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House of Representatives

The House met at noon and was called to order by the Speaker.

PRAYER

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

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

As the Members of the people's House regather after our biennial elections, may Your spirit of peace descend upon them. As the 112th Congress moves toward a close, may all here attend to the business at hand, providing what is needed for the benefit of our Nation.

May all Members, regardless of the outcome of the election, trust that their future service, be it in the House or not, will be imbued with Your grace. May they be confident that Americans of goodwill are grateful for their service in the past and wish them well into the future.

We ask Your blessing as well on those newly elected who will be joining this assembly for the 113th Congress. May their transition into office be smooth and marked by the civility of democratic change of government, which is the rightful pride of the United States of America.

And finally, we ask Your blessing on America's veterans. May our Nation be faithful to them, providing whatever their needs may be after they gave years of their lives in service rather than personal gain. They are an inspiration to us. We should not forget nor neglect our responsibility to them.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

SEQUESTRATION IS TARGETING OUR MILITARY

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday with Veterans Day, our country celebrated and remembered the brave men and women who have served in our Armed Forces, dedicating their lives to protecting our freedom and keeping American families safe. Unfortunately, sequestration is targeting these honorable individuals and our national security by being implemented unless taxes are increased. Defense spending, according to The Hill newspaper, is 15.1 percent of the budget but is subject to 50 percent of the cuts.

Raising taxes during times of economic uncertainty limits the creation of new jobs. America's small businesses should be encouraged to create jobs. This will reduce the unsustainable deficit. House Republicans were reelected last week on the premise of not voting to raise taxes. I support the legislation of House Armed Services Committee Chairman BUCK MCKEON to stop sequestration and promote peace through strength.

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

THE TRUTH ABOUT BENGHAZI

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

Mr. KUCINICH. We put together a bipartisan congressional coalition to try to stop the war in Libya. That four Americans, including our ambassador, were killed confirmed our worst fears: that American power was being used to open the door for jihadists, creating more instability in the region.

Congress still doesn't know why our people in Libya were left vulnerable. We still don't know why the U.S. military was not sent to their defense. It is of the highest importance that General Petraeus, who led the CIA at the time, be brought before Congress to testify as to what really happened in Benghazi, whether there was a security lapse or whether the administration temporized on security and stood down to mollify violent, disparate groups which have nothing in common with our Nation.

U.S. involvement in Libya is a disaster, compounded by the deaths of four Americans. It is imperative that we find out the truth about Benghazi, wherever it leads, whoever it affects.

THE OBAMA ADMINISTRATION CONTINUES TO BLOCK INFORMATION

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

Mr. BURGESS. Mr. Speaker, on September 11 of this year, four Americans, including our United States ambassador, were killed in an attack at the Benghazi consulate.

On September 25, I sent a letter to President Obama regarding the numerous inconsistencies voiced by people within his administration and what they were saying following the attack. I have not heard back.

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On November 1, I emailed the State Department, requesting they speak with me, for more information. Our office emailed every business day and received no response until November 7. Then, in a scripted response, they refused my request to speak with me. No one, not one person, is willing to talk about the details.

Since they wouldn't talk to me in the privacy of my office, let me just ask them here in a public forum: Why did our ambassador die, and how did our ambassador die? It's been 2 months. You should know. Was it smoke inhalation, or was it some other cause? Was there physical evidence of torture on the ambassador's body as it was returned? And why were the bodies returned to Andrews Air Force Base when protocol dictates they go to Dover for the immediate investigation?

These questions need to be answered. The State Department needs to be forthcoming. The administration needs to be forthcoming.

I pray this Congress will exercise that authority.

THE OUTPOURING OF VOLUNTEERS IN REBUILDING NEW JERSEY

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

Mr. PALLONE. Mr. Speaker, I wanted to point out to my colleagues that the damage in my district and throughout my State in the aftermath of Hurricane Sandy was nothing less than catastrophic. But I really want to talk about the rebuilding effort today and what we need to do over the long term.

The amount of outpouring, if you will, from volunteers, from just regular people in the district, was just overwhelming. I want to thank FEMA. I want to thank the Red Cross, the Salvation Army, and all the different groups that are out there and continue to be out there today helping with this effort. The outpouring of volunteers from our own district and from New Jersey was just incredible.

Just a few days ago, I remember going to Union Beach, which was one of the towns that was hardest hit, and seeing so many people bring in food and clothing and cleaning supplies. One guy who owns a pizza place brought in a pizza oven and was making pizzas, and another guy brought in a TV so people could watch TV at the center where people come to sign up for FEMA. It was just amazing. It showed the spirit, if you will, of the people that they were willing to do that.

Thank you all again. Obviously, we're going to work on rebuilding, which is certainly the next step here in Congress and elsewhere.

BETTER LATE THAN NEVER

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

Mr. DREIER. Mr. Speaker, this being the first day that we've convened since the election, I want to begin by expressing my appreciation to our chaplain, Father Conroy, for his very inspiring and thoughtful prayer.

Mr. Speaker, we are here this week to deal with a very important issue. And I will say that we were all taught as kids, better late than never. We're here because U.S. workers at this point don't have access to 140 million potential consumers for their goods and services. I'm talking about the vote that we're going to have on so-called ''Russia Permanent Normal Trade Relations.''

Mr. Speaker, Vladimir Putin is not a good guy. Vladimir Putin has inflicted horrendous human rights policies on the people of Russia. We have seen crony capitalism take hold. And that's why it's very important, Mr. Speaker, that the United States of America be at the table as part of the WTO's effort to force Russia to live with the rules-based trading system.

Last year we exported $11 billion in goods and services to Russia. If we can pass PNTR, we will double that to $22 billion by 2017.

Mr. Speaker, it's a very important vote. We need to make sure that it's successful this week, and I'm gratified that it's going to be done in a bipartisan way.

□ 1410

EU EMISSIONS TRADING SCHEME PROHIBITION

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

Mrs. BLACKBURN. Mr. Speaker, a little bit later today the House is going to vote on the European Union Emissions Trading Scheme Prohibition Act. This is a bill that is very important to our civilian and civil aviation operators. It would block them from participating in the European Union's emission trading scheme.

Now the reason this is important is because of this: according to Bloomberg news, the inclusion of the airline industry in the EU's 2005 cap-and-trade program will cost U.S. airline companies between—get this—$10.1- and $39.4 billion from 2012 to 2020. Now who do you think is going to pay that cost? Consumers are going to pay it.

The House has already decided we don't want a cap-and-trade system. We voted against that domestically, so why would we want our airline industry to have to participate in this on an international basis? MIT economists have looked at it and said the new rule will increase costs on passengers flying to Europe, all to subsidize their cap-and-trade systems.

With rising fuel costs and a down economy, we simply cannot afford this. So for these reasons, I urge my colleagues to protect American sovereignty to support our domestic aviation industry and vote in favor of H.R. 1956.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. WOMACK) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 13, 2012.

Hon. JOHN BOEHNER,
Speaker of the House,
U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (22 U.S.C. 7002), amended by the Division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), I am pleased to reappoint Mr. Michael Wessel of Falls Church, VA, to the United States-China Economic and Security Review Commission.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

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

□ 1702

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 5 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

EUROPEAN UNION EMISSIONS TRADING SCHEME PROHIBITION ACT OF 2011

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1956) to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1956

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 ''European Union Emissions Trading Scheme Prohibition Act of 2011''.

SEC. 2. PROHIBITION ON PARTICIPATION IN THE EUROPEAN UNION'S EMISSIONS TRADING SCHEME.

(a) IN GENERAL.—The Secretary of Transportation shall prohibit an operator of a civil aircraft of the United States from participating in the emissions trading scheme unilaterally established by the European Union in EU Directive 2003/87/EC of October 13, 2003, as amended, in any case in which the Secretary determines the prohibition to be, and in a manner that is, in the public interest, taking into account—

(1) the impacts on U.S. consumers, U.S. carriers, and U.S. operators;

(2) the impacts on the economic, energy, and environmental security of the United States; and

(3) the impacts on U.S. foreign relations, including existing international commitments.

(b) PUBLIC HEARING.—After determining that a prohibition under this section may be in the public interest, the Secretary must hold a public hearing at least 30 days before imposing any prohibition.

(c) REASSESSMENT OF DETERMINATION OF PUBLIC INTEREST.—The Secretary—

(1) may reassess a determination under subsection (a) that a prohibition under that subsection is in the public interest at any time after making such a determination; and

(2) shall reassess such a determination after—

(A) any amendment by the European Union to the EU Directive referred to in subsection (a); or

(B) the adoption of any international agreement pursuant to section 3(1).

(C) enactment of a public law or issuance of a final rule after formal agency rulemaking, in the United State to address aircraft emissions.

SEC. 3. NEGOTIATIONS.

(a) IN GENERAL.—The Secretary of Transportation, the Administrator of the Federal Aviation Administration, and other appropriate officials of the United States Government—

(1) should, as appropriate, use their authority to conduct international negotiations, including using their authority to conduct international negotiations to pursue a worldwide approach to address aircraft emissions, including the environmental impact of aircraft emissions; and

(2) shall, as appropriate and except as provided in subsection (b), take other actions under existing authorities that are in the public interest necessary to hold operators of civil aircraft of the United States harmless from the emissions trading scheme referred to under section 2.

(b) EXCLUSION OF PAYMENT OF TAXES AND PENALTIES.—Actions taken under subsection (a)(2) may not include the obligation or expenditure of any amounts in the Airport and Airway Trust Fund established under section 9905 of the Internal Revenue Code of 1986, or amounts otherwise made available to the Department of Transportation or any other Federal agency pursuant to appropriations Acts, for the payment of any tax or penalty imposed on an operator of civil aircraft of the United States pursuant to the emissions trading scheme referred to under section 2.

SEC. 4. DEFINITION OF CIVIL AIRCRAFT OF THE UNITED STATES.

In this Act, the term ''civil aircraft of the United States'' has the meaning given the term under section 40102(a) of title 49, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MICA. First of all, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on S. 1956.

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

There was no objection.

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

Thank you so much, Mr. Speaker and my colleagues, and welcome back. The Congress is back in session today, and I guess all people's property and welfare and everything else is now at risk. But I'm pleased to be here to help lessen some of that risk that is a threat which has been offered to the United States in the form of a European Union emissions trading scheme.

The bill that I propose today is S. 1956, which replaces the bill that was passed a year ago in October of 2011, and that's H.R. 2594. That's legislation which I authored which basically does the same thing, again, giving the authority to prohibit the United States aircraft and operators of commercial aviation from participating in the European Union's emissions trading scheme.

Let me take just a minute and explain what this is. Several years ago, the European Union and some of the folks that are honestly concerned about emissions that come from aviation, commercial aviation in particular, decided to come up with a scheme or a plan to impose a tax on all aircraft. Now, if this had been done within the confines of the European Union, I don't think we would be standing here. But what they did is really go beyond the borders of the European Union and say that any aircraft entering the European Union from another nation will be subject to an emissions tax—and not when it reached the borders of the European Union or their states, but from where it departed.

