, identified, and buried at Arlington National Cemetery—the resting place for American heroes.

The only surviving brother of Colonel Smith, Mike Smith of Wilmington, has carried on his family's legacy of service with honor and dignity, and we are proud to count him among our neighbors. I join all Delawareans in saluting the service and sacrifice of Col. Eugene Smith of Wilmington.●

TRIBUTE TO ADMIRAL KIRKLAND DONALD

• Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in paying tribute to ADM Kirkland Donald, U.S. Navy, as he prepares to complete a naval career that began with his graduation from the Naval Academy in 1975 and concludes with his past 8 years of service as Director of the Office of Naval Reactors.

As Director of the Naval Nuclear Propulsion Program, Admiral Donald

has had stewardship of every aspect of the nuclear navy, from fleet operations and training to reactor design and ultimate disposition of spent nuclear fuel. The dedication required of this mission is extraordinary, and our Nation has benefited from Admiral Donald's steadfast leadership.

Over the course of his career, Admiral Donald excelled as an undersea commander. He served as the commanding officer of the nuclear-powered attack submarine USS Key West, commander of the elite Submarine Development Squadron Twelve and Commander Submarine Force, U.S. Atlantic Fleet, and Allied Submarine Command, Atlantic. Other highlights include tours at the Bureau of Naval Personnel, the Joint Staff, and as commander of all U.S. submarine forces.

While at Naval Reactors, he has ensured the safe operations of the nuclear navy. Nuclear-powered warships have safely steamed over 150 million miles and operated for more than 6,400 reactor years without an accident. The most recent 20 million miles and 800 reactor-years have been achieved under Admiral Donald's leadership.

Among his many achievements, one of the most impressive is the consistent and quiet success of the Naval Reactors Facility, NRF, in Idaho Falls. The highly complex and scientific work done at NRF requires not only a highly skilled, diligent workforce but the trust and confidence of the people of Idaho. As a result of Admiral Donald's work, that confidence has flourished.

Admiral Donald has been instrumental to the future of the Navy, having overseen the highly successful construction of many Virginia-Class attack submarines, the final design and construction of the next-generation USS Gerald R. Ford aircraft carrier, and the initial design of the Ohio-class replacement ballistic missile submarine. All three platforms incorporate impressive new technologies into the nuclear propulsion plants that have proven to be safe and reliable for nearly 70 years. These ships will allow the Navy to continue to protect America and our interests around the globe and would not be possible without the steadfast leadership of Admiral Donald.

Admiral Donald's selfless commitment to serving our Nation has left us safer and better prepared to respond to threats around the world. He leaves a legacy of service, dedication to the Navy, and commitment to the environment. With our deepest gratitude, we wish him the very best in retirement after an impressive and impactful career.●

CANONIZATION OF BL. KATERI
TEKAKWITHA AND BL.
MARIANNE COPE

● Mrs. GILLIBRAND. Mr. President, today I wish to honor the contribution of two great heroes, Kateri Tekakwitha and Marianne Cope. These two individuals from upstate New York worked

tirelessly during their lifetimes to bring faith and health to every soul they touched. Bl. Kateri Tekakwitha and Bl. Marianne Cope have served as an inspiration for generations of the faithful both in America and abroad, and are now being recognized with the highest honor of sainthood.

Bl. Kateri Tekakwitha was born in 1656 to a Mohawk father and Algonquin mother along the Mohawk River in upstate New York. After surviving a devastating smallpox epidemic, Kateri was introduced to Christianity by Catholic missionaries. Despite severe disapproval by her tribe, Kateri was baptized into the church as Catherine and lived the rest of her life caring for the sick and elderly in the Mohawk River region. She is informally known as Lily of the Mohawks and will become the patron saint of ecology, the environment, and Native Americans. Although she died young, Kateri's reputation as the first Native American saint will live forever. Her commitment to the Christian faith has served as an inspiration not only to Native American Catholics, but to all American Catholics.

The other beatified person, Bl. Marianne Cope, was a member of the Sisters of St. Francis in Syracuse after growing up in Utica, NY. As the eldest daughter of German immigrants, she worked in a factory to support her family and delayed answering her religious calling until her siblings were self-sufficient. Once she was able to commit to the church, Marianne dedicated her work to establishing a series of hospitals, both public and Catholic, in Syracuse and central New York. These hospitals were some of the first to treat patients regardless of race, religion, or nationality. Marianne was also one of the first hospital administrators to advocate for patients' rights and to accept medical students for clinical instruction. In 1883, she moved to Hawaii to care for those with leprosy, a task that was declined by many other religious groups. Throughout her time in Hawaii she remained a dedicated caretaker and symbol of hope to patients who had been exiled because of their illness.

These two extraordinary women will be declared saints on October 21 in Vatican City by Pope Benedict XVI in St. Peter's Square, marking the end of a long process of examination undergone by all candidates for sainthood. The ceremony will venerate Kateri and Marianne in the eyes of Catholics all over the world.

I would like the U.S. Senate to honor Bl. Kateri Tekakwitha and Bl. Marianne Cope and recognize their unparalleled commitment to faith and their unending sacrifices for the people most in need across New York and our Nation.●

TRIBUTE TO SSG CHARLES ALLEN

● Mr. INHOFE. Mr. President, On January 22, 2011 SSG Charles Allen of

Oklahoma lost his two legs and almost lost his life in an IED blast in Afghanistan in Arghandel Valley. But his will to live and the help of his wife and family have given this American Hero all the motivation he needed to win his battle for recovery. SSG Allen makes us all proud to be Americans. The following poem entitled PRAETORIANS was penned by Albert Caswell in his honor and his recovery. I ask unanimous consent that said poem be printed in the RECORD.

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

PRAETORIANS

Watch over me! Stand Guard!
Stand Ready, Stand Long, Stand Hard!
For you are The Spear of Freedom, that's
who you are! Throughout . . .
Throughout history . . .
There has, and will always be! Those who go
off to war!
Men of might, who so fight to be free! Who
our freedoms do so secure!
Like the Roman's, The Praetorian's! To
watch over us continually!

All the more!
Who will stand?
And who will fight?
And who will do what is right? What is right!
And who will lay down their own fine lives?
Who will give up their strong arms and legs,
so very bright? And make the angels
cry!

All in what their fine hearts have made, all
their most magnificent lives!
Who will so march off to war?
And so leave all that they so love and adore!
To watch over us throughout the night!
Bathed all in freedom's light!

All in that darkness of most evil war, as on-
ward they so fight! The Praetorian's,
are of the ones who so insure!

Standing guard, the ones who so fight on-
ward so ever more! Airborne, all for our
victory to insure!

Who but live to fight with their Band of
Brothers, but just one day more!
Magnificent Men,
who all for our nation their fine hearts are
Airborne! Who upon them all, the title
of hero is now so worn! Who go but
where angels so fear to tread!

Even thought their fine blood runs red!
As up to new heights their fine hearts have
soared!

For these are the men who are the Airborne,
all in times of war! To Fight the Fight,
as in their arms their brothers hearts beat
no more! As it was on one such faithful
tour . . .

Charles, as when your fine heart went even
higher, went Airborne! While, lying
there so very close to death . . . with
but not much left . . . When, some-
thing so deep down inside your fine
heart, would crest . . . With your two
legs gone and not much left . . .

As to new heights you so pledged . . .
For you had a family back home,
and you held on as you would not so leave
them so all alone.

When, Oklahoman said his recovery would be
Sooner not later! As you were gone . . .
AIRBORNE!

On the road to recover,
beyond all of that pain and heartache mov-
ing on! As we looked back and you were
gone!

As now You So Teach Us!
As now You So Reach Us!
As a Star was born!
And a great American family. . . .

Out of such tragedy somehow has somehow moved on! With your lovely wife by your side . . .
 And your beautiful children in your arms as you've cried! For you had something to live for!
 Touching all our hearts so deep inside!
 As the word Hero Charles, in front of your name comes before! And one day up in Heaven Charles you will be Airborne!
 As a PRAETORIAN with wings, to watch over us once more!•

TRIBUTE TO SAM HAMRA

• Mrs. MCCASKILL. Mr. President, I rise today to honor and congratulate my friend, Mr. Sam Hamra.

Born in Steele, MD, Sam received both business and law degrees from the University of Missouri and served as an officer in the U.S. Army Field Artillery and Second Armored Cavalry Regiment. He began practicing law in Springfield, MO, and later became the city attorney for Nixa and St. Robert and the governmental relations attorney for Branson.

As Sam's practice became more successful, he never forgot his modest roots, or those less fortunate. In 1976, Sam was elected president of the newly formed Legal Aid Association of Green County, MO, known today as the Legal Services of Southern Missouri, LSSM. The Legal Aid Association was created to help low income citizens whose legal needs would otherwise be unmet. Under Sam's leadership, LSSM has helped thousands of Missourians in 43 counties.

On October 11, Legal Services of Southern Missouri will dedicate their new building, the "Sam F. Hamra Center for Justice." It is my hope that this building will help LSSM provide services to Missourians for many years to come.

In addition to his contributions to the legal community, Sam is very active in many local organizations. He served on the board of the Missouri Sports Hall of Fame, the Springfield area Sports Hall of Fame, and the Springfield/Branson Transportation Study Committee. As the chairman of the Springfield Chamber of Commerce Building Fund, he raised over \$300,000 for the construction of a new Chamber building.

Sam's dedicated service is an inspiration to all Missourians. His achievements and commitment to helping those in need deserves the highest commemoration and I am proud to honor him today.

Mr. President, I ask that the Senate join me in honoring and congratulating Mr. Sam Hamra.•

HONORING TECHNICAL SERGEANT BRIAN BELL

• Mrs. SHAHEEN. Mr. President, it is with a heavy heart that I rise today to pay tribute to the life of Technical SGT Brian A. Bell, who died at the age of 54 at his home in Brookfield, NH on August 5. Brian served his country

bravely for 29 years in both the 157th Air Refueling Wing of the New Hampshire Air National Guard, and in the United States Navy, deploying to Kuwait in 2005 and 2011.

Besides his love of country, Brian was best known for his deep devotion to his family and friends. He appreciated the small things in life such as going to concerts with his wife, heading out on fishing or hiking trips and going kayaking. He took so much joy in being a grandfather to his two grandchildren, James and Jocelyne.

Brian dedicated more than half of his life to defending our Nation, a devotion matched by his loyalty to his community. People who knew Brian say he was always willing to lend a helping hand when it was needed. His friends and loved ones knew him as a man driven by a fierce determination to defend the freedom we hold dear as Americans. Our country is better off today because of his efforts.

Today and every day, Americans like Brian heed the call to defend this great nation. They offer their service so we may live freely and securely. I hope that, even at this challenging time, Brian's family can find comfort in knowing that we share a deep appreciation for his life in the service of others.

Brian is survived by his loving wife Christine, daughter Natasha Nemetz, mother Helen Sue Bickford, brother James D. Bell, III, sister Rosanne Combs, and his beloved grandchildren. He will be loved and missed by all.

I ask my colleagues and all Americans to please join me in honoring the life and service of Technical SGT Brian A. Bell.•

HONORING STAFF SERGEANT BRANDON CULLEN-TOWLE

• Mrs. SHAHEEN. Mr. President, it is my sad duty to rise in tribute today to the brave service of Staff Sergeant Brandon Cullen-Towle. Staff Sergeant Cullen-Towle, who was known as "CT" to his friends, died on August 25 in a motorcycle accident. He was as dedicated to his country as he was to his family and friends.

Brandon was born on April 29, 1987 in Dover, NH. He graduated from Dover High School where he was a three-sport athlete, playing football, basketball and baseball. Brandon briefly attended the University of New Hampshire before realizing his true calling to serve our nation in the United States Air Force.

Brandon successfully completed his basic training at Lackland Air Force Base in Texas and was assigned as a Tactical Air Control Party Member in the 14th Air Support Operations Squadron in Pope Field, NC. In this role, Brandon was responsible for calling in air strikes to support ground forces. He performed exceptionally well during his three tours of duty in Afghanistan; he took his responsibility seriously and it showed. In fact, Brandon's skill earned him a spot with the Special Op-

erations Forces Tactical Air Control Party in the 21st Special Tactics Squadron.

Brandon received many awards for his service, including the Order of the Purple Heart, three Army Commendation Medals, the Air Force Commendation Medal and an Army Achievement Medal. Most impressively of all, President Obama and Chief of Staff of the Air Force General Norton Schwartz personally recognized Brandon for his courageous service during a mortar attack in Afghanistan. After being injured himself in the fight, Brandon saved an interpreter's life and called in an airstrike that successfully secured the base and neutralized the threat. He demonstrated great courage and tremendous poise under incredible pressure.

Brandon is remembered by family and friends as a giving person with an infectious laugh and a contagious smile. Always willing to lend a hand to those in need, Brandon consistently put others before himself. He valued his relationships and had an impact on everyone with whom he came in contact; people simply gravitated toward him.