So this would be, first of all, counter to international agreements. It is also a tax that they propose to impose on us that is unfair in every way, violates national agreements that we've had, and it unilaterally imposes this emissions trading scheme on all of the countries, including the United States. It would have a very damaging effect, first of all, because it does not do what it was set up for. The purpose of this was to try to limit or even compensate for emissions; and the scheme, as proposed, did neither.

First of all, it would impose a tax on the airlines, which would be passed on to consumers, so we would have higher aviation taxes. Secondly, when they collected the money, the plan was flawed in that the money was not in fact directed to compensate for emissions. It was basically a money-and-tax grab by European powers and not really accomplishing it. So they put a nice title on it and imposed a tax—again, unfair—against and in total violation of international law and U.S. sovereignty.

So we have tried to work with the European Union. As the chair of the Transportation Committee, we led a meeting here in Washington with EU officials and sat down one floor below where I'm standing in March of 2011 and tried to resolve the differences. We actually led a delegation and went to Brussels, the headquarters of the European Union; met in Brussels in June and July of 2011 and further discussed trying to come to some agreement to resolve differences on this matter.

And then we took our case, as Members of the United States Congress, to the International Civil Aviation Organization, which is located in Montreal. That's the international civil aviation group that sets some of the policies and the standards for international and national aviation around the world. In fact, in October, a year ago, before we introduced this legislation, we convinced I believe it was some 27 or 28 of the 35 of their governing body to vote in favor of a position we held, which other nations also held. And I think only a small minority of some of the European Union core nations, in fact, prevailed in that vote. So we succeeded in garnering international support because this isn't a tax that affects only the United States, but it affects countries around the world. So we had many international partners who said this is unfair, it's not properly crafted, and it lacked transparency and definition.

□ 1710

In fact, when we sat with the European Union counterparts, parliamentarian to parliamentarian, they could not define exactly what they were doing or how they were going to impose this. And I think they're still at a loss because they don't have it completely settled.

So there is some good news on the horizon. Yesterday, the EU announced the postponement of imposing the Emissions Trading Scheme to international flights until 2014. Now, that's a temporary delay of imposition. They have said that they'd leave some of the decision up to ICAO, but ICAO does not set policy for the United States of America.

We are a sovereign Nation, and we must, again, I think, defend the position, our position, our sovereignty and concurrence with international trade agreements that have previously been agreed on. We've got to hold people's feet to the fire and respect also U.S. sovereignty.

So that's how we have gotten ourselves into this fix. We have a temporary delay; maybe that's because of this legislation that's up today. But we

must move forward, I think, in giving the Secretary of Transportation and our officials the ability to thwart this kind of unfair tax imposed on our carriers, and that's exactly what this legislation does.

We're not doing it by ourselves. We have dozens of other countries that expressed their opposition. So we join our colleagues, both Democrat and Republican, in the committee in bringing forward this bill. It is modeled after what the House passed in October of 2011. And by passing this bipartisan, bicameral legislation that the Senate has now passed, we are notifying the European Union that we are not going to support the scheme and that, in fact, we want a positive outcome.

We want a long-term solution, but we will not allow the United States to be held hostage. The European Union or any other nation or group of nations cannot hold us hostage on these tax and international flight issues.

So we'll work with ICAO, and we'll continue to work with the European Union and others. And in the meantime, I ask my colleagues to support Senate bill 1956.

I reserve the balance of my time.

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

I rise in support of S. 1956, a bill to protect America's airline workers, passengers, and airlines from an Emissions Trading Scheme by the European Union that flies in the face of the international community.

In my view, the EU's proposed Emissions Trading Scheme is inconsistent with international aviation law and practice. Additionally, airlines and labor groups oppose it because it will impose new and unjustified costs on the industry and destroy American jobs. Rather than solving a serious global problem, the Emissions Trading Scheme has created an international distraction.

Along with 35 Democratic and Republican colleagues, I was pleased to cosponsor a similar bill last year. As I said when the House passed the bill, reducing the aviation emissions is a goal worth pursuing. I do not think anyone disagrees on that.

But the EU's Emissions Trading Scheme, when applied to U.S. airlines, is the wrong way to achieve the right objective. It goes against international law and agreements, and it brings the hand of European regulators into our own airspace. The EU's go-it-alone approach is not the way to find a global solution to a global problem.

A large part of the international community rejects the EU's approach. The United States has joined more than 20 other countries in signing two declarations pointing out the many fatal flaws in the Emissions Trading Scheme, and calling on EU members to rejoin ongoing work within the International Civil Aviation Organization.

European leaders appear to be getting the message. Just yesterday, EU officials announced a one-year suspension of ETS application to international flights as long as a global deal is reached. But Congress must enact this bill regardless, to send a strong message to the EU that whether the International Aviation Organization is able to act on the EU's timetable or not, the EU's unilateral scheme is not the proper way to solve a global problem.

This bill will protect U.S. airlines and all those who rely on them for travel and employment from the unjust effects of the Emissions Trading Scheme. This bill directs the Secretary of Transportation to prohibit U.S. airlines from participating in the Emissions Trading Scheme if the Secretary finds that it is in the public interest.

The bill also encourages the government to continue negotiating with the EU on a resolution, and it prohibits use of the Airport and Aviation Trust Fund, or any appropriated funds, to pay penalties to EU countries on behalf of airlines.

It ensures that American taxpayers will not end up paying the bill for a counterproductive emissions scheme that causes more problems than it solves. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I'm pleased to yield 6 minutes at this point to the gentleman from Wisconsin (Mr. PETRI), who chairs the Aviation Subcommittee in the House.

Mr. PETRI. I thank my chairman.

I rise in support of the bill before us, Senate bill 1956, the European Union Emissions Trading Scheme Prohibition Act of 2011.

In January 2012, the European Union began to unilaterally apply its Emissions Trading Scheme to all civil aviation operators landing in or departing from one of the EU Member States.

Just yesterday, the EU announced it was going to postpone the application of the Emissions Trading Scheme on international operators until 2014. Prior to that announcement, EU Member States would have required international air carriers and operators to pay for emission allowances and, in some cases, penalties for carbon emissions starting in April of next year.

While this postponement is a good first step, it is not a total withdrawal of this illegal scheme, and therefore, we must press ahead with this bipartisan legislation to ensure U.S. operators and consumers are protected.

The EU Emissions Trading Scheme is legally questionable in a number of ways. First, it applies to the entire length of the flight, including those parts of the flight outside the EU's airspace. For instance, if a flight leaves Los Angeles to London, taxes would be levied not just for the portion of the flight over the United Kingdom, but also for the portions of the flight over the United States, Canada, and international waters.

The European Union's unilateral application of their emissions scheme to U.S. aviation operators without the consent of the United States Government raises significant legal concerns under international law, including violations of the Chicago Convention and the U.S.-EU Air Transport Agreement.

There are also concerns that the Emissions Trading Scheme is nothing more than a revenue raiser for the EU Member States, as there is no requirement that EU Member States must use the funds for anything related to the reduction of emissions by the civil aviation sector.

The EU Emissions Trading Scheme will take money from the airline industry that would otherwise be invested in NextGen technologies and the purchase of new aircraft, two proven methods for improving environmental performance and reducing emissions.

Airlines for America, an air transport trade association, testified before our Aviation Subcommittee last year that the extraction of capital from the aviation system, as envisioned under the EU Emissions Trading Scheme, could threaten over 78,000 American jobs. This is unacceptable.

But despite serious legal issues and objections by the international community, the European Union is pressing ahead with its plans. In September 2011, 21 countries, including the United States, signed a joint declaration against the EU Emissions Trading Scheme in New Delhi, India.

In the last year, there have been several other multinational meetings of countries who oppose the scheme, including meetings that took place in Russia and in the United States.

The bill before us directs the Secretary of Transportation to prohibit U.S. aircraft operators from participating in this illegal scheme. The bill also directs appropriate U.S. government officials to negotiate a worldwide approach to address aircraft emissions, and to take appropriate actions to hold U.S. civil operators harmless from the EU's Emissions Trading Scheme.

□ 1720

The EU needs to slow down and carefully weigh its decision to include international civil aviation in its emissions trading scheme. A better approach would be to work with the international civil aviation community through the U.N. International Civil Aviation Organization to establish consensus-driven initiatives to reduce aviation emissions.

I am pleased to see movement on the part of the EU to work with the international community at ICAO to seek a global approach to civil aviation emissions. While the postponement for a year is a positive sign, it is not enough to ensure U.S. operators will not be negatively impacted by the trading scheme at some point in the future. Therefore, we are moving forward with this bipartisan bill to ensure U.S. operators will not ever be subjected to the illegal European scheme.

I urge my colleagues to support this bipartisan, bicameral legislation.

Mr. RAHALL. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished ranking member on the Energy and Commerce Committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Thank you very much for yielding to me.

Mr. Speaker, I rise in opposition to the Thune bill.

A warmer planet has less ice, higher sea levels, more water in the atmosphere, more powerful storms, more frequent floods, dryer droughts, and worse wildfires. Two weeks ago, Hurricane Sandy brought a powerful and tragic reminder that the combination of sea level rise and more powerful storms can be deadly, devastating and extremely costly. Hurricane Sandy was only the latest and most dramatic in a series of extreme weather events. Over the past 2 years, we've had record-breaking temperatures, the worst drought in 50 years, major floods, numerous tornadoes and thunderstorms, and vast wildfires.

This is what global warming looks like, and if we continue to ignore it, it will soon look far worse. We should be doing all that we can to reduce carbon pollution and slow global warming, but the Thune bill, instead, tries to stop efforts to reduce carbon pollution.

Specifically, the bill targets the European Union's requirement that airlines modestly reduce their carbon pollution. Aviation is a significant and fast-growing source of carbon pollution, and talks on an international agreement to control this pollution have languished for over a decade. So, since nothing was happening for 10 years, the European Union acted to require, for the price of only a few dollars a ticket—just a small fraction of the fee that the airlines impose on consumers just to pay for their bags going on the same airplane—that the amount of money be imposed unless the airlines can reduce the contribution to global warming.

These environmental requirements are no more a violation of national sovereignty than the aviation safety and security requirements imposed overseas by the United States or the taxes on aviation imposed by other nations. Everyone, including the European Union, agrees it would be better to address this issue on aviation from a global basis rather than through regional requirements.

Last week, international negotiations made progress on developing such an alternative to the EU requirements. In response, the European Union announced yesterday that it would delay the enforcement of the aviation requirements for a year in order to create a positive atmosphere and facilitate progress on global alternatives. That makes the Thune bill unnecessary. The airlines now do not have to comply with the EU requirements for at least a year and a half. The Thune bill is counterproductive. It would respond to the European Union's concession by enacting a retaliatory measure, which will undermine rather than advance progress towards an agreement.

There are other serious problems with this bill. The bill directs the Secretary of Transportation, if he finds it in the public interest, to bar U.S. airlines from complying with the EU requirement to control carbon pollution. It also directs the Secretary to hold the U.S. airlines harmless from the requirements. If we bar the airlines from complying, they will incur steep penalties estimated at over $20 billion by 2020. The Thune bill then says the government is going to have to hold the airlines harmless from this cost. That means that taxpayers may be on the hook for over $20 billion, although the bill also limits the use of appropriated funds. Or the hold harmless provision would force the Secretary to use existing authority to require European airlines to pay the fees to compensate the U.S. airlines.