Our Nation can never adequately thank this young New Hampshire son for his willingness to serve his country and to protect our freedom, and also never fully thank his family enough for their sacrifice. I hope that Brandon's family knows that all Americans share a deep appreciation and abiding respect for his brave service.

Brandon is survived by his mother Laura Towle and her husband Dennis; his father Brad Cullen; his stepfather, Mike Towle; two sisters, Stephanie and Kaylee Towle; brother Kameron Towle; his significant other Marlena Cullen-Towle; grandparents Norma and James Hughes, Fern Cullen, Rick and Kay Towle; and many aunts, uncles, cousins and friends. This young hero will be missed by all.

I ask my colleagues and all Americans to please join me in honoring Staff Sergeant Brandon Cullen-Towle.•

HONORING SPECIALIST JARED DAVISON

• Mrs. SHAHEEN. Mr. President, I rise today to honor the life and service of U.S. Army SPC Jared Davison. Specialist Davison, who died unexpectedly on September 4, was a dedicated servicemember, son, brother, and friend.

Jared was born on February 20, 1988 in Boston, MA. He graduated from Milford High School in 2006 and went on to attend Norwich Academy in Vermont and then the prestigious U.S. Military Academy at West Point, NY. Jared served as a watercraft engineer with the 558th Transportation Company, Special Troops Battalion, 7th Sustainment Brigade at Fort Eustis in Virginia. Before his death, Jared was working toward a promotion to sergeant.

Jared first realized his passion to serve in the military on a family trip

to Sequoia National Park in California. He was inspired by CPT Charles Young, one of the park's first superintendents who was also one of the first black graduates of West Point. Following that trip, Jared was determined to join the military. He read every military book he could get his hands on and even designed his own exercise regimen to prepare for the physical challenge of service.

Jared's enthusiasm to serve his country was matched only by his enthusiasm to live life to its fullest. Jared was a youth leader in his church and worked as a counselor at a summer camp in Maine. He was a strong role model for the children he mentored, and those who knew him remember his infectious smile and the kindness and respect he showed to everyone he met.

Although Jared was naturally an exceptional student and athlete, he understood the value of hard work. His combination of natural talent and diligence earned him many commendations and decorations, including the Army Achievement Medal, the National Defense Service Medal, the Global War on Terrorism Service Medal, and the Army Service Ribbon.

Our Nation can never adequately thank this young son of New Hampshire for his willingness to heed the call to defend the American people and our way of life. I hope that, even in these dark days, Jared's family can find comfort knowing that his was a life well lived. He is gone, but his service to this country will not be forgotten.

Jared is survived by his mother and father, Paula and James Davison, and his brother, Jeremy Davison. He will be missed.

I ask my colleagues and all Americans to join me in honoring the life and service of this brave American servicemember, U.S. Army SPC Jared Davison.●

REMEMBERING ROBERT H. HARRIS

● Mr. SHELBY. Mr. President, today I wish to pay tribute to Robert H. Harris, who passed away in his home on Thursday, August 2, 2012, at the age of 82. Bob was a highly respected attorney for whom I had the deepest respect. I am grateful that I was able to call Bob a friend and mourn his passing.

Born on June 9, 1930, in Columbus, GA, Bob spent the majority of his childhood in Goodwater, AL. He graduated from Auburn University in 1951 and from the University of Alabama Law School where he was an outstanding student. Bob was first in his class and was a member of the Law Review, Farrah Order of Jurisprudence, and the Order of the Coif.

Bob went on to graduate from the University of Virginia Judge Advocate General School in 1955. He began practicing law when he was discharged as a captain after serving for 3 years in the U.S. Army from 1954 to 1957. He made significant contributions to the Deca-

tur, AL, legal community and was admired for his diligence in his profession.

I had the great privilege of serving with him in the Alabama Senate. Not only was he a well-respected and talented attorney, but he was an excellent legislator as well. Bob served two terms in the State senate and was named Outstanding Freshman Senator, Hardest Working Senator, and Most Outstanding Senator. He was appointed as the chairman of the committee that revised the Code of Alabama in 1975 for the first time since 1940.

Beyond his contributions to the legal community, he was an active member of the First United Methodist Church where he taught the men's Bible class. He was also extremely dedicated to academia and served as a member of the Auburn University Board of Trustees for a decade. Additionally, he served as the Founding Director of the First American Bank.

Bob was an inspiration to me, a caring father and husband, and a valuable asset to his community, his church, and to Auburn University. My thoughts and prayers are with his family and friends, especially his wife Betty Sue Harris and his children, Laurie, Amanda, Bobbie, Robert, and Parks, as they mourn the loss of this admirable man.

I am honored to have called Bob a friend and colleague for more than 40 years. His contributions to the Decatur legal community, his church, and the State of Alabama will forever be remembered.●

TRIBUTE TO BILL SHUEY

● Mr. WHITEHOUSE. Mr. President, today I wish to recognize Bill Shuey, Director of the International Institute of Rhode Island. Bill is retiring after nearly three decades of service to the Rhode Island community.

I have witnessed Bill Shuey's effective and innovative leadership since my days as a member of the International Institute's Board of Directors in the 1980s. The Institute's mission is to provide the educational, legal, and social tools immigrants and refugees need to gain self-sufficiency and contribute to their communities—the very building blocks of the American dream. Since taking the helm of the Institute in 1984, Bill has overseen the growth of the Institute's budget and highly skilled staff, as well as its relocation to a new home on Elmwood Avenue in Providence. Bill and his staff have served immigrants and refugees who have come to Rhode Island and southeastern New England from the Dominican Republic, Colombia, Guatemala, Eritrea, Ethiopia, Liberia, Cambodia, Burma, Laos, Bhutan, Iraq, Lebanon, Armenia, and many other countries.

Bill's father was a school principal who started an American school in Addis Ababa in 1966. In 2000, Bill made him proud when the International Institute founded a K-5 multilingual charter school in Pawtucket. About 300

students now attend the school, which immerses students in Spanish, Portuguese, and English.

Thanks to Bill's vision, the International Institute has plans to expand its services further through a merger with Dorcas Place, an adult education organization that focuses on literacy and language skills as well as job training and preparation.

I should mention that Bill's dedication to making a difference in the lives of others carries over into his private life. In addition to being a proud father, step-father, and grandfather, Bill is the foster parent of the son of Cambodian immigrants, who is now a student in law school.

Through building effective partnerships between non-profits, government, and the private sector, Bill has helped knit the fabric of our community in Rhode Island to connect thousands of individuals with the skills they need to become productive members of Rhode Island's workforce and society. Rhode Island has a long tradition of being enriched, culturally and economically, by immigrants who came to our shores with the American dream in their hearts. Bill has helped so many of them get a welcome start. I wish him heartfelt congratulations and gratitude for his years of service to the people of Rhode Island.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, 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.)

MESSAGE FROM THE HOUSE

At 9:48 a.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. 733. An act to provide for scientific frameworks with respect to recalcitrant cancers.

H.R. 1461. An act to authorize the Mescalero Apache Tribe to lease adjudicated water rights.

H.R. 3319. An act to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe.

H.R. 3783. An act to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.

H.R. 4158. An act to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions.

H.R. 6060. An act to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

H.R. 6118. An act to amend section 353 of the Public Health Service Act with respect to suspensions, revocation, and limitation of laboratory certification.

H.R. 6433. An act to make corrections with respect to Food and Drug Administration user fees.

MEASURES REFERRED

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

H.R. 2827. An act to amend the Securities Exchange Act of 1934 to clarify provisions relating to the regulation of municipal advisors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2903. An act to reauthorize the programs and activities of the Federal Emergency Management Agency; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3319. An act to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe; to the Committee on Indian Affairs.

H.R. 4124. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4212. An act to designate drywall manufactured in China a banned hazardous product, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5044. An act to amend the Internal Revenue Code of 1986 to exclude from gross income any discharge of indebtedness income on education loans of deceased veterans; to the Committee on Finance.

H.R. 5948. An act to amend title 38, United States Code, to improve the supervision of fiduciaries of veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6060. An act to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019; to the Committee on Energy and Natural Resources.

H.R. 6163. An act to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6324. An act to reduce the number of nonessential vehicles purchased and leased by the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6361. An act to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6368. An act to require the Department of Justice, in consultation with the Department of Homeland Security, to provide a report to Congress on the Departments' ability to track, investigate and quantify cross-

border violence along the Southwest Border and provide recommendations to Congress on how to accurately track, investigate, and quantify cross-border violence; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3576. A bill to provide limitations on United States assistance, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3607. A bill to approve the Keystone XL Pipeline.

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-7630. 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 in the Office of the President of the Senate on September 12, 2012; to the Committee on Finance.

EC-7631. 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 "L and S Industrial and Marine, Inc. United States" (AOD-2012-02) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7632. 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 "Integrated Hedging Transactions of Qualifying Debt" (RIN1545-BK98) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7633. 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 "Per Capita Payments from Proceeds of Settlements of Indian Tribal Trust Cases" (Announcement 2012-60) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7634. 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 "Guidance on Pension Funding Stabilization under the Moving Ahead for Progress in the 21st Century Act (MAP-21)" (Notice 2012-61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7635. 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 for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2012-56) received in

the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7636. 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 "Property Traded on an Established Market" (RIN1545-BJ71) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7637. 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 "Wage Recharacterization" (Rev. Rul. 2012-25) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7638. 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 "Revenue Procedure: Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Tax Liability" (Rev. Proc. 2012-40) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7639. 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 "Revenue Procedure Modifying Rev. Proc. 2011-14 and Rev. Proc. 97-27" (Rev. Proc. 2012-39) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Finance.

EC-7640. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to groups designated by the Secretary of State as Foreign Terrorist Organizations (DCN OSS 2012-1446); to the Committee on Foreign Relations.

EC-7641. 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 12-121, 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-7642. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC-7643. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "U.S. Department of State, Annual Category Rating Report"; to the Committee on Foreign Relations.

EC-7644. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-079); to the Committee on Foreign Relations.

EC-7645. 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 12-105); to the Committee on Foreign Relations.

EC-7646. 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 12-114); to the Committee on Foreign Relations.

EC-7647. 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 12-119); to the Committee on Foreign Relations.

EC-7648. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-129); to the Committee on Foreign Relations.

EC-7649. 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 12-100); to the Committee on Foreign Relations.

EC-7650. 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 "D and C Red No. 6 and D and C Red No. 7; Change in Specification; Confirmation of Effective Date" (Docket No. FDA-2011-C-0050) received during adjournment of the Senate in the Office of the President of the Senate on September 17, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7651. 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 "Amendment to the Interim Final Rule for the Pre-Existing Condition Insurance Plan Program" (RIN0938-AQ70) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7652. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Assets for Independence Program—Status at the Conclusion of the Eleventh Year"; to the Committee on Health, Education, Labor, and Pensions.

EC-7653. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Railroad Retirement Board's appropriations request for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-7654. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12-090); to the Committee on Foreign Relations.

EC-7655. A communication from the Presiding Governor, Broadcasting Board of Governors, transmitting, pursuant to law, the Board's fiscal year 2012 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC-7656. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Small Entity Compliance Guide" (FAC 2005-

61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7657. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-61) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7658. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Bid Protest and Appeal" (RIN9000-AM31) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7659. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; NAICS and Size Standards" (RIN9000-AM32) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7660. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Delete Outdated FAR Reference to the DoD Industrial Preparedness Program" (RIN9000-AM35) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7661. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; United States-Korea Free Trade Agreement" ((RIN9000-AM18) (FAC 2005-61)) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-7662. A communication from the Acting Assistant Attorney General, transmitting, pursuant to law, a report entitled "Section 508 Report to the President and Congress: Accessibility of Federal Electronic and Information Technology"; to the Committee on the Judiciary.

EC-7663. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "Report of the Proceedings of the Judicial Conference of the United States"; to the Committee on the Judiciary.