Rather than doing something constructive about global warming, we are going to ignite a trade war with the Europeans. We ought to be working with them in an international context to do something rather than punish them if they punish us and have the taxpayers pay the bill because the Europeans have waited 10 years for an international agreement and nothing has happened.

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

Mr. RAHALL. I yield the gentleman an additional 30 seconds.

Mr. WAXMAN. Even if you oppose the EU aviation requirements, the Thune bill makes no sense. It's unnecessary and it's counterproductive, as the European Union just agreed to delay the requirements targeted by the bill. It also risks taxpayer dollars, threatens to provoke an international trade war, and jeopardizes U.S. national security.

I urge my colleagues to oppose this unnecessary and misguided bill.

Mr. MICA. Mr. Speaker, might I just inquire as to how much time remains on both sides?

The SPEAKER pro tempore. The gentleman has 6½ minutes remaining. There are 11½ minutes remaining on the other side.

Mr. MICA. I yield myself 2 minutes.

Mr. Speaker, I have the greatest respect for Mr. WAXMAN and his leadership on many issues. Some of them we agree on—we're both art lovers and we both have great wives—but I have to disagree with him on a couple of points. First, I'd have to disagree with him on some of the climate statements that he made. I could spend the rest of the time debating that, but that's not what is before us.

What is before us is legislation that actually gives the administration and the Secretary of Transportation the authority and also the discretion to work on this issue. If you don't have the backing of Congress, how can he negotiate? He wouldn't have the authority or the discretion to impose some difference with the European Union. You can't fold the United States' tent here.

The other point that was made by Mr. WAXMAN was that we aren't working with them. Well, we hosted them right here. We sat and talked to them. Then we went to Brussels. We sat and talked to them. Then we went to Montreal with the ICAO, the International Civil Aviation Organization, which helped settle some of these matters and set the standards. When we left, they voted 26–36 to agree with the United States. So, in the international body, they were defeated.

This does impose a penalty and a tax on the United States. It's unfair. If it's within the European Union, that may be within their discretion to do it, but not from the point of departure in the United States into the European Union or, for that matter, from any sovereign nation. The money doesn't go to clean it up. I know Mr. WAXMAN loves the environment—so do I—but this money doesn't go for that purpose. It can be used for anything. It's not for engine technology; it's not for the restoration of the environment; and it doesn't stop emissions.

So this bill does represent a bipartisan, bicameral compromise, but it gives us the authority to hold their feet to the fire and get a solution.

I reserve the balance of my time.

□ 1730

Mr. RAHALL. Mr. Speaker, the gentleman I'm going to yield to now may be departing the Congress after this session; but we will still value his professionalism, his expertise, and certainly his friendship for the very near and distant future.

I'm happy to yield 5 minutes to the gentleman from Illinois (Mr. COSTELLO), the once chairman and now ranking member of our Aviation Subcommittee on Transportation.

Mr. COSTELLO. I thank the ranking member for yielding, and I thank him for his kind words and his friendship, as well.

Mr. Speaker, I rise in support of S. 1956, a bill that will protect U.S. airlines, their employees, and passengers from an overreaching law of the European Union that unfairly charges U.S. airlines for emissions in U.S. airspace on flights between the United States and Europe. The Obama administration has taken a strong stance against the EU's emission trading scheme on the grounds it is inconsistent with international aviation law and practice. Additionally, airlines and labor groups also oppose it because it will impose an unjustified cost on the industry and destroy American jobs.

I'm pleased to note that just yesterday, as you heard already, the European leaders said that they would suspend application of the ETS to international flights for a year, pending a global agreement on international emissions at the U.N. International

Civil Aviation Organization, but that announcement in no way weakens the case for passing this bill. We must send a strong message to the EU that, regardless of whether ICAO delivers on a deal on the EU's timetable, the U.S. Government opposes the EU's unilateral local solution to a global problem.

This bill is similar to the bill that passed the House last year, a bill that I was pleased to cosponsor, along with Chairman MICA, Ranking Member RAHALL, Chairman PETRI, and 32 other Democratic and Republican Members. Similar to the House bill, this bill calls upon the Department of Transportation to prohibit U.S. airlines from participating in the emissions trading scheme. This bill further protects our national interest by ensuring that both airlines and U.S. taxpayers are held harmless from the emissions trading scheme.

I congratulate my friends Senator THUNE and Senator MCCASKILL for having championed this legislation in the other body. This bill sends a strong message from Congress that we do not support what the EU is doing for a variety of reasons.

As I noted last year in our Aviation Subcommittee hearing on the emissions trading scheme, and again on the House floor when the House passed its own bill, climate change is a global problem that requires a global solution. Working through ICAO, the United States is committed to finding a global solution to address aviation emissions based on consensus. I'm optimistic that the global agreement can, in fact, be reached.

More than 20 other international partners have joined the United States in producing strong declarations calling on the EU to come back to the table and to work on an international plan.

At the same time, we must recognize that our own government and airlines are doing the right thing to reduce harmful carbon emissions. The FAA and the airline industry are investing billions of dollars in the NextGen air traffic upgrades, and the FAA plans to reduce emissions by 2 percent through these improvements. Further, U.S. airlines improved fuel efficiency by approximately 110 percent since 1978. From 2000 to 2009, U.S. carriers reduced fuel burn and carbon emissions by 15 percent while carrying 7 percent more passengers. NextGen will help aircraft operators save money and, in fact, save more than 1.4 billion gallons of fuel, cutting the carbon emissions by nearly 14 million tons by 2018.

Mr. Speaker, I'm pleased to support this legislation. I urge my colleagues to support it.

Mr. MICA. Mr. Speaker, we don't have any further speakers on our side, and I reserve the balance of my time to close.

Mr. RAHALL. Mr. Speaker, I yield myself the balance of my time.

In conclusion, let me again reiterate the support that this legislation has from the Air Line Pilots Association, the Airports Council International, the American Society of Travel Agents, the Transportation Trades Department, the AFL–CIO, the U.S. Chamber of Commerce, the U.S. Travel Association, and the Independent Pilots Association, among many other groups that have sent a ''dear colleague'' to all of us.

To reiterate what I said in my opening comments, the European Union's ETS will do nothing to decrease aviation emissions. The solution to decreasing aviation emissions lies in an international agreement currently progressing through the International Civil Aviation Organization that is slated for consideration October 2013 at that body's triennial assembly.

With that, I urge my colleagues to support the pending legislation and commend Chairman MICA and Subcommittee Chairman PETRI and our Ranking Member COSTELLO for all of the hard work that they have put into this legislation, and I yield back the balance of my time.

Mr. MICA. I yield myself the balance of my time.

Mr. Speaker, again I'd urge my colleagues to pass S. 1956.

This does represent an honest effort to find a solution to deal with global emissions. They are a problem. We have tried to work with our European Union counterparts. Again, we've had meetings nonstop. When some of this issue began, we went there and talked. We took it to the international body of ICAO. They voted 26–36 to side with the United States' position; but sometimes in this business, you have to bring things to a head.

We passed this legislation a year ago with bipartisan support—Mr. COSTELLO, Mr. RAHALL, our side of the aisle. It was a little bit tougher measure than what has come from the Senate. The Senate did give discretion to the DOT Secretary and the administration so that they had both the authority and also the discretion to act.

I don't think yesterday that the European Union would have deferred to ICAO for a year if we hadn't pressed this; but we do need to bring folks together of goodwill, find a solution, something that is fair. And if we do want to clean up the environment and we want to have people pay a penalty for polluting, then we should ensure that that money goes back into cleaning up the pollution or at least developing the technology or offsetting the damage that's being done. The current scheme—and it is a scheme, which I have a definition of ''scheme'' here. A scheme is a systematic plan of action, a secret, or devious plan, a plot. That's not what we need to do here. We do need to work together, find a solution that's fair for sovereign nations and also accomplishes the laudable goal that we all set out to do.

I'm glad I helped force the issue. I appreciate my colleagues joining in this effort, and I think this is a reasonable bipartisan, bicameral solution that will accomplish the goal we set out.

Again, I ask my colleagues to vote in support of S. 1956, and I'm pleased to yield back the balance of my time.

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the bill, S. 1956.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STREAMLINING CLAIMS PROCESSING FOR FEDERAL CONTRACTOR EMPLOYEES ACT

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6371) to amend title 40, United States Code, to transfer certain functions from the General Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6371

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 ''Streamlining Claims Processing for Federal Contractor Employees Act''.

SEC. 2. TRANSFER OF ADMINISTRATIVE AUTHORITY TO THE DEPARTMENT OF LABOR.

(a) AUTHORITY OF COMPTROLLER GENERAL TO PAY WAGES AND LIST CONTRACTORS VIOLATING CONTRACTS.—Section 3144 of title 40, United States Code, is amended—

(1) in the section heading, by striking ''**of Comptroller General**''; and

(2) in subsection (a)(1), by striking ''Comptroller General'' and inserting ''Secretary of Labor''.

(b) REPORT OF VIOLATIONS AND WITHHOLDING OF AMOUNTS FOR UNPAID CONTRACTS AND LIQUIDATED DAMAGES.—Section 3703(b)(3) of title 40, United States Code, is amended by striking ''Comptroller General'' both places it appears and inserting ''Secretary of Labor''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. WALBERG) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

□ 1740

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 6371.

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

There was no objection.

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

The bill before us will take a small yet important step toward greater efficiency in Federal construction contracting. For more than 80 years, Federal contractors have been required to pay workers the locally prevailing wage. Additionally, since 1961, those same workers have been entitled to one and a half times their basic rate of pay for every hour worked that exceeds 40 hours per week.

While the Department of Labor is obligated to enforce these laws, the Government Accountability Office has long been responsible for processing claims of workers being denied their appropriate wages. If a Labor Department investigation determines a contractor has not been paid the appropriate wage, the names of affected employees are sent to the GAO by the department. The GAO then ensures underpaid workers receive the compensation they are due. The GAO's responsibility in this process is purely administrative. The GAO makes no determination on the merit of each claim nor does it have the authority to question the judgment of the Labor Department. In fact, the GAO doesn't even directly deliver to workers their lost wages. Instead, that responsibility is vested with the Department of Treasury.

While claims processing was once routine business for the GAO, this authority has increasingly transitioned to the executive agencies charged with enforcing the law, such as the Department of Defense involving matters of military pay. Additionally, personnel changes within the GAO are making it more difficult for the agency to meet this responsibility. Key staff members have retired and more are expected to do so at any time. The GAO should not have to undertake this administrative burden any longer.

H.R. 6371 will transfer this payment authority from the GAO to the Department of Labor, thereby reducing unnecessary bureaucracy and ensuring workers receive their compensation in a timely manner. By reforming the claims process, we can remove redundancies and promote greater efficiency within the Federal Government. I urge my colleagues to support the Streamlining Claims Processing for Federal Contractor Employees Act.

Before I conclude, I would like to take a moment to recognize a distinguished colleague who will soon be enjoying a well-deserved retirement. I wish she were with us this evening, but travel arrangements don't always work out as planned. Since 1993, Representative LYNN WOOLSEY has proudly represented the people of California's Sixth Congressional District. Her personal story has informed her work in public office, as well as inspired many of her colleagues on Capitol Hill, myself included.

I have had the opportunity over the last 2 years to work closely with Representative WOOLSEY on the Subcommittee on Workforce Protections and witness firsthand her passion for public service. While we may differ on a range of issues, no one can question her strong commitment to working families. I wish Representative WOOLSEY and her family all the best in the years ahead, and may they be long and filled with good health.

I reserve the balance of my time.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

First, Mr. Speaker, I would like to associate myself with the kind remarks about the gentlelady from California. She has had an excellent career in Congress, and has elected not to return. We will certainly miss her and her advocacy for those most in need.

Mr. Speaker, I rise in support of the pending legislation. H.R. 6371, the Streamlining Claims Processing for Federal Contractor Employees Act, will transfer certain responsibilities for overseeing and administering the Davis-Bacon Act from the Government Accountability Office to the Department of Labor.

Mr. Speaker, I agree with the gentleman from Michigan that this is a sensible and technical fix since the Department of Labor is responsible for many aspects of enforcing prevailing wage law. This change will allow for greater efficiency in the Davis-Bacon prevailing wage protections and will help ensure that workers receive unpaid wages as quickly as possible.

The gentleman from Michigan has pointed out that we should always promote streamlined and efficient government. That's why I'm particularly disappointed that this bill does not also transfer GAO's debarment authority under the Davis-Bacon Act. Moving that additional function would place more enforcement functions under one roof.

Mr. Speaker, I support Davis-Bacon because it provides protections to contractors and subcontractors working on federally funded contracts. The most obvious protection is that it requires all contractors and subcontractors to pay the prevailing wage, denying unfair competition to those contractors who underpay their employees. Davis-Bacon protections prevent government spending from driving down living standards. Improved productivity on projects with prevailing wage application offsets higher wages. Furthermore, better-skilled workers attracted by the higher wages are likely to complete the jobs more efficiently and with higher-quality work. Studies have shown that construction workers in prevailing wage States produce 13 to 15 percent more value added from their work compared to workers in States without prevailing wage laws.

Now I recognized that everyone does not agree with the underlying principles of the Davis-Bacon Act. However, regardless of one's position on the underlying law, we can all agree that the law ought to be administered as efficiently as possible. That's why I rise in support of H.R. 6371, and thank the gentleman from Michigan for introducing the bill.

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

Mr. WALBERG. Mr. Speaker, I yield myself the balance of my time.

The American people expect us to do all we can to promote better efficiency within the Federal Government. Washington allocates hundreds of billions of dollars each year on construction projects, affecting the lives of workers and employers across the country. We should never allow unnecessary bureaucracy to squander taxpayer resources or stand between workers and the wages they have earned. I urge my colleagues to support H.R. 6371, the Streamlining Claims Processing for Federal Contractor Employees Act.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. WALBERG) that the House suspend the rules and pass the bill, H.R. 6371.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

SPACE LAUNCH LIABILITY PROVISIONS EXTENSION

Mr. PALAZZO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6586) to extend the application of certain space launch liability provisions through 2014.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6586

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION.

Section 50915(f) of title 51, United States Code, is amended by striking ''December 31, 2012'' and inserting ''December 31, 2014''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. PALAZZO) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

□ 1750

GENERAL LEAVE

Mr. PALAZZO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 6586, the bill now under consideration.

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

There was no objection.

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

I want to begin by thanking Members for their bipartisan support of this legislation.

H.R. 6586 is a very simple bill. It extends for 2 years a commercial space transportation risk-sharing and liability regime that was established by Congress in 1988 with passage and enactment of the Commercial Space Launch Act Amendments. The structure of the liability regime is modeled on the Price-Anderson Act that governs risk-sharing for the nuclear power industry.

There are several features of the Commercial Space Launch Act Amendments, but one that is central to today's debate is indemnifying commercial launch and reentry operators against catastrophic losses suffered by the uninvolved public, or ''third parties.''

Since 1988, the Office of Commercial Space Transportation has licensed more than 200 commercial space launches and three reentries without any claims for Federal coverage for loss of life, serious injury, or significant property claims. The 1988 Act was driven in part by the emergence of foreign launch services companies that were made competitive through government subsidies and preferential foreign national laws, including indemnification.

Foreign launch companies continue to be formidable competitors. If this program were allowed to lapse, it would threaten our domestic market for launches, as the cost of insurance would significantly increase.

The Office of Commercial Space Transportation, as part of its licensing and permitting mission, administers financial responsibility and risk-sharing requirements for commercial launch and reentry operators. They calculate the required amount of financial responsibility based on the maximum probable loss of the license applicant's proposed launch or reentry. In the event there is a catastrophic accident, the operator's insurance coverage would be first in line. The government's liability would then cover excess claims above the insured amounts, but not to exceed $2.7 billion. And I also want to note that to trigger Federal indemnification, the administration must submit a request to Congress for claims in excess of insurance coverage, and Congress must, in turn, pass a separate appropriation bill to fund the request. Responsibility for any claims above the Federal cap would revert to the launch or reentry operator.

The Space and Aeronautics Subcommittee held two hearings this Congress examining the activities of the Office of Commercial Space Transportation and the performance of its licensing and indemnification regime. Administration and industry witnesses provided compelling evidence that indemnification for third-party claims is needed to preserve the U.S. commercial launch market. I want to reiterate that the Federal Government's exposure is only for third-party claims and only for amounts that exceed the maximum probable loss determined by the Office of Commercial Space Transportation.

Mr. Speaker, our commercial space launch industry needs this extension. While there are only a small number of commercial launches occurring today from domestic spaceports, this is about to change.

First, NASA relies on commercial providers to carry cargo, and eventually crew, to and from the international space station. SpaceX has already flown its first mission to ISS earlier this fall, and together with Orbital Sciences Corporation, these two companies are under contract to complete 20 cargo missions before the end of 2016.

Secondly, commercial manned spaceflights—orbital and suborbital—will require indemnification in order to launch from U.S. spaceports. While it's not clear when these types of services will begin, just like today's commercial communications satellite customers, launch customers will rely on an indemnification regime for third-party claims, or the business is at risk of going offshore.

I urge all Members to support this legislation, and I reserve the balance of my time.

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

I rise in support of H.R. 6586, to extend the application of certain space launch liability provisions through 2014.

First established by Congress as part of the Commercial Space Launch Act Amendments of 1988, the commercial space transportation risk-sharing liability and insurance regime is a vital program for the commercial space industry and has been extended five times since its original enactment.

The current extension expires on December 31 of this year, so it is important for Congress to act now so that there is sufficient time for this legislation to make its way to the President before the current authority expires.

Under the current three-tier regime, commercial space launch providers are required to purchase third-party liability insurance to compensate for maximum probable losses from third-party claims up to a level of $500 million. For claims above those maximum probable losses, the U.S. Government may pay successful liability claims up to $1.5 billion above that insured level subject to funds being appropriated by Congress for that purpose. Finally, for successful claims above the government indemnification, the launch providers assume responsibility for payment.

This risk-sharing regime has been vitally important for the development of a commercial space launch industry in the United States. Moreover, to date, the regime has not cost the U.S. Government a penny in third-party claims.

However, I would be remiss if I did not note some concerns about the program in its current form. Congress has not updated the program since its inception in 1988. This has resulted in an increased liability exposure for the U.S. taxpayer, and that exposure grows every year. I am concerned that taxpayer liability exposure is growing at the same time the industry and its associated insurance market is maturing. One would tend to think that the opposite should be the case. I hope that we can begin to address these issues before the next extension is necessary in 2014.

I want to thank Chairman HALL and Subcommittee Chairman PALAZZO for working with us on this bill, and I reserve the balance of my time.

Mr. PALAZZO. Mr. Speaker, I yield 3 minutes to the gentleman from Texas, Chairman HALL of the Science, Space, and Technology Committee.

Mr. HALL. Mr. Speaker, I, of course, rise in support of H.R. 6586, to extend the application of certain space launch liability regimes.

Everybody is hoping that the House won't be divided, that we're all going to work together. This is a good chance to show them that we are all together on a good bill.

Commercial launch in the United States has a very enviable record. Our rockets are highly reliable, and SpaceX, which has flown two Falcon 9 rockets to the international space station and returned two payloads, is the first commercial company to successfully reenter payloads from space. And in the next 2 months, Orbital Sciences Corporation is scheduled to launch its new rocket that is designed to carry cargo to the space station.

No matter these successes, our industry faces serious pricing challenges from foreign operators. They are able to offer substantially cheaper launch costs because of industrial policy and less expensive labor costs. They also offer generous indemnification coverage. In a report released earlier this summer, the Government Accountability Office stated:

> The United States provides less total third-party liability coverage than China, France, or Russia—the primary countries that have conducted commercial space launches in the last 5 years.

As Chairman Palazzo mentioned a few minutes ago, commercial launch activity in the United States is expected to pick up in the years to come: first through NASA's reliance on commercial launch companies to ferry cargo and astronauts to and from the international space station, and second, through the introduction of commercial human spaceflight services.

The bill before us would extend the indemnification regime for 2 years to December 31, 2014. It's important that we pass this bill to ensure that we do not jeopardize the ability of NASA to get cargo flights to the space station or inhibit our commercial launch operators' ability to compete for future payloads.

The Committee on Science, Space, and Technology will continue to monitor the activities of the Office of Commercial Space Transportation and the

evolving space launch market to ensure that the current risk-sharing and liability regime, including indemnification, is properly structured.

I thank Chairman PALAZZO of Mississippi and Ranking Member COSTELLO of Illinois for sponsoring and supporting this bill, and I urge all Members to support it as well.

Mr. COSTELLO. I continue to reserve the balance of my time.

Mr. PALAZZO. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. I thank the chairman for yielding.

First of all, I do want to thank the chairman of the Space Subcommittee, STEVE PALAZZO of Mississippi, for bringing this must-pass legislation to the floor today. I also want to thank my friend and colleague from Texas, RALPH HALL, the chairman of the Science Committee, and the professional staff of the committee for shepherding this bill and getting us to the point where we are now.

□ 1800

Last June, the Space and Aeronautics Subcommittee heard testimony on why government indemnification for commercial rocket launches must be extended. At that hearing, Frank Slazer from the Aerospace Industries Association said it best about why this indemnification is needed:

> Many foreign launch providers competing against U.S. companies already benefit from generous indemnification rules. For example, the European company Arianespace is required to purchase insurance up to just 60 million Euros, roughly $75 million. Any damages above this cap are the guaranteed responsibility of the French Government.
>
> We cannot afford to drive away highly skilled technical jobs to foreign countries where the regulatory frameworks provide better critical risk management tools.
>
> Lastly, a non-renewal could impede new U.S. entrants to the commercial launch market, discourage future space launch innovation and entrepreneurial investment. Without a level playing field for competition, new U.S. entrants could find it highly undesirable to begin their business ventures in the United States.