EC-7664. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0356)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7665. A communication from the Senior Program Analyst, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0035)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7666. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International, Inc. Global Navigation Satellite Sensor Units" ((RIN2120-AA64) (Docket No. FAA-2012-0758)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7667. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engine" ((RIN2120-AA64) (Docket No. FAA-2012-0765)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7668. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1164)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7669. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0675)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7670. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0329)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7671. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer S.A. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1251)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7672. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1089)) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7673. A communication from the Senior Program Analyst, Federal Aviation Adminis-

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" (RIN2120-AA64) (Docket No. FAA-2012-0292) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7674. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International, Inc. Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0195) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7675. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters" ((RIN2120-AA64) (Docket No. FAA-2012-0566) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7676. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1165) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7677. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-1066) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7678. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1115) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7679. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; WACO Classic Aircraft Corporation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0578) received in the Office of the President of the Senate on September 11, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7680. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (25); Amdt. No. 3471" (RIN2120-AA65) received in the Office of the President of the Senate on September 13, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7681. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Voluntary Licensing of Amateur Rocket Operations" ((RIN2120-AJ84) (Docket No. FAA-2012-0318) received

during adjournment of the Senate in the Office of the President of the Senate on August 29, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7682. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Seaway Regulations and Rules: Periodic Update, Various Categories" (RIN2135-AA30) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7683. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Implement Miscellaneous Post Patent Provisions of the Leahy-Smith America Invents Act" (RIN0651-AC66) received during adjournment in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7684. A communication from the Chairman of the Office of Proceedings and the Office of Economics, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2012 Update" (Docket No. 542) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7685. A communication from the Chief Scientist, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Research Misconduct" (RIN2700-AC84) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7686. A communication from the Director, Office of Whistleblower Protection Program, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Surface Transportation Assistance Act of 1982 (STAA), as Amended" (RIN1218-AC36) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7687. A communication from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Audit Requirements for Third Party Conformity Assessment Bodies" (RIN3041-AC76) received during adjournment of the Senate in the Office of the President of the Senate on September 14, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7688. A communication from the Acting Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Safety Standards for Durable Infant or Toddler Products: Infant Bath Seats and Full-Size Cribs" (16 CFR Parts 1215 and 1219) received during adjournment of the Senate in the Office of the President of the Senate on September 14, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7689. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amend-

ment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Westfield, New York)" (MB Docket No. 12-51) received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7690. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Greenville, North Carolina" (MB Docket No. 12-130; DA 12-1208; RM-11662; DA 12-1208) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7691. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Interpretation of Economically Burdensome Standard; Amendment of Section 79.1 (f) of the Commission's Rules; Video Programming Accessibility, Report and Order, CG Docket No. 11-175" (FCC 12-83) received during adjournment of the Senate in the Office of the President of the Senate on August 3, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7692. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Sections 15.35 and 15.253 of the Commission's Rules Regarding Operation of Radar Systems in the 76-77 GHz Band; ET Docket No. 11-90, RM-11555; and Amendment of Section 15.253 of the Commission's Rules to Permit Fixed Use of Radar in the 76-77 GHz Band" (FCC 12-72, ET Docket No. 10-28) 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-7693. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform—Mobility Fund" (WC Docket Nos. 10-90, 07-135, 05-337, 03-109) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7694. A communication from the Chief of the Broadband Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Facilitating the Use of Microwave for Wireless Backhaul and Other Uses and Providing Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licenses" (WT Docket No. 10-153) (FCC 12-87) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7695. A communication from the Deputy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified

Intermarried Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform—Mobility Fund” ((RIN3060-AF85) (DA 12-870)) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7696. A communication from the Assistant Chief, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Foreign Ownership Policies, First Report and Order on Forbearance” (FCC 12-93) received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2012; to the Committee on Commerce, Science, and Transportation.

EC-7697. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Special Access for Price Cap Local Exchange Carriers; AT and T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services” ((RIN3060-AJ80) (FCC 12-92)) received in the Office of the President of the Senate on September 10, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 3578. An original bill to amend the Elementary and Secondary Education Act of 1965 (Rept. No. 112-221).

By Mr. BAUCUS, from the Committee on Finance:

Report to accompany S. 1641, a bill to implement the United States-Colombia Trade Promotion Agreement (Rept. No. 112-222).

Report to accompany S. 1642, a bill to implement the United States-Korea Free Trade Agreement (Rept. No. 112-223).

Report to accompany S. 1643, a bill to implement the United States-Panama Trade Promotion Agreement (Rept. No. 112-224).

Report to accompany S. 3326, a bill to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes (Rept. No. 112-225).

Report to accompany S. 3406, An original bill to authorize the extension of non-discriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova, to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and to impose sanctions on persons responsible for gross violations of human rights, and for other purposes (Rept. No. 112-226).

Report to accompany S. 3568, An original bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics, and to modify and extend the Wool Apparel Manufacturers Trust Fund, and for other purposes (Rept. No. 112-227).

By Mr. AKAKA, from the Committee on Indian Affairs:

Report to accompany S. 2389, a bill to deem the submission of certain claims to an Indian Health Service contracting officer as timely (Rept. No. 112-228).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 3276, An original bill to extend certain amendments made by the FISA Amendments Act of 2008, and for other purposes (Rept. No. 112-229).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3486. A bill to implement the provisions of the Hague Agreement and the Patent Law Treaty.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. AKAKA for the Committee on Indian Affairs.

*Kevin K. Washburn, of New Mexico, to be an Assistant Secretary of the Interior.

By Mr. LEAHY for the Committee on the Judiciary.

William Joseph Baer, of Maryland, to be an Assistant Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. HARKIN:

S. 3578. An original bill to amend the Elementary and Secondary Education Act of 1965; from the Committee on Health, Education, Labor, and Pensions; placed on the calendar.

By Mr. VITTER:

S. 3579. A bill to amend the Immigration and Nationality Act to make voting in a Federal election by an unlawfully present alien an aggravated felony and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself and Mr. PORTMAN):

S. 3580. A bill to require the Corps of Engineers to preserve the historical integrity of Zoar, Ohio, while carrying out any study relating to or construction of flood damage reduction measures, including levees, in Zoar, Ohio; to the Committee on Environment and Public Works.

By Mr. CONRAD (for himself, Mr. ENZI, and Mr. ROCKEFELLER):

S. 3581. A bill to amend the Internal Revenue Code of 1986 to modify the credit for carbon dioxide sequestration; to the Committee on Finance.

By Mr. REED:

S. 3582. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN (for herself, Mr. KERRY, and Mrs. GILLIBRAND):

S. 3583. A bill to authorize the Secretary of Housing and Urban Development to establish

and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PRYOR (for himself and Mr. MORAN):

S. 3584. A bill to reauthorize the National Integrated Drought Information System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER:

S. 3585. A bill to provide authorities for the appropriate conversion of temporary seasonal wildland firefighters and other temporary seasonal employees in Federal land management agencies who perform regularly recurring seasonal work to permanent seasonal positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself and Mr. LEAHY):

S. 3586. A bill to provide reimbursement under the Medicaid program to individuals and entities that provide voluntary non-emergency medical transportation to Medicaid beneficiaries for expenses related to no-load travel; to the Committee on Finance.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3587. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEVIN (for himself, Mr. KIRK, Ms. STABENOW, Mr. DURBIN, Mr. CASEY, Mr. SCHUMER, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 3588. A bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes; to the Committee on Environment and Public Works.

By Mr. REED:

S. 3589. A bill to require the Comptroller of the Currency to establish a pilot program to facilitate communication between borrowers and servicers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 3590. A bill to amend the Denali Commission Act of 1998 to reauthorize and modify the membership of the Denali Commission, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself, Mr. BINGAMAN, Mrs. FEINSTEIN, and Mr. CARDIN):

S. 3591. A bill to amend the Internal Revenue Code of 1986 to improve and extend the deduction for new and existing energy-efficient commercial buildings, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 3592. A bill to amend the Older Americans Act of 1965 to encourage the use of locally grown food in meal programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 3593. A bill to amend the Older Americans Act of 1965 to strengthen programming, services, and outreach for diverse elders, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. ROCKEFELLER, and Ms. KLOBUCHAR):

S. 3594. A bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Ms. SNOWE):

S. 3595. A bill to amend the Internal Revenue Code of 1986 to provide an exception from the passive loss rules for investments in high technology research small business pass-thru entities; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 3596. A bill to make the National Parks and Federal Recreational Lands Pass available at a discount to veterans; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 3597. A bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL:

S. 3598. A bill to protect elder adults from exploitation and financial crime, to prevent elder adult abuse and financial exploitation, and to promote safety for elder adults; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. BENNET):

S. 3599. A bill to streamline and address overlap in the Federal workforce investment system, steer Federal training dollars toward skills needed by industry, establish incentives for accountability through a Pay for Performance pilot program, and provide new access to the National Directory of New Hires, to measure performance and better connect the unemployed to jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself and Mr. PORTMAN):

S. 3600. A bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 3601. A bill to provide tax relief with respect to the Hurricane Isaac disaster area; to the Committee on Finance.

By Mr. INHOFE:

S. 3602. A bill to repeal the nutrition entitlement programs and establish a food stamp block grant program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida:

S. 3603. A bill to designate the Department of Veterans Affairs clinic in Sunrise, Florida, as the "William 'Bill' Kling Department of Veterans Affairs Clinic"; to the Committee on Veterans' Affairs.

By Mr. KOHL (for himself, Mr. GRASSLEY, and Mr. BLUMENTHAL):

S. 3604. A bill to amend title XVIII of the Social Security Act to provide for the implementation of prescriber education programs and to establish requirements relating to the administration of antipsychotics to residents of skilled nursing facilities and nursing facilities under the Medicare and Medicaid programs, and for other purposes; to the Committee on Finance.

By Mrs. HAGAN (for herself, Mr. CRAPO, Mrs. MCCASKILL, Mr. RISCH, Mr. CARPER, Mr. VITTER, Mr. COONS, Ms. LANDRIEU, Mr. PRYOR, and Mr. CONRAD):

S. 3605. A bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. GILLIBRAND:

S. 3606. A bill to establish an improved regulatory process for injurious wildlife to pre-

vent the introduction and establishment in the United States of nonnative wildlife and wild animal pathogens and parasites that are likely to cause harm; to the Committee on Environment and Public Works.

By Mr. HOEVEN (for himself, Mr. LUGAR, Mr. VITTER, and Ms. MURKOWSKI):

S. 3607. A bill to approve the Keystone XL Pipeline; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. Res. 571. A resolution congratulating the Nunaka Valley Little League Junior girls softball team on winning the 2012 Little League Junior Softball World Series; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. SANDERS, Mrs. BOXER, Mr. MERKLEY, and Mr. TESTER):

S. Res. 572. A resolution designating September 2012 as the "National Month of Voter Registration"; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself and Mr. TOOMEY):

S. Res. 573. A resolution designating the third week of January 2013, as "Teen Cancer Awareness Week"; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself, Ms. AYOTTE, Mrs. HUTCHISON, Mrs. SHAHEEN, Mr. KIRK, Mr. MENENDEZ, Mr. CORNYN, Mr. WYDEN, Mr. MORAN, Mr. CARDIN, Mr. HOEVEN, Mr. BROWN of Ohio, Mrs. BOXER, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. BENNET, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. BEGICH, and Mr. JOHANNIS):

S. Res. 574. A resolution calling on the United Nations to take concerted actions against leaders in Iran for their statements calling for the destruction of another United Nations Member State, Israel; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 166

At the request of Mr. LUGAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 166, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

S. 306

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 306, a bill to establish the National Criminal Justice Commission.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for

Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 810

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 810, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 998

At the request of Mr. AKAKA, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from North Carolina (Mr. BURR) were added as cosponsors 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. 1301

At the request of Mr. LEAHY, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Illinois (Mr. KIRK) 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. 1381

At the request of Mr. BLUMENTHAL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1381, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne disease, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1423

At the request of Mr. TOOMEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1423, a bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers.

S. 1683

At the request of Mrs. HAGAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1683, a bill to provide the Department of Homeland Security, U.S. Customs and Border Protection, and the Department of the Treasury with authority to more aggressively

enforce trade laws relating to textile and apparel articles, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) 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. 1796

At the request of Mr. PRYOR, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1796, a bill to make permanent the Internal Revenue Service Free File program.

S. 1840

At the request of Mr. BROWN of Ohio, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1840, a bill to amend the Public Health Service Act to expand and intensify programs of the National Institutes of Health with respect to translational research and related activities concerning Down syndrome, and for other purposes.

S. 1872

At the request of Mr. CASEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor 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. 1884

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal antidiscrimination and antiretaliation claims, and for other purposes.

S. 2283

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2283, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2347, a bill to amend title

XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2374, a bill to amend the Helium 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. 3079

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 3079, a bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3250

At the request of Mr. CORNYN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mr. SCHUMER), the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Texas (Mrs. HUTCHISON) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 3250, a bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry, and for other purposes.

S. 3257

At the request of Mr. COBURN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3257, a bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions, and to provide for the return of previously distributed funds for deficit reduction.

S. 3289

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3289, a bill to expand the Medicaid home and community-based services waiver to include young individuals who are in need of services that would otherwise be required to be provided through a psychiatric residential treatment facility, and to change references in Federal law to mental retardation to references to an intellectual disability.

S. 3338

At the request of Mr. ENZI, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from North Dakota (Mr. CONRAD) and the Senator

from Massachusetts (Mr. BROWN) were added as cosponsors of S. 3338, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 3341

At the request of Mr. KERRY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3341, a bill to require a quadrennial diplomacy and development review, and for other purposes.

S. 3394

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors 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.

At the request of Mr. AKAKA, his name was added as a cosponsor of S. 3394, *supra*.

S. 3430

At the request of Mrs. SHAHEEN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 3430, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 3444

At the request of Mr. BROWN of Ohio, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3444, a bill to require that textile and apparel articles acquired for use by executive agencies be manufactured from articles, materials, or supplies entirely grown, produced, or manufactured in the United States.

S. 3463

At the request of Mr. FRANKEN, the names of the Senator from Montana (Mr. TESTER), the Senator from California (Mrs. BOXER) and the Senator from Massachusetts (Mr. BROWN) 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. 3477

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3477, a bill to ensure that the United States promotes women's meaningful inclusion and participation in mediation and negotiation processes undertaken in order to prevent, mitigate, or resolve violent conflict and implements the United States National Action Plan on Women, Peace, and Security.

S. 3494

At the request of Mr. FRANKEN, the names of the Senator from Michigan

(Mr. LEVIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3494, a bill to amend the Internal Revenue Code of 1986 to qualify formerly homeless individuals who are full-time students for purposes of low income housing tax credit.

S. 3522

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of 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

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 3546

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3546, a bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages.

S. 3551

At the request of Mr. DEMINT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3551, a bill to require investigations into and a report on the September 11–13, 2012, attacks on the United States missions in Libya, Egypt, and Yemen, and for other purposes.

S. 3560

At the request of Mr. WHITEHOUSE, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Nebraska (Mr. NELSON), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 3560, a bill to provide for scientific frameworks with respect to recalcitrant cancers.

S. 3565

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3565, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 3567

At the request of Ms. COLLINS, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 3567, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S. J. RES. 41

At the request of Mrs. BOXER, her name was added as a cosponsor of S. J. Res. 41, a joint resolution expressing the sense of Congress regarding the nuclear program of the Government of the Islamic Republic of Iran.

S. CON. RES. 50

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor 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. 453

At the request of Mr. HARKIN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Res. 453, a resolution expressing the sense of the Senate that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life.

S. RES. 543

At the request of Mrs. BOXER, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED:

S. 3582. A bill to improve quality and accountability for educator preparation programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, we know that public education lays the foundation for economic growth and the ongoing vitality of our democracy.

We also know that there is more work to be done to improve our schools. To achieve this goal, we need to focus on the professionals who have the greatest impact on student learning at school—teachers and principals.

Last year, I introduced the Effective Teaching and Leading Act to support teachers, librarians, and principals currently on the job through a comprehensive system of induction, professional development, and evaluation.

Today, I am pleased to be introducing the Educator Preparation Reform Act with Representative HONDA to improve how we prepare teachers, principals, and other educators so that

they can be effective right from the start.

Our legislation builds on the success of the Teacher Quality Partnership Program, which I helped author. We have added a specific focus on principals with the addition of a residency program for new principals.

Improving instruction is a team effort, with principals at the helm. This bill better connects teacher preparation with principal preparation. The Educator Preparation Reform Act will also allow partnerships to develop preparation programs for other areas of instructional need, such as for school librarians, counselors, or other academic support professionals.

The bill revamps the accountability and reporting requirements for teacher preparation programs to provide greater transparency on key quality measures such as admissions standards, requirements for clinical practice, placement of graduates, retention in the field of teaching, and teacher performance, including student learning outcomes.

All programs, whether traditional or alternative routes to certification, will report on the same measures.

Under this legislation, states will be required to identify at-risk and low performing programs and provide them with technical assistance and a timeline for improvement. Programs that are at-risk or low performing will be restricted in their ability to offer TEACH grants. States would be encouraged to close programs that do not improve.

The Educator Preparation Reform Act refocuses the state set-aside for higher education in Title II of the Elementary and Secondary Education Act on activities to support the development and implementation of performance assessments to measure new teachers' readiness for the classroom and for technical assistance for struggling teacher preparation programs.

We have been fortunate to work with many stakeholders in developing the key provisions of this legislation. Organizations that have endorsed the Educator Preparation Reform Act include: the Alliance for Excellent Education, American Association of Colleges for Teacher Education, American Association of State Colleges and Universities, American Council on Education, American Psychological Association, Association of American Universities, Association of Jesuit Colleges and Universities, Association of Public and Land-grant Universities, Council for Christian Colleges and Universities, First Focus Campaign for Children, Higher Education Consortium for Special Education, Hispanic Association of Colleges and Universities, National Association of Elementary School Principals, National Association of Independent Colleges and Universities, National Association of Secondary School Principals, National Association of State Directors of Special Education,

National Council of Teachers of Mathematics, National Science Teachers Association, National School Boards Association Opportunity to Learn Action Fund, Public Education Network, Rural School and Community Trust, Silicon Valley Education Foundation, Teacher Education Division of the Council for Exceptional Children, American Association of Colleges of Teacher Education, The Higher Education Task Force, National Association of Elementary School Principals, and National Association of Secondary School Principals.

I look forward to working with these organizations, my colleagues, and others as I seek to include this legislation during the effort next Congress to reauthorize both the Elementary and Secondary Education Act and the Higher Education Act. I encourage my colleagues to join me in supporting this legislation.

By Mrs. HAGAN (for herself, Mr. KERRY, and Mrs. GILLIBRAND):

S. 3583. A bill to authorize the Secretary of Housing and Urban Development to establish and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. HAGAN. Mr. President, I rise today to highlight the impact that local parks, greenways, and recreational opportunities have in neighborhoods and communities across the country.

Many Americans are dealing with the effects of a stagnant economy, the rising cost of health care, and threats to the overall quality of life in their communities. Research shows that investment in parks and recreation creates jobs, attracts business, increases property values, positively impacts public health, promotes conservation in a non-regulatory fashion, and contributes to a higher quality of life for hard-working Americans and their families. Additionally, recreation for disabled veterans has proven to be a powerful tool in the rehabilitation process, providing a number of significant therapeutic benefits for those who have served our country. Yet, many of our most populated areas are suffering from limited green space, deteriorating community facilities, and a lack of access to safe, quality recreation opportunities.

I have seen first-hand the tremendous impact that parks, greenways, and recreation opportunities have had in my hometown of Greensboro, a three time winner of the National Recreation and Park Association's Gold Medal Award. North Carolina's beautiful capital city, Raleigh, which is often referred to as "a city within a park", has been recognized over the last several years by publications such as Forbes, Business Week, and the Wall Street

Journal as the best city for business, best city for jobs, and the nation's best place to live. All of these accolades are due in large part to the high quality of the parks and recreational facilities present throughout the community and were often noted when describing the criteria for making these "best of" selections.

For all of these reasons, today I am introducing the Community Parks Revitalization Act with Senator KERRY and Senator GILLIBRAND. The bill will authorize the U.S. Department of Housing and Urban Development to provide grants and technical assistance to rehabilitate community parks and recreational infrastructure. This legislation would also help communities provide improved opportunities for returning veterans, military families, and at-risk youth. Specifically, the Community Parks for Revitalization Act would provide matching grants to support localities by creating jobs and leveraging private investment by supporting capital projects that rehabilitate, and construct new, parks and recreation areas and facilities.

The act will combat childhood obesity by connecting youth with the outdoors and improving overall public health by increasing access to recreational areas and facilities; by providing innovative, cost-effective, and non-regulatory solutions to environmental challenges; and by addressing the recreation needs of disabled veterans, military families, as well as disadvantaged youth.

I ask all of my colleagues to please join me in supporting this timely legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3583

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community Parks Revitalization Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the 2010 United States Census, over 80 percent of the population of the United States lives in urban areas.

(2) Urban parks are a critical part of our Nation's urban infrastructure, playing a vital role in revitalizing neighborhoods, stimulating our Nation's economy, combating national issues such as obesity and juvenile delinquency, and protecting our environment.

(3) Urban parks are a catalyst for active outdoor recreation, an industry which in 2010 supported 6,100,000 American jobs, generated \$646,000,000,000 in retail sales and services across the United States, generated \$39,900,000,000 in Federal tax revenues, and \$39,900,000,000 in State and local tax revenues.

(4) Studies also show that approximately 20 jobs are created for every \$1,000,000 invested in parks and conservation projects.

(5) Studies have found that parkland saves cities millions of dollars in storm water

management and air pollution expenses by capturing precipitation, reducing runoff, and absorbing air pollutants.

(6) Between 2001 and 2012, as funding for local parks and recreation significantly declined, the number of adults classified as overweight or obese steadily increased from 61 percent to 67 percent. Similarly, during this same period, the number of children and adolescents classified as overweight or obese nearly tripled, going from 12 percent in 2001 to 33 percent in 2011.

(7) Physical inactivity contributes to obesity and takes a toll on our Nation's economy, as the annual costs of medical spending and lost productivity from individuals in the United States being obese and overweight are estimated to be \$147,000,000,000. Access to urban parks is critical to combating this issue. A study by the Centers for Disease Control found that the creation of, or enhanced access to, places for physical activity, such as parks, led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week which improves the physical and mental health of our citizens.

(8) Access to urban parks is critical to combating obesity and its residual impact on health care expenses. A study by the Centers for Disease Control and Prevention found that the creation of, or enhanced access to, places for physical activity, such as parks, led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week, which improves the physical and mental health of our citizens.

(9) According to the Centers for Disease Control and Prevention, over the 25 years preceding the date of enactment of this Act, rates of obesity have more than tripled among adolescents ages 12 to 19 and doubled among adults ages 20 to 74 and children ages 6 to 11.

(10) Physical inactivity contributes to obesity. A study by the CDC found that the creation of, or enhanced access to, places for physical activity led to a 25.6 percent increase in the percentage of people exercising on 3 or more days a week. Physical activity can improve physical and mental health. The annual costs of medical spending and lost productivity from individuals in the United States being obese and overweight are estimated to be \$147,000,000,000.

(11) Urban parks also decrease juvenile delinquency by providing quality after school programs. According to the Juvenile Justice Bulletin, without structured, supervised activities in the after school hours, youth are at greater risk of being victims of crime or participating in anti-social behaviors, especially during the hours of 2:00 pm to 6:00 pm.

(12) The National Youth Violence Prevention Resource Center reported that students who spend no time in extracurricular activities, such as those offered in after-school programs through parks and recreation agencies, are 49 percent more likely to have used drugs and 37 percent more likely to become teen parents than are those students who spend 1 to 4 hours per week in extracurricular activities.

(13) According to the Juvenile Justice Bulletin, without structured, supervised activities in the after-school hours, youth are at greater risk of being victims of crime or participating in anti-social behaviors. Juveniles are at the highest risk of being a victim of crime between 2:00 p.m. and 6:00 p.m., and the peak hour for juvenile crime is between 3:00 p.m. and 4:00 p.m., the first hour after most students are dismissed from school.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to authorize the Secretary to establish and carry out a community revitalization program to provide Federal grants to communities for the rehabilitation of critically

needed parks, recreational areas, and facilities, the development of improved recreational programs, and for other purposes;

(2) to improve urban areas through economic development;

(3) to prevent and improve chronic disease outcomes, including cardiovascular disease, diabetes, depression, and obesity;

(4) to improve recreational areas and facilities and expand recreation services in urban areas with a high incidence of crime and to help expand recreation opportunities for at-risk youth;

(5) to promote collaboration between local agencies involved in parks and recreation, law enforcement, youth social services, and juvenile justice system;

(6) to ensure accessibility to therapeutic recreation services and to provide recreation opportunities for injured or disabled members of the Armed Forces; and

(7) to encourage the rehabilitation of existing and construction of new urban recreational areas and facilities with environmentally beneficial components, when possible, such as sustainable landscape features and upcycled and recycled materials, and to prioritize the selection of projects that provide environmental benefits to urban areas, including by updating lighting, planting trees, increasing the urban forestry canopy, improving stormwater management, increasing green infrastructure, employing water conservation measures, and adding green spaces to urban areas.

SEC. 4. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) The term “recreational areas and facilities” means indoor or outdoor parks, buildings, sites, or other facilities that are dedicated to recreation purposes and administered by public or private nonprofit agencies to serve the recreation needs of community residents, with emphasis on public facilities readily accessible to residential neighborhoods, including multiple-use community centers that have recreation as a primary purpose, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities.

(2) The term “rehabilitation and construction grants” means matching capital grants to local governments for the purpose of rebuilding, remodeling, expanding, or developing existing or building new recreational areas and facilities, including improvements in park landscapes, infrastructure, buildings, and support facilities, and the provision of lighting, emergency phones, or other capital improvements to improve the security of urban parks, but excluding routine maintenance and upkeep activities.

(3) The term “innovation and recreation program” grants means matching grants to local governments to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost effective ways to augment park and recreation opportunities, or support new or existing programs, which increase access to recreation opportunities for returning veterans and active duty military and their families or provide constructive alternatives for youth at risk for engaging in criminal behavior.

(4) The term “recovery action program grants” means matching grants to local governments for development of local park and recreation recovery action programs, including for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to encourage public definition of goals and develop priorities and strategies for overall recreation system recovery.

(5) The term “maintenance” means all commonly accepted practices necessary to keep recreational areas and facilities operating in a state of good repair and to protect such areas and facilities from deterioration resulting from normal wear and tear.

(6) The term “local government” means any city, county, town, township, parish, village, or any local or regional special district such as a park district, conservation district, or park authority.