The FAA's launch indemnification authority has been in place for over 20 years, benefiting the American commercial space industry. The bill before us would extend indemnification for 2 more years, and I hope that we can address a longer-term legislative solution when addressing NASA reauthorization and commercial space legislation next year.

Mr. Speaker, I wanted to thank the chairman again for yielding me time.

Mr. COSTELLO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PALAZZO. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, first and foremost, I would like to thank Chairman HALL for the great leadership that he's provided to our committee, and also Mr. COSTELLO, who will be voluntarily leaving this body, and he has done such a fine job. Both of these gentlemen deserve accolades for the wonderful job they've done for America's science and space programs, as well as for our country as a whole. So, thank you both very much.

I rise in support of H.R. 6586. It extends the commonsense limitations on liability exposure for commercial space launches.

A few years ago when I was the chairman of the Space and Aeronautics Subcommittee, the FAA was directed to provide an ongoing analysis of the rationale for and potential unintended consequences of this indemnification provision.

According to the analysis, the two options before us then were to extend this liability provision, which has never cost the American taxpayer a dime, or option number two—though unintended—would be to give a competitive advantage to China and other foreign launch providers. This, of course, is the same choice that we are making today. If we give foreign rocket companies such an advantage, then we are costing American jobs while undermining both our economy and our national security.

Back in 2004, I authored the current regulatory regime for human spaceflight, which has worked well beyond our expectations.

Recently, in cooperation with our majority whip, Mr. MCCARTHY, and my friends on both sides of the aisle, we extended that regime as the Science Committee's part of the recent FAA reauthorization bill. It would be very tempting to try to revisit that regulatory issue or some other provisions with this legislation.

So, I would like to thank Chairman PALAZZO for offering a bill that asks only the critical question before us: do we extend launch indemnification, or do we hand the launch industry completely over to foreign competitors?

The choice is clear. The answer is clear. America must remain the preeminent space-going Nation, which means we need to pass H.R. 6586, and I ask my colleagues to join me in supporting this legislation.

Mr. COSTELLO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PALAZZO. Mr. Speaker, I have no further requests for time, and if the gentleman is prepared to yield back, I am prepared to close.

Mr. COSTELLO. Mr. Speaker, we have no further speakers on our side.

I'd like to thank Chairman HALL for his services as chairman of the committee. He's a wonderful person. He has done a great job chairing the full committee, and he is one of the people that I'm going to miss the most here in this Congress, and my friend from California as well, and from Texas, and Chairman PALAZZO.

With that, Mr. Speaker, I urge passage of this legislation, and I yield back the balance of my time.

Mr. PALAZZO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. PALAZZO) that the House suspend the rules and pass the bill, H.R. 6586.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PALAZZO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 13, 2012.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 13, 2012 at 4:18 p.m.:

That the Senate passed without amendment H.R. 4114.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6156, RUSSIA AND MOLDOVA JACKSON-VANIK REPEAL AND SERGEI MAGNITSKY RULE OF LAW ACCOUNTABILITY ACT OF 2012

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 112–693) on the resolution (H. Res. 808) providing for consideration of the bill (H.R. 6156) to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova and to require reports on the compliance of the Russian

Federation with its obligations as a member of the World Trade Organization, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 6371, by the yeas and nays;

H.R. 6586, de novo.

STREAMLINING CLAIMS PROCESSING FOR FEDERAL CONTRACTOR EMPLOYEES ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6371) to amend title 40, United States Code, to transfer certain functions from the General Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. WALBERG) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 361, nays 3, not voting 65, as follows:

[Roll No. 604]

YEAS—361

Ackerman
Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Baca
Baldwin
Barber
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boswell
Boustany
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Canseco
Cantor
Capuano
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Clarke (MI)
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pascrell
Pastor (AZ)
Paul
Paulsen
Pearce
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Velázquez
Visclosky
Walberg
Walden
Wasserman Schultz
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—3

Broun (GA)
Campbell
McClintock

NOT VOTING—65

Akin
Andrews
Bachmann
Bachus
Bartlett
Becerra
Bono Mack
Boren
Brady (TX)
Burton (IN)
Capito
Capps
Carnahan
Cicilline
Clarke (NY)
Clay
Cleaver
Cuellar
DeLauro
Doggett
Edwards
Filner
Forbes
Gallegly
Gowdy
Gutierrez
Holden
Hoyer
Israel
Jackson (IL)
Johnson (IL)
Johnson (OH)
Lamborn
Langevin
Larson (CT)
Lewis (GA)
Lipinski
Lucas
Lynch
Mack
Maloney
Manzullo
Markey
McGovern
Miller, George
Neal
Pallone
Pelosi
Pence
Platts
Reed
Rogers (AL)
Rogers (MI)
Rothman (NJ)
Ruppersberger
Rush
Shuler
Sires
Slaughter
Tiberi
Towns
Van Hollen
Walsh (IL)
Walz (MN)
Waters

□ 1849

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CAPPS. Mr. Speaker, on rollcall No. 604, had I been present, I would have voted "yea."

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 604, had I been present, I would have voted "yea."

Mr. FILNER. Mr. Speaker, on rollcall 604, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

Mr. LANGEVIN. Mr. Speaker, I was unavoidably detained on rollcall No. 604. Had I been present, I would have voted "yea."

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for votes today. Had I been present, I would have voted "yea" on rollcall vote 604.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 8, 2012.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Mr. Christopher M. Thomas, Director of Elections, Department of State, State of Michigan, indicating that, according to the unofficial returns of the Special Election held November 6, 2012, the Honorable David Curson was elected Representative to Congress for the Eleventh Congressional District, State of Michigan.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

STATE OF MICHIGAN, RUTH JOHNSON,
SECRETARY OF STATE, DEPARTMENT OF STATE,
Lansing, MI, November 8, 2012.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, November 6, 2012, to fill the existing vacancy for Representative in Congress from the Eleventh Congressional District of Michigan, show that David Curson

received 159,267 or 48.39% of the total number of votes cast for that office.

It would appear from these unofficial results that David Curson was elected as Representative in Congress from the Eleventh Congressional District of Michigan.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all counties involved, an official Certificate of Election will be prepared for transmittal as required by law.

A full listing of the unofficial results for each candidate is attached for your information.

Sincerely,

CHRISTOPHER M. THOMAS,
Director of Elections.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 8, 2012.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from the Honorable Sam Reed, Washington Secretary of State, indicating that, according to the unofficial returns of the Special Election held November 6, 2012, the Honorable Suzan DelBene was elected Representative to Congress for the First Congressional District, State of Washington.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

SECRETARY OF STATE,
Olympia, WA, November 7, 2012.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, November 6, 2012, for Representative in Congress from the First Congressional District of Washington, show that Suzan DelBene received 128,638 votes, or 60.14%, of the total votes cast for that office, tabulated so far.

It would appear from these unofficial results that Suzan DelBene was elected as Representative in Congress from the First Congressional District of Washington.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all counties involved, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely.

SAM REED.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 7, 2012.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Mary Sue Helm, Director of Elections and Administration, Office of the Secretary of State, State of Kentucky, indicating that, according to the unofficial returns of the Special Election held November 6, 2012, the Honorable Thomas Massie was elected Representative to Congress for the Fourth Congressional District, State of Kentucky.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

COMMONWEALTH OF KENTUCKY,
OFFICE OF THE SECRETARY OF STATE,
Frankfort, KY, November 7, 2012.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise that the unofficial results of the Special Election held on Tuesday, November 6, 2012, for Representative in Congress, Fourth Congressional District of Kentucky, show that Thomas Massie received 174, 087 of the total number of votes cast for that office. A chart providing the unofficial vote totals received for each candidate seeking the unexpired term for U.S. Representative in Congress, 4th District is attached.

It would appear from the unofficial results that Thomas Massie was elected as Representative in Congress from the Fourth Congressional District of Kentucky.

To the best of our knowledge and belief at this time, we are not aware of any contest or recount to this election.

As soon as the official results are certified to this office by all counties involved, the Secretary of State will deliver the certified vote totals to the KY State Board of Elections for the issuance of an official Certificate of Election on November 20, 2012. An original Certificate of Election for the unexpired term for the Fourth Congressional District of Kentucky will be sent to you subsequent to the November 20, 2012 meeting of the KY State Board of Elections.

Thank you and if we may assist further, please do not hesitate to contact me.

Sincerely,

MARY SUE HELM,
Director of Elections & Administration.

SWEARING IN OF THE HONORABLE DAVID ALAN CURSON, OF MICHIGAN; THE HONORABLE SUZAN K. DELBENE, OF WASHINGTON; AND THE HONORABLE THOMAS MASSIE, OF KENTUCKY, AS MEMBERS OF THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan, the Honorable DAVID ALAN CURSON, be permitted to take the oath of office today.

His certificate of election has not yet arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DICKS. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington, the Honorable SUZAN K. DELBENE, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky, the Honorable THOMAS MASSIE, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

□ 1900

The SPEAKER. Will the Representatives-elect and the members of their respective delegations present themselves in the well.

The Representatives-elect will please raise their right hands.

Mr. CURSON of Michigan, Ms. DELBENE, and Mr. MASSIE appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now Members of the 112th Congress.

WELCOMING THE HONORABLE DAVID ALAN CURSON TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the dean of the House, the gentleman from Michigan (Mr. DINGELL) is recognized for 1 minute.

There was no objection.

Mr. DINGELL. Mr. Speaker, I rise to welcome my good friend DAVE CURSON to the Congress of the United States. He has spent his life serving his fellow man, first as a U.S. marine in Vietnam, then as a representative of the UAW, and now as a Member of this distinguished body.

He is also, first and foremost, a family man. He has been married to his wonderful wife, Sharon, for 22 years. Together with her, he has done an extraordinary job raising two daughters and one son; they are Lisa, Katie, and David, Jr.

I have no doubt that our good friend DAVID will do a magnificent job representing the interests of the people of Michigan's 11th District. I know he can count on my support, and I hope that my colleagues will extend him that same courtesy. DAVE is a good man, and the Nation is fortunate to have him here.

Mr. Speaker, at this moment, I yield to the distinguished gentleman from Michigan (Mr. UPTON), the dean of the Republican delegation.

Mr. UPTON. Mr. Speaker, I, too, wish DAVE CURSON a warm welcome in joining this body.

We have great Members on both sides of the aisle. I will say, from the Republican perspective, that I don't think any of us knew you before. We surely look forward to getting to know you in the next couple of weeks. We know that you'll be an active Member, and we look forward to your service and to getting to know you well. And we wish you the very best.

Mr. DINGELL. At this time, Mr. Speaker, I yield to my dear friend, our new Member from Michigan's 11th District, DAVE CURSON, with my congratulations and good wishes.

Mr. CURSON of Michigan. Thank you, Congressman DINGELL. It's always been an honor to work with you.