(7) The term “private nonprofit agency” means a community-based, non-profit organization, corporation, or association organized for purposes of providing recreation, conservation, and educational services directly to urban residents on either a neighborhood or community-wide basis through voluntary donations, voluntary labor, or public or private grants.

(8) The term “Secretary” means the Secretary of Housing and Urban Development.

(9) The term “State” means any State of the United States (or any instrumentality of a State approved by the Governor), the District of Columbia, and the Commonwealth of Puerto Rico.

(10) The term “insular areas” means Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

SEC. 5. FEDERAL ASSISTANCE GRANTS.

(a) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations establishing a community revitalization program to provide Federal rehabilitation and construction grants, innovation and recreation programming grants, and recovery action program grants in accordance with this Act.

(b) REQUIREMENTS.—The regulations required under subsection (a) shall include—

(1) eligibility requirements for the grant program established pursuant to such subsection;

(2) the timing and form of applications required to be submitted to the Secretary by local governments seeking such grants;

(3) required elements of any grant application required to be submitted to the Secretary by local governments seeking such grants;

(4) criteria for priority selection and approval by the Secretary in choosing which local governments receive grant funds;

(5) guidelines for seeking modification of a project to be funded or which is funded by the grant program established pursuant to such subsection; and

(6) penalties placed on local governments that received amounts under the grant program established pursuant to such subsection for failing to comply with the reporting and recordkeeping requirements set forth in section 13, up to and including rescission of grant amounts for repetitive violations.

SEC. 6. ELIGIBILITY REQUIREMENTS AND PRIORITY CRITERIA.

(a) ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—In developing the regulations required under section 5(a), the Secretary shall set forth eligibility requirements for receiving grants under the community revitalization program established pursuant to this Act.

(2) CONSIDERATIONS.—The eligibility requirements required to be established under paragraph (1) shall be based on—

(A) evidence of a commitment to ongoing planning, rehabilitation, service, operation, and maintenance programs for park and recreations systems, as described in section 8;

(B) population density (the number of persons per square mile of land area);

(C) total population under 18 years of age or over 59 years of age;

(D) the number of unemployed people as a percentage of the civilian labor force;

(E) the percent of households without automobiles available;

(F) the percent of persons with income below 125 percent of the poverty level;

(G) the percent of single-headed households with children present; and

(H) any additional criteria the Secretary determines appropriate.

(b) PARTIAL ELIGIBILITY WAIVER.—

(1) GENERALLY.—Subject to paragraph (2), the Secretary is authorized to designate local governments in standard metropolitan statistical areas, as defined by the most current census, that do not meet all of the eligibility requirements required under subsection (a) as eligible to receive grants under this Act.

(2) LIMITATION OF FUNDS.—Grants to local governments described in paragraph (1) shall not exceed, in the aggregate, 15 percent of the funds appropriated pursuant to this Act for rehabilitation and construction, innovation and recreation program, and recovery action program grants.

(c) ELIGIBILITY CERTIFICATION.—As part of any application process set forth pursuant to the regulations prescribed under section 5, a responsible official for a local government that has applied for a grant under this Act shall certify that the local government meets all of the eligibility requirements established under this Act with respect to receipt of grant amounts under the community revitalization program established pursuant to this Act. If a local government applies for a partial eligibility waiver under subsection (b), such certification shall specify which of the eligibility requirements are met by the local government.

(d) PRIORITY CRITERIA.—

(1) GENERAL PRIORITY CRITERIA.—The Secretary shall establish priority criteria for the selection and approval of projects to be funded by grant amounts made available pursuant to this Act. The priority criteria established under this subsection shall be based on factors such as—

(A) a higher population density of the project neighborhood;

(B) demonstrated deficiencies in the condition of existing recreational areas and facilities in the project neighborhood;

(C) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for minority and low- and moderate-income residents, veterans or active duty military families, and residents with physical or mental disabilities;

(D) the number of unemployed people as a percentage of the civilian labor force of the project neighborhood;

(E) public participation in determining rehabilitation or development needs;

(F) the extent to which a project or program supports or complements target activities undertaken as part of a local government's overall community development and urban revitalization program;

(G) the extent to which such a project would—

(i) provide employment opportunities for minorities, youth, and low- and moderate-income residents in the project neighborhood; and

(ii) provide for participation of neighborhood, nonprofit, or tenant organizations in the proposed rehabilitation and construction activity or in subsequent maintenance, staffing, or supervision of recreational areas and facilities;

(H) the amount of State, local, and private support for the project as evidenced by commitments of non-Federal resources to project construction or operation; and

(I) any additional criteria the Secretary determines appropriate.

(2) PRIORITY CRITERIA FOR REHABILITATION AND CONSTRUCTION GRANTS.—In addition to

the general priority criteria established under paragraph (1), the Secretary shall establish priority criteria for the selection and approval of projects to be funded by a rehabilitation and construction grant made pursuant to this Act, including whether the project—

(A) builds recreational areas and facilities in areas that are located within half a mile of public housing or a school and do not currently have indoor or outdoor facilities;

(B) creates, maintains, or revitalizes playgrounds or active play areas for children;

(C) connects children to the outdoors for physical activity and access to nature;

(D) promotes physical activity for individuals and the community at large;

(E) works collaboratively with local governments, colleges, and universities, and other institutions to track the longitudinal rates of chronic diseases in the community such as cardiovascular disease, diabetes, depression, and obesity;

(F) uses environmentally beneficial components such as sustainable landscape features and upcycled and recycled materials;

(G) provides environmental benefits to urban areas, including by—

(i) updating lighting;

(ii) planting trees;

(iii) increasing the urban forestry canopy;

(iv) improving stormwater management;

(v) increasing green infrastructure;

(vi) employing water conservation measures; or

(vii) adding green spaces;

(H) connects to public transportation;

(I) uses LEED Green Building Standards or contains energy efficiency components such as energy efficient lighting and HVAC systems, and uses SITES sustainable landscape standards, or other sustainable components and practices;

(J) contains safe trails or routes, such as trails, bikeways, and sidewalks that connect to neighborhoods and enhance access to parks and recreational areas and facilities;

(K) enhances or expands youth development in neighborhoods and communities by engaging youth in environmental stewardship, conservation, and service projects;

(L) updates existing equipment or facilities to be in compliance with the most recent accessibility guidelines published by the United States Access Board, specifically by removing architectural barriers so that sites comply or exceed the requirements of the final guidelines for the accessibility of recreational areas and facilities; or

(M) constructs new facilities or sites to comply with or exceed the minimum requirements of the final guidelines for the accessibility of recreational sites and facilities published by the United States Access Board.

(3) PRIORITY CRITERIA FOR INNOVATION AND RECREATION PROGRAM GRANTS.—In addition to the general priority criteria established under paragraph (1), the Secretary shall establish priority criteria for the selection and approval of programs to be funded by an innovation and recreation program grant made pursuant to this Act, including whether the project or program—

(A) promotes the unique integration of recreation with other community services, such as transportation, public housing and public safety, either to expand or update current services, or to link programs within the social service structure of a neighborhood or between neighborhoods;

(B) utilizes new management and cost-saving or service-efficient approaches for improving the delivery of recreation services;

(C) serves communities with a high population of active military families or veterans;

(D) ensures accessibility to therapeutic recreation services and provides recreation

opportunities for injured or disabled members of the Armed Forces;

(E) employs veterans, youth, or uses youth volunteers;

(F) targets youth are at the greatest risk of becoming involved in violence and crime;

(G) demonstrates past success in providing constructive alternatives to youth at risk for engaging in criminal behavior;

(H) demonstrates collaboration between local park and recreation, juvenile justice, law enforcement, and youth social service agencies and nongovernmental entities, including private, nonprofit agencies; and

(I) shows the greatest potential of being continued with non-Federal funds or may serve as models for other communities.

SEC. 7. REHABILITATION AND INNOVATION AND RECREATION PROGRAM GRANTS.

(a) **AUTHORIZATION.**—Upon approval of an application by the chief executive of an eligible local government, the Secretary may provide 70 percent matching rehabilitation and construction grants and innovation and recreation program grants directly to such eligible local government.

(b) **TRANSFER.**—At the discretion of a local government receiving a rehabilitation and construction grant or innovation and recreation program grant pursuant to subsection (a), and if consistent with an approved application, such a grant may be transferred in whole or in part to private nonprofit agencies, provided that assisted recreational areas and facilities owned or managed by such private nonprofit agencies offer recreation opportunities to the general population within the jurisdictional boundaries of the local government.

(c) **PAYMENTS.**—Grant payments may be made only for rehabilitation and construction or innovation and recreation projects and programs approved by the Secretary. In the case of rehabilitation and construction and innovation projects, such payments may be made periodically in keeping with the rate of progress toward the satisfactory completion of a project, except that the Secretary may, when appropriate, make advance payments on approved rehabilitation and construction and innovation projects in an amount not to exceed 20 percent of the total project cost.

(d) **MODIFICATION OF PROJECT.**—The Secretary may authorize modification of an approved rehabilitation and construction or innovation project only when a grantee has adequately demonstrated that such modification is necessary because of circumstances not foreseeable at the time such project was proposed.

(e) **SPECIAL CONSIDERATIONS FOR INNOVATION AND RECREATION PROGRAM.**—Innovation grants shall correspond to the goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 8(b) of this Act.

SEC. 8. LOCAL COMMITMENTS TO SYSTEM RECOVERY AND MAINTENANCE.

(a) **RECOVERY ACTION PROGRAMS.**—

(1) **IN GENERAL.**—As a requirement for project approval, a local government applying for a grant under this Act shall submit to the Secretary evidence of its commitment to ongoing planning, rehabilitation, service, operation, and maintenance programs for its park and recreation systems. Such commitment shall be expressed in a local park and recreation recovery action program that maximizes coordination of all community resources, including other federally supported urban development and recreation programs.

(2) **INTERIM PRELIMINARY ACTION PROGRAMS.**—During an initial interim period to be established by regulation, the recovery

action program requirement under paragraph (1) may be satisfied by submission of preliminary action programs of a local government that define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit such local government to a scheduled program development process.

(3) **5-YEAR ACTION PROGRAM.**—Following the interim period under paragraph (2), each local government applicant shall submit to the Secretary, as a condition of eligibility, a 5-year park and recreation recovery action program that demonstrates—

(A) identification of recovery objectives, priorities, and implementation strategies;

(B) adequate planning for rehabilitation of specific recreational areas and facilities, including projections of the cost of proposed projects;

(C) capacity and commitment to assure that facilities provided or improved under this Act shall thereafter continue to be adequately maintained, protected, staffed, and supervised;

(D) intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought, except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and

(E) the relationship of the park and recreation recovery action program to overall community development and urban revitalization efforts.

(4) **CONTINUING PLANNING PROCESS.**—Where appropriate, the Secretary may encourage local governments to meet recovery action program requirements through a continuing planning process which includes periodic improvements and updates in recovery action program submissions to eliminate identified gaps in program information and policy development.

(b) **RECOVERY ACTION PROGRAM SPECIAL CONSIDERATIONS.**—Recovery action programs shall address, at a minimum, the following special considerations:

(1) **Rehabilitation of existing recreational areas and facilities, including—**

(A) general systemwide renovation;

(B) special rehabilitation requirements for recreational areas and facilities in areas of high population concentration and economic distress; and

(C) restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance.

(2) **Local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including—**

(A) recycling of abandoned schools and other public buildings for recreation purposes;

(B) multiple use of operating educational and other public buildings;

(C) purchase of recreation services on a contractual basis;

(D) use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents;

(E) integration of the recovery action program with federally assisted projects to maximize recreation opportunities through conversion of abandoned railroad and highway rights-of-way, waterfront, and other redevelopment efforts and such other federally assisted projects, as appropriate;

(F) conversion to recreational use of street space, derelict land, and other public lands not now designated for neighborhood recreational use; and

(G) use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

(C) PUBLICATION OF REQUIREMENTS.—The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(D) INNOVATION AND RECREATION PROGRAM GRANT.—

(1) ELIGIBILITY.—In order to be eligible to receive an at-risk youth recreation grant, a local government shall—

(A) include in its 5-year park and recreation recovery action program the goal of—

(i) utilizing new ideas, concepts, and approaches aimed at improving facility design, operations, or programming in the delivery of recreation services;

(ii) increased access of therapeutic or other recreation services to veterans and military families; or

(iii) reducing crime and juvenile delinquency; and

(B) provide a description of implementation strategies to achieve such goals.

(2) COORDINATION.—The description of implementation strategies under paragraph (1) shall also address how the local government is coordinating its recreation programs with other community development or service agencies.

(E) RECOVERY ACTION PROGRAM GRANTS.—The Secretary is authorized to provide up to 50 percent matching grants to eligible local government applicants for recovery action program development and planning to meet the objectives of this section.

SEC. 9. STATE ACTION INCENTIVE; FEDERAL GRANTS, INCREASE.