And thank you, Mr. Speaker. And thanks to all my new colleagues, and thanks to all the guests. And thanks to my wife, Sharon, who has been my rock; and my family, who gave me the courage and the strength to get here; and to all my supporters, the hundreds of volunteers, and the many union brothers and sisters that worked so hard to get me elected; and to all the voters, regardless of whose lever they pulled, because they participated in this country's greatest act of freedom—the right to elect their own government.

I spent my entire adult life solving problems for working families, but I am but one man. So when I speak, you will hear the voice of over 500,000 residents of Michigan's 11th District who simply want a piece, their small share of the American Dream. And I know with the genius that works in this great Hall, that together, we can collectively achieve that goal and move this country forward.

I am humbled and honored to be a part of this distinguished group, and I want to thank every one of you. I look forward to working with you.

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

WELCOMING THE HONORABLE SUSAN K. DELBENE TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Washington (Mr. DICKS) is recognized for 1 minute.

There was no objection.

Mr. DICKS. Mr. Speaker, it is a great pleasure for the Washington congressional delegation to welcome our newest Member, SUZAN DELBENE, who had the distinction of winning not just one, but two elections last week.

She was elected in a special election to fill the remainder of Congressman Jay Inslee's term, and she was also elected last week to be the Representative of a newly configured First District in the 113th Congress.

Throughout her campaign, SUZAN was able to successfully connect with voters because of her upbringing and because of her experience. She spoke to the struggles her parents went through in raising her family and of working her way through college. She earned a bachelor's degree from Reed College in Portland and received an MBA from the University of Washington.

Following her academic work, SUZAN had a very successful career at Microsoft and at two high-tech startup companies, and then was appointed director of the Washington Department of Revenue. SUZAN is a high-energy person, someone who will work well with our delegation and with all of our colleagues here in the House in the next Congress.

At this time, I would like to yield to the gentleman from Washington's Fourth Congressional District, Congressman HASTINGS, the chairman of the Natural Resources Committee, who joins me in welcoming our newest Member.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

And let me be the first here in this post session of Congress to say that this is the last session that our senior colleague from Washington (Mr. DICKS) will be serving, and he will be certainly missed. And I want to be the first to say that we will miss you here in this body.

But when somebody leaves, somebody new comes in, albeit not the same district. SUZAN, I want to welcome you to the Washington caucus. While we're a diverse State, as you well know, we have found that on issues we agree on, we work very, very well together, and we look forward to working with you.

And I know that this is not your first run here, so I'll congratulate you more on the second run than the first run. Welcome to the Congress.

Mr. DICKS. I now yield to SUZAN DELBENE to address the House.

Ms. DELBENE. I want to thank Congressman DICKS and Congressman HASTINGS for the very kind introduction. It's a great honor to be here.

Mr. Speaker, Leader PELOSI, members of the Washington delegation, and Members of the 112th Congress, it's truly an honor for me to be here with you today.

I would first like to thank all those who supported me throughout this journey; in particular, my family; my husband, Kurt, who is up in the gallery; and my children, Rebecca and Zachary, who are both off in college right now. I am very grateful to share this moment with them.

It's a great privilege to represent the people of Washington's First Congressional District, both the current and the future versions of it. I am honored to be given this opportunity by the voters of western Washington, and I truly appreciate their support. I will work very, very hard to serve them well.

I look forward to working with all of you, and I am honored to be able to serve alongside the very distinguished members of the Washington delegation. I am very excited to roll up my sleeves and get to work right away.

Thanks again. I appreciate all of your support.

Mr. DICKS. I yield back the balance of my time.

□ 1910

WELCOMING THE HONORABLE THOMAS MASSIE TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Kentucky (Mr. ROGERS) is recognized for 1 minute.

There was no objection.

Mr. ROGERS of Kentucky. Thank you, Mr. Speaker.

I have the distinct honor and privilege of representing the Kentucky delegation as we welcome our newest member, TOM MASSIE from Lewis County, Kentucky.

THOMAS earned two engineering degrees from MIT. He founded SensAble Technologies, Inc., based on his invention that made computers easier to use, raised over $32 million of venture capital, created 70 jobs, and obtained 24 patents. Then he came home to a farm in Kentucky to raise his family.

Ten years ago, he and Rhonda, his high school sweetheart, moved back home to Kentucky to raise their four children where they live on a farm in rural Lewis County, Kentucky.

But you can't keep a good man down. He wanted to be of service to the public, and he ran for the county executive's job in Lewis County on the Ohio River, and, of course, won that race. That was in 2010.

Now we are honored to present to you, in a minute, the newest member of the Kentucky delegation representing the Fourth Congressional District.

Before I introduce TOM, let me turn to my colleague, Mr. YARMUTH, from the Third District.

Mr. YARMUTH. Thank you, Mr. ROGERS. I appreciate this opportunity.

For those of us in the Kentucky delegation, Kentucky always comes first, and I appreciate this opportunity to welcome TOM MASSIE and his family to the House of Representatives and also to the Kentucky delegation.

TOM has very big shoes to fill. He steps in the shoes of Geoff Davis, who honorably served that Fourth Congressional District for a number of years. He now has the responsibility of representing about 20,000 of my former constituents, and I think 15½ holes of that hallowed golf course which he now has in his district.

I want to welcome THOMAS and his family, thank them for their service in advance, congratulate them on their election, and also invite TOM to join the Congressional Bourbon Caucus, which is one of the most popular caucuses in the Congress.

Mr. ROGERS of Kentucky. It is now my great pleasure to recognize and yield to the new member of the Kentucky delegation, THOMAS MASSIE.

Mr. MASSIE. First, I'd like to recognize the great service of Congressman

Geoff Davis for the State of Kentucky. He served us well, and those are some very big shoes to fill.

Thank you, Mr. Speaker, and thank you, Chairman ROGERS, for the introduction.

Tonight I have in the gallery my family. My grandmother is here, my mother is here, and my four children, but most of all my wife, Rhonda, is here. I need to thank them for their loving support through all of this.

I'm honored to represent the great people of Kentucky's Fourth Congressional District. I'll be a staunch defender of the Constitution, an unwavering advocate for personal liberties, economic freedom, and fiscal responsibility. I look forward to working with all of the Members of this House of Congress to advance these great American principles, thereby ensuring a prosperous future for our country.

Thank you. May God bless America.

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman from Washington and the gentlemen from Kentucky and Michigan, the whole number of the House is 433.

□ 1920

SPACE LAUNCH LIABILITY PROVISIONS EXTENSION

The SPEAKER pro tempore (Mr. WOMACK). The unfinished business is the question on suspending the rules and passing the bill (H.R. 6586) to extend the application of certain space launch liability provisions through 2014.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. PALAZZO) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TERROR ATTACK IN LIBYA

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

Mr. POE of Texas. Mr. Speaker, it's been 2 months since four Americans were murdered by terrorists in Benghazi, Libya. For 2 weeks the administration claimed this was a spontaneous protest in response to a movie, but now we know that was all a charade.

The administration knew within 2 hours that the terror group Ansar al-Sharia was claiming responsibility for this well-planned ambush and assassination. Allegedly, the administration also watched the attack occur in the White House's Situation Room, and that's when a request for military help was made and denied.

CIA operatives were twice told to stand down instead of helping the Ambassador. Why did the Ambassador's calls for help go unanswered? The American people need to know this: What happened? Why didn't the U.S. help the Ambassador when he was under attack? And what individuals killed the Ambassador? And what has the United States done to track these outlaws down, hold them accountable for this—yet another attack on 9/11?

And that's just the way it is.

CONGRATULATING SOLOMON SCHECTER ON ITS 50TH ANNIVERSARY

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

Mr. DOLD. Mr. Speaker, I rise to recognize a tremendous milestone in the 10th District of Illinois in the Chicago area.

Recently, the Solomon Schecter Day School of Metropolitan Chicago celebrated its 50th anniversary. Founded in 1962 with only 27 students in its first class, Solomon Schecter has grown over the years to provide education to over 2,500 proud graduates.

As a school that integrates general and Judaic studies, Solomon Schecter has promoted a love of learning and unique sense of community amongst its students, parents, educators, and volunteer leaders.

Schecter students also forge valuable connections with students at Keshet, a Jewish day school that serves children with developmental disabilities. Mr. Speaker, I recently visited Keshet and was very impressed by the incredible work that they do in meeting the needs of the children there.

But Solomon Schecter is more than just a school; it's a community, the strength of which can be seen in the fact that over 700 people came to proudly show their support at its recent 50th anniversary celebration.

I'd like to wish Solomon Schecter Day School continued success in the future.

□ 1930

HONORING EARL MORSE AND JEFF MILLER FOR THEIR CONTRIBUTIONS ON BEHALF OF HONOR FLIGHT

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, tomorrow I intend to bring to the floor the photos of two American families that have been instrumental in helping bring over 100,000 Americans who fought in World War II to our Nation's Capitol for Honor Flight.

I had the great opportunity this week, during a special gathering on this Veterans Day week of the friends of the World War II Memorial Committee, to meet these phenomenal Americans. Earl Morse and Jeff Miller have devoted so much of their private lives to bringing great joy to Americans across this country. We should recognize them. We should thank them. We should remember.

Those of us who have relatives that have fought in the military, those of us who appreciate those who have—on this Veterans Day week, let us give due credit to what brings us together as a people, our great sense of patriotism, our great sense of valor, and the appreciation we could give to those Americans who help to make the lives of others complete.

Mr. Speaker, I thank you for giving me this moment to highlight what I will bring to the floor tomorrow. Thank you to Honor Flight. Thank you to the Morse and Miller families. Thank you to the Friends of the World War II Memorial, and thank you to all of our World War II veterans, their families, and descendants.

GLOBAL ENTREPRENEURSHIP WEEK

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

Mr. YODER. Mr. Speaker, I rise to make note of an important week in the ongoing effort to renew our Nation's economy. This week is Global Entrepreneurship Week.

New entrepreneurs and innovators are the key to putting Americans back to work. With two out of every three jobs coming from small businesses, and 100 percent of the net new jobs coming from companies less than 5 years old, these risk-takers are the key to our economic prosperity. Simply put, if they don't grow and expand, then neither will our economy.

I was pleased to help celebrate Global Entrepreneurship Week this week by addressing many of these budding startups at the Kaufman Foundation in Kansas City. A true gem of the Midwest, the Kaufman Foundation is the world's largest foundation devoted to entrepreneurship.

Mr. Speaker, we know jobs aren't created by bureaucrats in Washington, D.C. They are created by the innovators across our Nation. As we continue to see our economy lagging behind, let's renew our efforts to support startups, innovators and entrepreneurs that take the risks to create jobs.

SUPPORTING RECOGNITION OF MALALA YOUSUFZAI

(Ms. JACKSON LEE of Texas asked and was given permission to address

the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, there's so much that we can acknowledge and respect as we come back to work on behalf of the American people. I'd like my colleagues to allow me, for a moment, to raise the issue of the recognition of introducing a legislative initiative to award the Congressional Gold Medal to Malala Yousufzai, the little girl in Pakistan who had the courage to stand up against the heinousness of the Taliban.