The Secretary is authorized to increase Federal rehabilitation and construction grants and innovation and recreation program grants authorized under section 7, by providing an additional match equal to the total match provided by a State of up to 15 percent of the total project or program costs. In no event may the Federal matching amount exceed 85 percent of total project or program cost. The Secretary shall further encourage the States to assist in assuring that local recovery plans and programs are adequately implemented by cooperating with the Department of Housing and Urban Development in monitoring local park and recreation recovery action programs and in assuring consistency of such plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

SEC. 10. MATCHING REQUIREMENTS; NON-FEDERAL SHARE OF PROJECT OR PROGRAM COSTS.

(A) NON-FEDERAL SOURCES.—The non-Federal share of project or program costs assisted under this Act may be derived from—

(1) general or special purpose State or local revenues;

(2) State categorical grants;

(3) special appropriations by State legislatures;

(4) donations of land, buildings, or building materials;

(5) in-kind construction, technical, and planning services; or

(6) any combination of paragraphs (1) through (5).

(B) PROHIBITED SOURCES.—No moneys from any Federal grant program other than general revenue sharing and the community development and energy efficiency and conservation block grant programs shall be used to match Federal grants under this program.

(C) PRIVATE CONTRIBUTIONS.—The Secretary shall encourage States and private interests to contribute, to the maximum ex-

tent possible, to the non-Federal share of project or program costs.

SEC. 11. CONVERSION OF RECREATION PROPERTY.

No property improved or developed with assistance under this Act shall, without the approval of the Secretary, be converted for uses other than for public recreation. The Secretary shall approve such conversion only if the Secretary determines it to be consistent with the current local park and recreation recovery action program and only upon such conditions as the Secretary determines necessary to assure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

SEC. 12. COORDINATION OF PROGRAM.

The Secretary shall—

(1) coordinate the urban revitalization and livable communities program with other Federal departments and agencies and with State agencies that administer programs and policies affecting urban areas such as the White House Office of Urban Policy and departments that administer programs and policies affecting climate change, green jobs, housing, urban development, natural resources management, employment, transportation, community services, and voluntary action;

(2) encourage maximum coordination of the program between appropriate State agencies and local government applicants; and

(3) require that local government applicants include provisions for participation of community and neighborhood residents, including youth, and for public-private coordination in recovery action program planning and project selection.

SEC. 13. REPORT; RECORDKEEPING; AUDIT AND EXAMINATION.

(A) REPORT.—Each recipient of assistance under this Act shall submit to the Secretary, for each fiscal year such assistance is received, an annual report detailing the projects and programs undertaken with such assistance, the number of jobs created by such assistance, and any other information the Secretary determines appropriate based on the priority criteria established by the Secretary under sections 5 and 6.

(B) RECORDKEEPING.—Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records that fully disclose the amount and disposition of project or program undertakings in connection with which assistance under this Act is given or used, and the amount and nature of that portion of the cost of the project or program undertaken supplied by other sources, and such other records as will facilitate an effective audit.

(C) AUDIT AND EXAMINATION.—The Secretary and the Comptroller General of the United States, or their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of a recipient of assistance under this Act that are pertinent to such assistance.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

(A) IN GENERAL.—There are authorized to be appropriated such sums as necessary to carry out this Act for each of fiscal years 2013 through 2022.

(B) RECOVERY ACTION PROGRAM GRANTS.—Not more than 3 percent of the funds appropriated pursuant to subsection (a) in any fiscal year may be used for grants for the development of local park and recreation recovery action programs pursuant to section 8 of this Act.

(C) INNOVATION AND RECREATION PROGRAM GRANTS.—Not more than 10 percent of the

funds appropriated pursuant to subsection (a) in any fiscal year may be used for innovation grants pursuant to section 7 of this Act.

(D) DISCRETIONARY FUND.—Notwithstanding any other provision of this Act or any other law or regulation, not more than 2 percent of the funds appropriated pursuant to subsection (a) in any fiscal year may be used to provide rehabilitation and construction grants, innovation and recreation program grants, and recovery action program grants to be used in the insular areas. Such sums will not be subject to the matching provisions of this Act, and may only be subject to such conditions, reports, plans, and agreements, if any, as determined by the Secretary.

SEC. 15. LIMITATION OF USE OF FUNDS.

Not more than 10 percent of funds appropriated pursuant to section 14 for rehabilitation and construction grants in any fiscal year may be used for the acquisition of lands or interests in land.

SEC. 16. REPORTS TO CONGRESS.

(A) INTERIM REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress an interim report containing such findings and recommendations as the Secretary determines appropriate with respect to the community revitalization program established pursuant to this Act.

(B) FINAL REPORT.—Not later than 10 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the overall impact of the community revitalization program established pursuant to this Act.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3587. A bill to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the California Coastal National Monument Expansion Act. Congressman MIKE THOMPSON recently introduced companion legislation to this bill in the House of Representatives, and I thank him for all of the work he has done on advancing this initiative. I would also like to thank Senator DIANNE FEINSTEIN for joining me as an original co-sponsor of this legislation.

The California Coastal National Monument, created by President Clinton in 2000, stretches over 1,100 miles off California's coast and protects more than 20,000 small islands, rocks, exposed reefs, and islands between Mexico and Oregon. My bill would incorporate 1,225 acres of the Stornetta Public Lands and other public lands near the city of Point Arena in Mendocino County into the existing National Monument, creating the Monument's first onshore additions. By expanding the National Monument to include the "Point Arena-Stornetta Public Lands," my bill not only preserves the area for future generations, but also helps create a more cohesive bridge between the offshore resources and onshore public lands. Visitors will have contiguous public access to the current National Monument, the proposed expansion

area, the adjacent Manchester Beach State Park, and the historic Point Arena Lighthouse.

It is crucial that steps be taken to ensure the permanent preservation of this naturally diverse segment of the California Coast, which encompasses over two miles of coastline with natural bridges, tide pools, waterfalls, sinkholes and blowholes, and portions of the Garcia River and surrounding estuary. The area is not only recognized for its breathtaking coastal formations, but also for outstanding natural resources that include extensive wetlands, rumped sand dunes, and rolling meadows. Adding these lands to the National Monument will provide additional resources for more effective management and conservation program opportunities.

The "Point Arena-Stornetta Public Lands" is also home to a diverse ecosystem. The Garcia River is crucial habitat for Coho and Chinook salmon habitat, as well as a prime birding location for multiple bird species including the Laysan Albatross, Peregrine Falcon, Great Blue Heron, and many others. These lands are also the targets of restoration efforts that would help protect local endangered wildlife such as the Point Arena Mountain Beaver, Behren's Silverspot Butterfly, and other species of concern, like the Black Oyster Catcher.

In Mendocino County, tourism is responsible for supporting almost 5,000 jobs, with visitors bringing in \$19 million annually in state and local taxes. Visitors come from all over the world to experience the beauty and natural wonders of California's northern coast, and local businesses and nearby towns will benefit from the increased profile of a National Monument designation. A National Monument designation will bring increased awareness to the recreational opportunities available in the area, including hiking, fishing, bird watching, nature photography and wildlife watching. This designation could also attract increased resources to support the needs of the area.

It is no wonder that the "Point Arena-Stornetta Public Lands" are often referred to as the most significant parts of the Mendocino coastline. These magnificent lands have tremendous natural and recreational value, and it is imperative for them to be included as part of the California Coastal National Monument. I look forward to working with my colleagues to pass this important legislation. The "Point Arena-Stornetta Public Lands" deserves National Monument recognition, and I urge my colleagues to join me in supporting this effort.

By Mr. REED:

S. 3589. A bill to require the Comptroller of the Currency to establish a pilot program to facilitate communication between borrowers and servicers; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing the Mortgage Modification Outreach Act.

Despite some promising indicators in the housing market, many homeowners continue to face the threat of foreclosure. In my home state of Rhode Island, 22.6 percent of mortgages are underwater and 7.65 percent of homeowners are either in the foreclosure process or at least 90 days delinquent on their payment, a level which is higher than the national average.

I have heard from many of my constituents about the difficulties they experience when applying for loan modifications, and so the bill I am introducing focuses on providing homeowners with a face and a place where they can get more help.

First, the bill establishes a pilot program that would allow homeowners to receive information on how to reach their single point of contact by simply visiting a consumer banking branch affiliated with their mortgage servicer. Second, at the same affiliated bank branch, the homeowner can receive the address of a nearby location at which the homeowner can, at no cost in some cases, copy, fax, scan, or send all the paperwork that is required during the loan modification process. Simply put, my bill would enable a borrower to walk into the local bank branch affiliated with their mortgage servicer and get some face to face help.

This pilot program is designed to bridge the gap that has arisen as struggling homeowners have sought—unsuccessfully in too many instances—to get easy answers to basic questions from their mortgage servicer as they navigate the loan modification process. Homeowners looking for assistance should neither have to jump through countless hoops nor be given the run-around. They should be treated like customers.

There is no single solution that will help us gain traction in the housing market. However, along with my other efforts, such as S. 489, the Preserving Homes and Communities Act, S. 2162, the Project Rebuild Act, and my efforts to convert vacant foreclosed homes into rental properties, this legislation represents another commonsense approach to helping homeowners stay in their homes, reducing foreclosures, and healing the housing market.

This bill is supported by the National Consumer Law Center and the National Association of Realtors. I look forward to working with my colleagues to pass this legislation.

By Mr. INHOFE:

S. 3602. A bill to repeal the nutrition entitlement programs and establish a food stamp block grant program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. INHOFE. Mr. President, I rise to introduce a new bill, the Food Stamp Restoration Act. This is a bill that will completely revamp the Food Stamp program, which is something that is

desperately needed. Since the beginning of the Obama administration, the number of Americans on Food Stamps has increased by 46 percent. Over 46 million Americans currently claim Food Stamp benefits, and this costs taxpayers over \$80 billion per year. In 2008, just four years ago, the program cost \$40 billion per year—it has more than doubled in cost under President Obama's leadership.

How on earth did we get here?

Many changes to the program that have ballooned its cost have been made in recent years. President Obama, in his stimulus package, pushed reforms that both made it easier to qualify for the program and increased the value of the program's benefits. When the stimulus bill passed, the Congressional Budget Office estimated that the changes made to the Food Stamp program would increase the cost of it by to nearly \$60 billion over 10 years.

Worse yet, the President has pursued economic, tax, and regulatory policies that are anti-business. These policies have made the business environment uncertain, which makes it nearly impossible for firms to invest in and expand their businesses. Businesses are doing well to simply hold on to what they already have. This has kept both unemployment and food stamp enrollment higher than it should be.

Since the stimulus package, there have been a few efforts to tinker with the structure and value of the Food Stamp program, but none of them have amounted to much. The Senate-passed Farm Bill reduced the cost of the program by a paltry \$4 billion over 10 years, which is less than 1 percent of its total 10-year cost. That was one of the main reasons I voted against the Farm Bill.

But we have moved well beyond tinkering around the edges. If we do not do anything to dramatically reform the food stamp program, it will cost Federal taxpayers nearly \$800 billion over the next decade. This program needs to change.

That is why I am introducing the Food Stamp Restoration Act.

Today, the Food Stamp program is a mandatory program, meaning that Congress does not have to appropriate money every year for the Food Stamp program to be funded. Rather, it is funded automatically. This dramatically reduces Congressional accountability over the program, leaving few opportunities to make adjustments and improvements to the program. This needs to change.

My bill tackles this problem head on. The Food Stamp Restoration Act converts the program from a mandatory program into a discretionary one. If my bill is enacted, Congress will have to decide each year how much money to spend on the Food Stamp program.

My bill also removes the power of designing and running the program from the Federal Government and gives it to the states. The new Food Stamp program will be a block grant, which

means that States will be given nearly limitless flexibility to design and implement their food stamp programs in the way that best serves their people.

This makes sense to me. I have never thought that bureaucrats in Washington understood Oklahomans. But the people in Oklahoma City do. If my bill is enacted, each State will receive an allotment from the Food Stamp appropriation that will be proportional to the number of individuals living in the State with an income at or below the Federal poverty level. Benefits will be given to the people who need them most.

States will only have to meet a few requirements to qualify for the block grant. First, their program will not be allowed to authorize benefit spending on things like alcohol and tobacco. The program should only allow benefit spending on real food. Second, all beneficiaries must submit themselves to drug testing. Finally, States must implement work requirements for the beneficiaries. This follows the general welfare reform efforts that I have been championing since first coming to the Senate.

To give States flexibility during times of economic weakness, they will be able to keep their allotment of funds for up to 5 years. This will allow States to provide benefits to more people during times of higher unemployment. After 5 years, if States have unused funds, the money will return to the Treasury for deficit reduction or debt repayment.

All told, my bill will save over \$300 billion for Federal taxpayers, and it make significant improvements to the current program by giving States complete control over the design and implementation of the programs within their States.