On October 9, 2012, Malala was shot and nearly killed by Taliban operatives because she advocated simply for educating girls in Pakistan. Her shooting has sent shock waves through the region and around the world. Leaders across the globe have condemned her shooting, while Taliban leaders remain unrepentant. In fact, as she heals in a British hospital, they have continued to threaten that she will be shot again if she comes to the soil.

Sixty-one million children worldwide are not enrolled in school, of which 32 million are girls. Pakistan has the second highest number of girls who are not attending school in the world.

As a cochair and founder of the Pakistan Caucus, the Congressional Pakistan Caucus, I urge my colleagues to rush toward this legislation and sign on. The United Nations declared Saturday, November 10, 2010, Malala Day, and many are advocating for a Nobel Peace Laureate.

I ask my colleagues to join me in advocating to recognize this brave little girl who stands for the children of the world.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REED (at the request of Mr. CANTOR) for today and Wednesday on account of attending the funeral of a fallen soldier in his district.

Mr. CICILLINE (at the request of Ms. PELOSI) for today on account of attending a funeral in the district.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 14, 2012, at 10 a.m. for morning-hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 112th Congress, pursuant to the provisions of 2 U.S.C. 25:

DAVID ALAN CURSON, Michigan Eleventh; THOMAS MASSIE, Kentucky Fourth; SUZAN K. DELBENE, Washington First.

EXECUTIVE COMMUNICATIONS, ETC.

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

8261. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Short-Term Investment Funds [Docket No.: OCC-2011-0023] (RIN: 1557-AD37) received October 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8262. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Annual Stress Test [Docket ID: OCC-2011-0029] (RIN: 1557-AD58) received October 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8263. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Design, Inspection, and Testing Criteria for Air Filtration and Adsorption Units of Post-accident Engineered-Safety-Feature Atmosphere Cleanup Systems in Light-Water-Cooled Nuclear Power Plants [NRC-2012-xxxx] received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8264. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Withdrawal of Regulatory Guide 5.67 [NRC-2012-xxxx] received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8265. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979; to the Committee on Foreign Affairs.

8266. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Foreign Affairs.

8267. A letter from the Secretary, Department of Health and Human Services, transmitting Fiscal year 2011 Report to Congress on Funding Needs for Contract Support Costs of Self-Determination Awards; to the Committee on Natural Resources.

8268. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species: Atlantic Bluefin Tuna Fisheries [Docket No.: 120306154-2241-02] (RIN: 0648-XC162) received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8269. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BC36) received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8270. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic; Amendment 11; Correction [Docket No.: 110908576-2240-02] (RIN: 0648-BB44) received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8271. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC204) received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8272. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Main Hawaiian Islands Deep 7 Bottomfish Annual Catch Limits and Accountability Measures for 2012-13 [Docket No.: 120628195-2414-02] (RIN: 0648-XC089) received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8273. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Lifting Trade Restrictive Measures [Docket No.: 120510051-2335-02] (RIN: 0648-BC16) received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8274. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Temporary Rule To Establish Management Measure for the Limited Harvest and Possession of South Atlantic Red Snapper in 2012 [Docket No.: 120709225-2365-01] (RIN: 0648-BC32) received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8275. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric

Administration, transmitting the Administration's final rule — Reef Fish Fishery of the Gulf of Mexico; Gulf of Mexico Individual Fishing Quota Progarms [Docket No.: 090206140-91081-03] (RIN: 0648-XC227) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8276. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Fishing Year 2012 Days-at-Sea Adjustment for Common Pool Fishery; Announcement of Fishing Year 2011 Sector Annual Catch Entitlement Carryover [Docket No.: 120109034-2153-02] (RIN: 0648-XC168) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8277. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; Reopening of the 2012 Commercial Sector for Yellowtail Snapper in the South Atlantic [Docket No.: 100812345-2142-03] (RIN: 0648-XC229) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8278. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC206) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8279. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Correction [Docket No.: 120403252-2392-01] (RIN: 0648-BC06) received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8280. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fisheries Management Plan; Northern Red Hake Quota Harvested [Docket No.: 110816505-2184-03] (RIN: 0648-XC201) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8281. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Bluefish Fishery; Quota Transfer [Docket No.: 1202010086-2418-02] (RIN: 0648-XC235) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8282. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC207) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8283. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 20A [Docket No.: 100812344-2449-02] (RIN: 0648-AY74) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8284. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC224) received October 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8285. A letter from the Service Officer, American Gold Star Mothers, Inc., transmitting the organization's report and financial audit for the year ending June 30, 2012; to the Committee on the Judiciary.

8286. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Adjustment of Civil Monetary Penalties for Inflation (RIN: 1801-AA12) October 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8287. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report for the National Tropical Botanical Garden for the period from January 1, 2011 through December 31, 2011, pursuant to 36 U.S.C. 4610; to the Committee on the Judiciary.

8288. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Third Circuit, C.A. No. 09-4541, Maribel Delrio-Mocci, et al v. Connolly Properties, Inc., (February 24, 2012); to the Committee on the Judiciary.

8289. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Suspension of End-Use Certificate Program Requirements received October 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8290. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — United States-Peru Trade Promotion Agreement [USCBP-2011-0043] (RIN: 1515-AD79) received October 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8291. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-64] received October 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8292. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Fringe Benefits Aircraft Valuation Formula (Rev. Rul. 2012-27) received October 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8293. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — November 2012 (Rev. Rul. 2012-30) received October 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8294. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — RIC Modernization Act Capital Loss Carryforward Effective Date (Rev. Rul. 2012-29) received October 2, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8295. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Annual Report of the Student Loan Ombudsman; jointly to the Committees on Financial Services and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DREIER: Committee on Rules. House Resolution 808. Resolution providing for consideration of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova and to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and for other purposes (Rept.112–693). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GALLEGLY (for himself, Ms. RICHARDSON, and Mr. MCKEON):

H.R. 6587. A bill to designate the facility of the United States Postal Service located at 225 Simi Village Drive in Simi Valley, California, as the ''Postal Inspector Terry Asbury Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE of Texas (for herself, Mr. VAN HOLLEN, Mr. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. CICILLINE, Mr. BRADY of Pennsylvania, Ms. SLAUGHTER, Ms. NORTON, Mr. SIRES, Mr. TOWNS, Ms. SCHWARTZ, Ms. RICHARDSON, Ms. MCCOLLUM, Mrs. DAVIS of California, Mr. AL GREEN of Texas, Mrs. MALONEY, Mr. PETERS, Mrs. NAPOLITANO, Mr. CULBERSON, Mr. FARENTHOLD, Mr. CONYERS, Mr. PALLONE, Ms. SEWELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. SCOTT of Virginia, Ms. FUDGE, Mr. PERLMUTTER, Mr. CLEAVER, Mr. CLYBURN, Ms. KAPTUR, and Mr. YODER):

H.R. 6588. A bill to award a Congressional Gold Medal to Malala Yousufzai, in recognition of her devoted service to education, justice, and equality in Pakistan; to the Committee on Financial Services.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

289. The SPEAKER presented a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 29 supporting the Department of Justice's investigation into whether state legislatures are discriminating against and suppressing the vote of minorities, senior citizens, young adults or those with physical disabilities or limited economic means; to the Committee on the Judiciary.

290. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 325 urging the

Congress to provide funding to the United States Army Corps of Engineers for dredging harbors of refuge and maintaining seawalls; to the Committee on Transportation and Infrastructure.

291. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 30 supporting the Social Security Fairness Act of 2011; to the Committee on Ways and Means.

292. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 134 urging the Congress to change the eligibility requirements for Social Security Disability Insurance and Supplementary Security Income benefits; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. GALLEGLY:

H.R. 6587.

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

This bill is enacted pursuant to Article I, Section 8, Clause 7 of the United States Constitution, it is the power of Congress to ''Establish Post Offices . . .''.

By Ms. JACKSON LEE of Texas:

H.R. 6588.

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

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 718: Mrs. EMERSON and Ms. BONAMICI.
H.R. 719: Mr. GARAMENDI.
H.R. 812: Mr. ISRAEL.
H.R. 973: Mr. YODER
H.R. 1084: Ms. CHU.
H.R. 1381: Mr. RANGEL.
H.R. 1426: Mr. ANDREWS.
H.R. 1477: Ms. CASTOR of Florida.
H.R. 1489: Ms. ROYBAL-ALLARD.
H.R. 1546: Ms. BONAMICI.
H.R. 1568: Mr. CLAY.
H.R. 1862: Mr. VAN HOLLEN.
H.R. 1886: Mr. FARR.
H.R. 1887: Mr. FARR.
H.R. 1888: Mr. FARR.
H.R. 2016: Mr. LARSEN of Washington and Ms. ESHOO.
H.R. 2086: Mr. LOEBSACK.
H.R. 2151: Mr. ELLISON.
H.R. 2353: Mr. GERLACH.
H.R. 2437: Ms. MCCOLLUM.
H.R. 2479: Mrs. DAVIS of California and Mr. MANZULLO.
H.R. 2547: Mr. RANGEL.
H.R. 2607: Mr. GUTIERREZ.
H.R. 2634: Mr. LANGEVIN.
H.R. 2701: Mr. LANGEVIN.
H.R. 2950: Ms. CHU.
H.R. 3085: Mr. PENCE and Mr. GUTHRIE.
H.R. 3151: Mr. WAXMAN.
H.R. 3269: Mr. PERLMUTTER.
H.R. 3334: Ms. WATERS.
H.R. 3506: Ms. KAPTUR.
H.R. 3510: Mr. RANGEL and Mr. PETERS.
H.R. 3612: Mrs. MCCARTHY of New York, Mr. SABLAN, and Mr. CONYERS.
H.R. 3618: Ms. HIRONO.
H.R. 3634: Mr. PASCRELL and Mr. WOMACK.
H.R. 3769: Ms. SCHWARTZ.
H.R. 3821: Mr. SIRES.
H.R. 4122: Mr. TONKO, Mr. FILNER, Mr. GEORGE MILLER of California, Mrs. MCCARTHY of New York, Mr. CAPUANO, Mr. CRITZ, Ms. BASS of California, and Ms. CHU.
H.R. 4202: Ms. BORDALLO.
H.R. 4271: Mrs. CHRISTENSEN and Mr. WATT.
H.R. 4323: Mr. MARCHANT.
H.R. 5943: Mr. OLSON.
H.R. 6239: Mr. LUETKEMEYER.
H.R. 6273: Mr. CUMMINGS.
H.R. 6381: Mr. CLAY.
H.R. 6409: Mr. TIERNEY.
H.R. 6421: Ms. LORETTA SANCHEZ of California.
H.R. 6454: Ms. ZOE LOFGREN of California.
H.R. 6483: Mrs. DAVIS of California.
H.R. 6506: Mr. ISRAEL.
H.R. 6514: Mr. FRANK of Massachusetts.
H.R. 6575: Mr. GOODLATTE.
H. Res. 111: Mr. REED and Ms. HIRONO.
H. Res. 134: Ms. JENKINS.
H. Res. 298: Mr. CARNEY.
H. Res. 387: Mr. STARK.
H. Res. 601: Mr. MARCHANT.
H. Res. 650: Ms. SCHAKOWSKY.
H. Res. 760: Mr. BLUMENAUER, Mr. HONDA, and Mr. CONNOLLY of Virginia.
H. Res. 789: Mr. KLINE.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, TUESDAY, NOVEMBER 13, 2012 No. 144

Senate

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, our shelter in the time of storm, bless the Senators who are preparing to leave and those who are coming. As we turn to a new chapter in our Nation's history, we ask for Your guidance. We need You to guide us through the labyrinthine seasons of history, for we are weak but You are mighty. Lord, guide us with Your faithful Hands, becoming for this great land our strength and shield. Strengthen our weakness, comfort us in trouble and distress, and empower us to fight the good fight of faith.