The Obama administration has dramatically increased the cost of this welfare program, making millions more Americans reliant on federal assistance than necessary. The cost has doubled in just four short years. I urge the Senate to consider my bill soon so that we can save taxpayers \$300 billion over 10 years while reducing the dependency of the population on government programs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Food Stamp Restoration Act of 2012".

SEC. 2. FOOD STAMP BLOCK GRANT PROGRAM.

(a) IN GENERAL.—For each of fiscal years 2014 through 2021, the Secretary of Agriculture (referred to in this Act as the "Secretary") shall establish a food stamp block grant program under which the Secretary shall make annual grants to each participating State that establishes a food stamp

program in the State and submits to the Secretary annual reports under subsection (d).

(b) REQUIREMENTS.—As a requirement of receiving grants under this section, the Governor of each participating State shall certify that the State food stamp program includes—

- (1) work requirements;
- (2) mandatory drug testing;
- (3) verification of citizenship or proof of lawful permanent residency of the United States; and
- (4) limitations on the eligible uses of benefits that are at least as restrictive as the limitations in place for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) as of May 31, 2012.

(c) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each participating State in an amount equal to the product of—

- (1) the amount made available under section 3 for the applicable fiscal year; and
- (2) the proportion that—

(A) the number of legal residents in the State whose income does not exceed 100 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any revision required by such section) applicable to a family of the size involved; bears to

(B) the number of such individuals in all participating States for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(d) ANNUAL REPORT REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1 of each year, each State that receives a grant under this section shall submit to the Secretary a report that shall include, for the year covered by the report—

(A) a description of the structure and design of the food stamp program of the State, including the manner in which residents of the State qualify for the program;

(B) the cost the State incurs to administer the program;

(C) whether the State has established a rainy day fund for the food stamp program of the State; and

(D) general statistics about participation in the food stamp program.

(2) AUDIT.—Each year, the Comptroller General of the United States shall—

(A) conduct an audit on the effectiveness of the nutritional assistance block grant program and the manner in which each participating State is implementing the program; and

(B) not later than June 30, submit to the appropriate committees of Congress a report describing—

- (i) the results of the audit; and
- (ii) the manner in which the State will carry out the food stamp program in the State, including eligibility and fraud prevention requirements.

(e) USE OF FUNDS.—

(1) IN GENERAL.—A State that receives a grant under this section may use the grant in any manner determined to be appropriate by the State to provide food stamps to the legal residents of the State.

(2) AVAILABILITY OF FUNDS.—Grant funds made available to a State under this section shall—

(A) remain available to the State for a period of 5 years; and

(B) after that period, shall—

(i) revert to the Federal Government to be deposited in the Treasury and used for Federal budget deficit reduction; or

(ii) if there is no Federal budget deficit, be used to reduce the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 3. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act—

- (1) for fiscal year 2014, \$40,000,000,000;
- (2) for fiscal year 2015, \$40,700,000,000;
- (3) for fiscal year 2016, \$41,600,000,000;
- (4) for fiscal year 2017, \$42,400,000,000;
- (5) for fiscal year 2018, \$43,200,000,000;
- (6) for fiscal year 2019, \$44,100,000,000;
- (7) for fiscal year 2020, \$45,000,000,000; and
- (8) for fiscal year 2021, \$45,900,000,000.

(b) DISCRETIONARY SPENDING LIMIT ADJUSTMENT.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended—

- (1) in paragraph (3), by striking the figure and inserting "\$1,106,000,000,000";
- (2) in paragraph (4), by striking the figure and inserting "\$1,126,700,000,000";
- (3) in paragraph (5), by striking the figure and inserting "\$1,148,600,000,000";
- (4) in paragraph (6), by striking the figure and inserting "\$1,173,400,000,000";
- (5) in paragraph (7), by striking the figure and inserting "\$1,199,200,000,000";
- (6) in paragraph (8), by striking the figure and inserting "\$1,226,100,000,000";
- (7) in paragraph (9), by striking the figure and inserting "\$1,253,000,000,000"; and
- (8) in paragraph (10), by striking the figure and inserting "\$1,279,900,000,000".

(c) DISCRETIONARY CAP ADJUSTMENT FOR NEW PROGRAM SPENDING.—Section 251A(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(2)) is amended—

- (1) in subparagraph (B)(ii), by striking the figure and inserting "\$550,000,000,000";
- (2) in subparagraph (C)(ii), by striking the figure and inserting "\$560,700,000,000";
- (3) in subparagraph (D)(ii), by striking the figure and inserting "\$571,600,000,000";
- (4) in subparagraph (E)(ii), by striking the figure and inserting "\$583,400,000,000";
- (5) in subparagraph (F)(ii), by striking the figure and inserting "\$596,200,000,000";
- (6) in subparagraph (G)(ii), by striking the figure and inserting "\$610,100,000,000";
- (7) in subparagraph (H)(ii), by striking the figure and inserting "\$623,000,000,000"; and
- (8) in subparagraph (I)(ii), by striking the figure and inserting "\$635,900,000,000".

SEC. 4. REPEALS.

(a) IN GENERAL.—Effective September 30, 2013, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) REPEAL OF MANDATORY FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, effective September 30, 2013, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date) shall cease to be a program funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)) prior to the amendment made by paragraph (2)).

(2) DIRECT SPENDING.—Effective September 30, 2013, section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) is amended—

(A) in subparagraph (A), by adding "and" at the end;

(B) in subparagraph (B), by striking "and" at the end and inserting a period; and

(C) by striking subparagraph (C).

(3) ENTITLEMENT AUTHORITY.—Effective September 30, 2013, section 3(9) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(9)) is amended—

(A) by striking "means—" and all that follows through "the authority to make" and inserting "means the authority to make";

(B) by striking "and" and inserting a period; and

(C) by striking subparagraph (B).

(4) OTHER DIRECT SPENDING.—Effective September 30, 2013, section 1026(5) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 691e(5)) is amended—

(A) in subparagraph (A), by adding “and” at the end;

(B) in subparagraph (B), by striking “; and” at the end and inserting a period; and

(C) by striking subparagraph (C).

(c) RELATIONSHIP TO OTHER LAW.—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the food stamp block grant program under this Act.

SEC. 5. BASELINE.

Notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the baseline shall assume that, on and after September 30, 2013, no benefits shall be provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 571—CONGRATULATING THE NUNAKA VALLEY LITTLE LEAGUE JUNIOR GIRLS SOFTBALL TEAM ON WINNING THE 2012 LITTLE LEAGUE JUNIOR SOFTBALL WORLD SERIES

Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 571

Whereas the Nunaka Valley Little League Junior girls softball team is comprised of young women who play softball in Anchorage, Alaska;

Whereas the Nunaka Valley Little League Junior softball team compiled an extraordinary record of 7 wins and 1 loss on their way to winning the State tournament;

Whereas the Nunaka Valley Little League Junior softball team went undefeated in 4 games in winning the West Regional Tournament in Tucson, Arizona;

Whereas in August, 2012, the Nunaka Valley Little League Junior softball team represented the West Region at the Little League Junior Softball World Series in Kirkland, Washington;

Whereas Nunaka Valley Little League Junior softball team manager Richard Hill led the Nunaka Valley Little League Junior softball team to the Little League Junior Softball World Series for a third time in 4 years;

Whereas on August 18, 2012, the Nunaka Valley Little League Junior softball team defeated Victoria, British Columbia to win the 2012 Little League Junior Softball World Series;

Whereas the Nunaka Valley Little League Junior softball team won 5 games and lost just 1 en route to becoming 2012 Little League Junior Softball World Series champions;

Whereas over 2,000 teams and 30,000 players compete in Little League Junior girls softball;

Whereas the Nunaka Valley Little League Junior girls softball team is the Little League Junior Softball World Series champions;

Whereas the teamwork and commitment of the entire Nunaka Valley Little League Jun-

ior girls softball team and the encouragement of their families has again led them to success;

Whereas Little League softball and baseball has provided a positive athletic experience and fostered teamwork and sportsmanship for millions of children in the United States and around the world; and

Whereas, Alaskans everywhere are proud of the Nunaka Valley Little League Junior girls athletes: Jacynne Augafa, Leilani Blair, Morgan Hill, Ashton Jessee, Alexis Joubert, Felila Manu, Taria Page, Hannah Peterson, Teighlor Rardon, Sierra Rosenzweig, Lauren Syrup, and Nanea Tali on their accomplishments in 2012: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates all of the Nunaka Valley Little League Junior girls softball team, parents, and coaching staff on a championship season; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the Nunaka Valley Little League president, Greg Davis; and

(B) the Nunaka Valley Junior Girls manager, Richard Hill; and

(C) coaches Rick Peterson and Sean Syrup.

SENATE RESOLUTION 572—DESIGNATING SEPTEMBER 2012 AS THE “NATIONAL MONTH OF VOTER REGISTRATION”

Mr. CARDIN (for himself, Mr. SANDERS, Mrs. BOXER, Mr. MERKLEY, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 572

Whereas the United States has overcome the stains of historic State-sponsored voting discrimination, including State laws that imposed voting qualifications such as property ownership, religious qualifications, grandfather clauses, poll taxes, and literacy tests and were designed to exclude racial minorities, poorer voters, and certain religious groups from voting;

Whereas courts have struck down these State laws because the laws conflict with the Constitution of the United States;

Whereas Congress has continuously moved to expand the franchise of voting;

Whereas the 13th, 14th, 15th, 19th, 23rd, 24th, and 26th amendments to the Constitution of the United States are intended to protect minorities, poorer voters, women, the elderly, and youth from voting discrimination;

Whereas, in 1965, Congress enacted the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) to remedy past discrimination in voting and protect vulnerable citizens from practices that infringe on the right to vote or elect a candidate of their choice;

Whereas, in 1993, Congress enacted the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) to establish protections around the voting process, increase the number of citizens who register to vote, and encourage governments to protect the integrity of the electoral process;

Whereas, in 2002, in response to the controversy surrounding the 2000 presidential election, Congress enacted the Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.), which provided new standards for voting systems, created the independent Election Assistance Commission to assist with the administration of Federal elections, and established minimum standards for States and local governments that administer Federal elections;

Whereas Congress has reauthorized the Voting Rights Act of 1965 5 times, most recently in 2006, recognizing the need for continued enforcement against State practices in voting that discriminate against or disenfranchise vulnerable citizens;

Whereas, since 2010, some States have enacted voting laws that are reminiscent of historic State-sponsored voting discrimination;

Whereas some States have already disenfranchised some young people, elderly people, and former Members of Congress through strict new voting laws;

Whereas some States continue to disenfranchise United States citizens with past criminal convictions who live and work in our communities;

Whereas Members of Congress and notable civil rights organizations have studied recently-enacted State voting laws and calculated that the laws will have a grave impact on millions of minority, elderly, young, and poor individuals who are eligible to vote and will seek to register to vote and vote on election day;

Whereas, since March 12, 2012, 2 State courts in Wisconsin have held that the Wisconsin voter identification law enacted in 2011 violates the Wisconsin constitution, with one court writing that “a government that undermines the very foundation of its existence—the people’s inherent, pre-constitutional right to vote—imperils its legitimacy as a government by the people, for the people, and especially of the people”;

Whereas Federal courts in both Florida and Washington, DC, recently struck down new Florida state laws that restrict new voter registration and early voting hours, with one court writing that the new restrictions on voter registration drives “impose burdensome record-keeping and reporting requirements that serve little if any purpose, thus rendering them unconstitutional even to the extent they do not violate the [National Voter Registration Act of 1993]”, and another court holding, “[W]e conclude that we cannot . . . preclear Florida’s early voting changes because the State has failed to satisfy its burden of proving that those changes will not have a retrogressive effect on minority voters. Specifically, the State has not proven that the changes will be nonretrogressive if the covered counties offer only the minimum number of early voting hours that they are required to offer under the new statute, which would constitute only half the hours required under the prior law.”;

Whereas a Federal court in Washington, DC, recently struck down a Texas voter identification law, writing that the law “imposes strict, unforgiving burdens on the poor” and that “a disproportionately high percentage of African Americans and Hispanics in Texas live in poverty”;

Whereas a Federal court in Ohio recently struck down a State law that mandated that even in cases where poll workers steer voters to the wrong polling place, provisional votes cast in the wrong precinct must be discarded;

Whereas State representatives and political leaders in States such as New Hampshire, Pennsylvania, and Florida have made public admissions about how certain laws in their States were designed to put a dent in the democratic process;

Whereas, without a response from Congress, millions of voters in the United States may be subjected to State actions that will harm the franchise;

Whereas the month of September 2012 would be an appropriate month to commemorate a national focus on the importance of every citizen being registered and empowered to vote;

Whereas, during September 2012, each voting-eligible citizen should register to vote, verify that the name, address, and other personal information on record for the citizen at the State or local board of elections is correct, confirm that the citizen has everything in hand that will be required to vote on election day, and confirm the correct polling place for election day; and

Whereas States should abolish all restrictive voter identification laws that disenfranchise vulnerable voting-eligible citizens, comply with the National Voter Registration Act of 1993, protect the voting rights of public assistance and disability clients during an economic downturn, and stop misguided, discriminatory, and inaccurate purging programs that have the risk of purging eligible voters: Now, therefore be it

Resolved, That the Senate—

(1) designates September 2012 as the “National Month of Voter Registration” to encourage each voting-eligible citizen to register to vote, verify that the name, address, and other personal information on record for the citizen at the State or local board of elections is correct, confirm that the citizen has everything in hand that will be required to vote on election day, and confirm the correct polling place for election day;

(2) calls on State and local election officials to conduct public outreach and take affirmative steps to encourage voter registration;

(3) encourages States to be fully compliant with the National Voter Registration Act of 1993 and other Federal voting rights laws as election day approaches; and

(4) requests that the President issue a proclamation for the National Month of Voter Registration calling upon the people of the United States to observe the month with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 573—DESIGNATING THE THIRD WEEK OF JANUARY 2013, AS “TEEN CANCER AWARENESS WEEK”

Mr. MENENDEZ (for himself and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 573

Whereas cancer among adolescents is rare, but is still the leading cause of death from disease for teenagers between the ages of 15 and 19;

Whereas teenage cancer patients receive treatment at various types of medical establishments, including pediatric hospitals, pediatric oncology centers, and adult cancer facilities;

Whereas teenage cancer patients may feel out of place in any of these settings if their clinical and psychosocial needs are not met;

Whereas 40 percent of cancer patients aged 14 and younger are enrolled in clinical trials, compared with only 9 percent of cancer patients between the ages of 15 and 24;

Whereas teenagers with cancer have unique concerns about their education, social lives, body image, and infertility, among other concerns, and their needs may be misunderstood or unacknowledged;

Whereas many adolescent cancer survivors have difficulty readjusting to school and social settings, experience anxiety, and in some cases face increased learning difficulties; and

Whereas it is important to understand the biological and clinical needs of teenagers with cancer, seek the prevention of cancer in teenagers, and increase awareness in the general public of the unique challenges fac-

ing teenagers with cancer: Now, therefore, be it

Resolved, That the Senate designates the third week of January 2013 as “Teen Cancer Awareness Week” to promote awareness of teenage cancer and the unique medical and social needs of teenagers with cancer.

SENATE RESOLUTION 574—CALLING ON THE UNITED NATIONS TO TAKE CONCERTED ACTIONS AGAINST LEADERS IN IRAN FOR THEIR STATEMENTS CALLING FOR THE DESTRUCTION OF ANOTHER UNITED NATIONS MEMBER STATE, ISRAEL

Mrs. GILLIBRAND (for herself, Ms. AYOTTE, Mrs. HUTCHISON, Mrs. SHAHEEN, Mr. KIRK, Mr. MENENDEZ, Mr. CORNYN, Mr. WYDEN, Mr. MORAN, Mr. CARDIN, Mr. HOEVEN, Mr. BROWN of Ohio, Mrs. BOXER, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. BENNET, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. BEGICH, and Mr. JOHANNES) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 574

Whereas, on August 2, 2012, President of Iran Mahmoud Ahmadinejad stated that “anyone who loves freedom and justice must strive for the annihilation of the Zionist regime in order to pave the way for world justice and freedom”;

Whereas, on August 17, 2012, President Ahmadinejad gave a televised statement that “the Zionist regime and the Zionists are a cancerous tumor,” and that “the nations of the region will soon finish off the usurper Zionists in the Palestinian land,” contending that “with the grace of God and help of the nations, in the new Middle East there will be no trace of the Americans and Zionists”;

Whereas, on February 3, 2012, Supreme Leader Ayatollah Khamenei told an audience that “the Zionist regime is a real cancerous tumor that should be cut and will be cut, God Willing”;

Whereas, on August 17, 2012, leader Ayatollah Ahmad Khatami, addressing worshippers at Tehran University, stated that “Zionists understand only the language of force” and claimed that “the Zionist regime will meet destruction through unity in the Islamic world”;

Whereas, in 2009 and 2011 speeches before the United Nations General Assembly, President Ahmadinejad insulted Israel, called into question its very existence, and denied the fact that there was a Holocaust;

Whereas other leaders in Iran have made similar statements, and the Government of Iran has displayed inflammatory symbols that express similar intent;

Whereas the Government of Iran funds, trains, and supports terrorist groups, including Hamas, Hezbollah, and Islamic Jihad Movement in Palestine among many others, all of which have murdered United States citizens, Israelis, and non-Israeli Jews and are determined to destroy Israel, and continues to support the Government of Syria in its continued oppression, violence, and abuse of its people;

Whereas, on August 30, 2012, the International Atomic Energy Agency (IAEA) reported that the Government of Iran has doubled its capacity to enrich uranium to 20 percent purity at Iran’s Fordow Fuel Enrichment Plant since May 2012;

Whereas the longstanding policy of the Iranian regime is aimed at destroying the

democratic State of Israel, a vital ally and longstanding friend of the United States, which is confirmed by statements such as those made by President Ahmadinejad and Supreme Leader Khamenei demonstrating the threat of a nuclear-armed Iran;

Whereas, 67 years ago, the United Nations was founded in the wake of the Holocaust, the Nazi genocide carried out during World War II that resulted in the slaughter of 6,000,000 Jews in Europe, in order to “save succeeding generations from the scourge of war” and uphold and protect the “dignity and worth of the human person”;

Whereas Article 2, Section 4, of the United Nations Charter, to which Iran has agreed as a Member State of the United Nations, requires all Member States to “refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state”;

Whereas the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris December 9, 1948 (commonly referred to as the “Genocide Convention”), defines genocide as, among other things, the act of killing members of a national, ethnic, racial, or religious group with the intent to destroy, in whole or in part, the targeted group;

Whereas Article 3 of the Genocide Convention prohibits conspiracy to commit genocide, as well as “direct and public incitement to commit genocide”;

Whereas Article 4 of the Genocide Convention provides that individuals committing any of the listed genocidal crimes shall be punished “whether they are constitutionally responsible rulers, public officials or private individuals”;

Whereas 142 Member States of the United Nations, including Iran, have ratified or acceded to the Genocide Convention and thereby pledged to prosecute those individuals who violate its criteria for incitement to commit genocide, as well as those individuals who commit genocide directly;

Whereas, on August 18, 2012, United Nations Secretary-General Ban Ki-moon condemned the Government of Iran’s “offensive and inflammatory statements” and his office reiterated that, “in accordance with the United Nations Charter, all members must refrain from the threat or use of force against the territorial integrity or political independence of any state”; and

Whereas, on November 9, 2006, an international coalition of 29 nongovernmental organizations urged the Government of Iran to renounce President Ahmadinejad’s call for Israel to be wiped off the map:

Now, therefore, be it

Resolved, That the Senate—

(1) condemns, in the strongest possible terms, Supreme Leader Ayatollah Khamenei and President of Iran Mahmoud Ahmadinejad’s offensive remarks, contemptible statements, and reprehensible policies aimed at the destruction of the State of Israel, and urges all United Nations Member States to do the same;

(2) calls on the United Nations Security Council to take more concerted actions against Iran for blatantly violating the United Nations Charter, including by requesting that the prosecutor of the International Criminal Court investigate leaders in Iran for violating the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris December 9, 1948 (commonly referred to as the “Genocide Convention”), and Article 2, Section 4, of the United Nations Charter;

(3) further calls on all Member States of the United Nations to fully implement existing United Nations Security Council resolutions sanctioning Iran and to take additional stronger unilateral diplomatic and economic

measures to prevent the Government of Iran from obtaining nuclear weapons, which would be both a dangerous violation of the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970, and a potential means to the end of carrying out President Ahmadinejad's threats against Israel;

(4) further calls on the United Nations Security Council and all Member States of the United Nations to consider targeted sanctions, travel bans, and other measures linked to the cessation of the Government of Iran's incitement to hatred and genocide;

(5) calls for the United Nations Secretary General's Advisory Committee on the Prevention of Genocide to implement its mandate to act as a mechanism of early warning, and to make recommendations to the United Nations Security Council to monitor and report on threats of genocide made by leaders in Iran;

(6) further calls on parties to the Genocide Convention to file a complaint against leaders in Iran before the International Court of Justice for the failure by the Government of Iran to abide by its obligations under Articles 1, 4, and 5 of the Genocide Convention; and

(7) reaffirms the unwavering strategic partnership and close friendship between the United States and Israel and reasserts the steadfast commitment of the people and the Government of the United States to defend the right of Israel to exist as a free and democratic state.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2842. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table.

SA 2843. Mr. UDALL of Colorado (for himself, Mr. BENNET, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, supra; which was ordered to lie on the table.

SA 2844. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, supra.

SA 2845. Mr. REID proposed an amendment to amendment SA 2844 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

SA 2846. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, supra.

SA 2847. Mr. REID proposed an amendment to amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

SA 2848. Mr. REID proposed an amendment to amendment SA 2847 proposed by Mr. REID to the amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, supra.

TEXT OF AMENDMENTS

SA 2842. Mr. ENZI (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 142 and insert the following:
SEC. 142. (a) Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended by striking paragraph (5).

(b) Subsection (a) takes effect on July 6, 2012.

SA 2843. Mr. UDALL of Colorado (for himself, Mr. BENNET, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, between lines 17 and 18, insert the following:

SEC. 156. (a) The Secretary of Agriculture may provide disaster relief assistance in accordance with this section to repair damage caused by natural disaster occurring in calendar year 2012 to watersheds located in any area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) The assistance authorized by this section—

(1) includes both financial and technical assistance; and

(2) shall be provided through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

(c) There is appropriated to the Secretary of Agriculture, out of funds of the Treasury not otherwise appropriated, \$27,900,000, to remain available until expended, to provide assistance under this section.

SA 2844. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

At the end, add the following new section:
SEC. _____

This joint resolution shall become effective 5 days after enactment.

SA 2845. Mr. REID proposed an amendment to amendment SA 2844 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike "5 days" and insert "4 days".

SA 2846. Mr. REID proposed an amendment to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

At the end, add the following new section:
SEC. _____

This joint resolution shall become effective 3 days after enactment.

SA 2847. Mr. REID proposed an amendment to amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike "3 days" and insert "2 days".

SA 2848. Mr. REID proposed an amendment to amendment SA 2847 proposed by Mr. REID to the amendment SA 2846 proposed by Mr. REID to the joint resolution H.J. Res. 117, making continuing appropriations for fiscal year 2013, and for other purposes; as follows:

In the amendment, strike "2 days" and insert "1 day".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 20, 2012, at 10 a.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, "Taking Consumers for a Ride: Business Practices in the Household Goods Moving Industry."

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 20, at 10 a.m. in Dirksen 406 to conduct a hearing entitled, "Water Resources Development Act: Growing the Economy and Protecting Public Safety."

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

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet, with U.S. House Committee on Ways and Means, during the session of the Senate on September 20, 2012, at 10 a.m., in HVC-210 of the Capital Visitor Center, to conduct a hearing entitled "Tax Reform and the Tax Treatment of Capital Gains."

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Roundtable Discussion: Pension Modernization for a 21st Century Workforce" on September 20, 2012, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 20, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled "Advancing the Federal-Tribal Relationship through Self-Governance and Self-Determination."

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate, on September 20, 2012, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 20, 2012, at 2 p.m., to conduct a hearing entitled "Offshore Profit Shifting and the U.S. Tax Code."

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 20, 2012, at 2:30 p.m.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 20, 2012, at 2 p.m., to hold a East Asian and Pacific Affairs subcommittee hearing entitled, "Maritime Territorial Disputes and Sovereignty Issues in Asia."

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

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Secu-

rities, Insurance, and Investment be authorized to meet during the session of the Senate on September 20, 2012, at 10 a.m., to conduct a hearing entitled "Computerized Trading: What Should the Rules of the Road Be?"

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

MEASURE READ THE FIRST
TIME—S. 3607

Mr. MERKLEY. I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 3607) to approve the Keystone XL Pipeline.

Mr. MERKLEY. I now ask for its second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for a second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 107-12, reappoints the following individual as a member of the Public Safety Officer Medal of Valor Review Board:

Trevor Whipple of Vermont.

ORDERS FOR FRIDAY, SEPTEMBER
21, 2012

Mr. MERKLEY. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 p.m. on Friday, Sep-

tember 21, 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 Republicans controlling the final half.

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

PROGRAM

Mr. MERKLEY. Unless we reach an agreement, the next rollcall vote will be after midnight tomorrow evening, but we hope we can work something out in order to complete our work.

ADJOURNMENT UNTIL 12 NOON
TOMORROW

Mr. MERKLEY. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 8:21 p.m., adjourned until Friday, September 21, 2012, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

KETANJI BROWN JACKSON, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE HENRY HAROLD KENNEDY, RETIRED.

NELSON STEPHEN ROMAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE RICHARD M. BERMAN, RETIRED.

ROBERT D. OKUN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE LINDA KAY DAVIS, RETIRED.