We pray in the Name of Him who is the way, the truth, and the life. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 13, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

SPORTMEN'S ACT OF 2012—MOTION TO PROCEED—Resumed

RECOGNITION OF THE MAJORITY LEADER

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

WELCOME TO EVERYONE

Mr. REID. Mr. President, after our election, I welcome everyone back. For some it was a nice break. For others it was a lot of hard work. We welcome everyone back and look forward to a very productive next 6 weeks.

SCHEDULE

Mr. REID. Mr. President, the Senate is considering the motion to proceed to S. 3525, the Sportsmen's Act, postcloture. At 5:30 p.m., there will be a rollcall vote on the motion to proceed to the legislation.

FACING GREAT CHALLENGES

Mr. REID. Mr. President, for the last year, the country has been focused on the difference between Republicans and Democrats. And for the last 2 years, this Congress has not accomplished nearly enough. But as we close the 112th Congress, it is time to focus on our shared goals and our common purpose.

We all agree, I hope, that today—now—great challenges face our country and this Congress. Those challenges are large—too large to be solved by Democrats alone. They are too large to be undertaken by Republicans alone. And they are too grave for us to allow political differences to stand in the way of success.

On the day Gerald Ford became President of the United States, at a time of great national turmoil, he said:

There is no way we can go forward except together and no way anybody can win except by serving the people's urgent needs. We cannot stand still or slip backwards. We must go forward now together.

So said Gerald Ford.

Mr. President, that is as true today as it was back then. Today the American people have many urgent needs. They need more jobs. They need economic certainty. They need opportunity and fairness.

It is within our power as a Congress to quickly address these urgent needs.

It is within our power to forge an agreement that will give economic certainty now to middle-class families who can least afford a tax hike.

It is within our power to forge an agreement that will ask the richest of the rich—the most fortunate among us—to pay a little extra to reduce the deficit and secure our economic future.

It is within our power to forge an agreement that will protect important tax deductions for families and businesses still struggling.

It is within our power to forge an agreement that will take a balanced approach to reduce spending.

In fact, we could avert the fiscal cliff for 98 percent of American families and 97 percent of small businesses today. The House must only consider the Senate-passed bill freezing tax rates for those making less than $250,000 a year. This Congress is but one vote away from avoiding the fiscal cliff for middle-class families and small businesses.

As influential conservative Bill Kristol said this week:

Let's have a serious debate. . . . It won't kill the country if we raise taxes a little bit on millionaires. It really won't.

So said Bill Kristol.

So solutions are in our grasp. We only have to make the choice to pull together instead of pulling apart.

The hands of the Democratic Caucus are reaching toward our Republican friends, our Republican colleagues. I urge the Republicans to join us to do the difficult but necessary work that is ahead.

If there is a message to take away from this year's election, it is this: Americans are tired of the politics of

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

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division. They are tired of obstruction and distraction. The American people—Democrats and Republicans—want cooperation and conciliation.

I urge any of my Republican colleagues who are considering the same strategy of obstruction to turn away from the divisions of the past and join in cooperation, compromise, and consensus.

Gridlock is not the solution. It is the problem.

How this Congress deals with the challenges ahead will be the test of our character, both as individuals and as a body politic—the U.S. Senate.

As the British playwright John Osborne said:

> They spend their time mostly looking forward to the past.

We cannot look back. We must show the American people we are equal to the challenges we now face. The challenges are here. We know the challenges. We see the challenges. We can feel the challenges.

There are many reasons why—as we wind down this 112th Congress and embark upon the 113th—we must succeed.

But the best illustration of our duty—our obligation—comes from the words of Medal of Honor recipient DANIEL INOUYE. Senator INOUYE's son asked his dad why—after people were designated as enemy aliens, after being put in internment camps—why did he and the members of the famed 442nd Regimental Combat Team fight heroically the way they did.

Asked why he fought, Senator INOUYE told his son—many years after the battle had ended and Lieutenant INOUYE's wounds had healed—that he fought ''for the children.'' Senator INOUYE said that he fought for the children. So I say to my colleagues—Democrats and Republicans—we must legislate, legislate for our children. They deserve it. We owe them the future.

It is time for Democrats and Republicans to go forward now together—''go forward now together,'' as Gerald Ford said—and show the American people that we are equal to the challenges we face. The challenges are there. We must face them and face them together.

RECOGNITION OF THE MINORITY LEADER

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

THE ELECTIONS

Mr. MCCONNELL. Mr. President, I want to begin by welcoming all the new Members who are here today, Republican and Democrat. Congratulations on your victories, and welcome to the Senate. I assure you, it is not as terrible a job as some say it is. We welcome your ideas, your energy, and your enthusiasm, and we wish you every success in your time here.

I also want to congratulate the President and the Vice President on their hard-fought victory last week. And I wish to say a brief word of thanks to our own nominees as well, Governor Romney and Congressman RYAN. They may not have won the race, but they earned our respect and admiration in the effort. They fought valiantly—valiantly—for the cause of limited government, free enterprise, opportunity for all, and a stronger social safety net that is there when people need it most.

In short, they fought for the kind of constitutional conservatism so many Americans believe in so very strongly. And their loss does nothing to diminish the importance of these enduring principles or our commitment to keep fighting for them. So we thank them, and we thank their families, for making the sacrifices any Presidential campaign demands. And I want to assure everyone: The cause goes on.

Now onto the task at hand.

AVOIDING THE FISCAL CLIFF

In politics there is always a temptation among those who win office to think they have a mandate to do what they will. But it is important to remember that in this case the voters also reelected a Republican-controlled House last week and a closely divided Senate. And in a government of three equal branches, that is hardly irrelevant.

Most people may focus on the White House, but the fact is the government is organized no differently today than it was after the Republican wave of 2010.

Look out across the heartland and you will see vast regions of the country wary of the President's vision for the future. The country is sharply divided about the right path forward. If the President wants to unite America, as he has always claimed to, if he truly realizes that he was elected to represent all of its citizens, not just the ones who voted to give him a second term last Tuesday, then he will seek the common ground that he largely avoided so strenuously in his first term. That is his task. That is the duty that comes with being President.

I hope that in this term he rises to the challenge. It starts by realizing that he is the only man in America who can sign a piece of legislation into law—the only one of the 306 million Americans—and that while voters have given him a second term, they have also given those of us in Congress the power and the duty to ensure that he uses that power wisely. And that is, of course, what we intend to do.

The campaign is over. The time for slogans and pep rallies is past. If the President is serious about solving current crises and avoiding future ones, he has to step up and to lead.

So let me be clear: When it comes to the great economic challenges of the moment, saying that you want a balanced approach is not a plan. Saying people need to pay their fair share is not a plan. The tedious repetition of poll-tested talking points is simply that. The longer the President uses them as a substitute for leadership, the more difficult it will be to solve our many problems.

The time for the President to lead is now, and that means offering a concrete plan that takes into account the fact that half the Congress opposes tax hikes—not because we are selfish, not because we are stubborn, but we know it is the wrong thing to do, we know it will hurt the economy, and we know it will destroy jobs. This is not partisan politics. It is economics. As the President might say, it is math.

According to a recent independent, nonpartisan study, raising tax rates on top earners, as the President has proposed, would destroy over 700,000 jobs. It would slow the economy, meaning less revenue would come into the Treasury. As a result, it would not do much to reduce the deficit, even if Democrats actually followed through and used it for that purpose.

Think about it: The amount of revenue for which they are prepared to push us over the fiscal cliff would not fund the government for a week. Let me say that again. The amount of revenue for which they are prepared to push us over the cliff would not fund the government for 1 week.

So why in the world would we want to do that? What is the point? To make people feel good about whacking somebody else? That is not what we were sent here to do.

That is certainly not what the people of Kentucky sent me here to do. That is not how you set economic policy—because it makes you feel good. You set economic policy because you think it will lead to investment in America, create jobs, and give more people an opportunity to lift themselves up, boosting middle-class incomes now and ensuring security for the future. This is the kind of vision Speaker BOEHNER laid out for the country last week. I cannot think of any good reason the President would not embrace it.

Some on the other side have said we should just go off the cliff—just go off the cliff—and hope for the best. I do not think that is what the American people had in mind when they went to the polls last week. I think what they had in mind was that we put the contest of the past 2 years behind us and work it out.

The best way forward and the way that will lead to jobs and growth, a smaller deficit, and fewer political fights is to keep everybody's tax rates right where they are for now, to figure out a way to avoid the automatic defense cuts scheduled to hit at the end of the year without cutting a penny less than we promised and committing to the kind of comprehensive tax and entitlement reform that we all claim we want.

A simpler Tax Code that lowers rates and clears out certain deductions and special interest loopholes would trigger economic growth, create jobs, and result in more revenue without raising anyone's rates. We know this because we have seen it before. It actually works.

Personally, I do not think Washington should get any of that extra

revenue. I do not think we need it. As I have said many times before: Washington's problem is not that it taxes too little but that it spends too much. But in a good-faith effort to make progress on boosting the economy and government's long-term solvency, Republicans like me have said for more than a year now that we are open to new revenue in exchange for meaningful reforms to the entitlement programs that are the primary drivers of our debt, so that we can reduce the deficit, protect these programs for today's seniors, and strengthen them for future generations.

So new revenue must be tied to genuine entitlement changes that strengthen these programs for the future and preserve them and also address our long-term debt and deficit problems. In other words, we would do it if we thought we could make progress in creating more middle-class jobs and address what is by far the single biggest obstacle to fiscal balance. This is the basic outline of a plan, and it reflects our seriousness as a party.

So make no mistake, Republicans are offering bipartisan solutions. Now it is the President's turn. It is his turn to demonstrate similar seriousness, bring his party to the table, and take the lead. We are ready to find common ground, ready to find common ground on revenue—not as I said because any of us actually thinks the government needs any more of it, but because Democrats, from the President on down, have said they are willing to punish everyone if they do not get it. We are not about to let that happen, but we are also not about to further weaken the economy by raising tax rates and hurting jobs.

Look, this should not be that difficult. Recent history gives us two examples of Presidents who solved big problems by finding common ground with the other side. Ronald Reagan did it with a Democratic-led House after a far more resounding second-term victory than President Obama's, as did Bill Clinton with a Republican-controlled House and a Republican-controlled Senate after a more resounding second-term victory than President Obama's. Both examples, both of them, illustrate the rare opportunity that divided government presents.

President Obama can follow suit or he can take the extremist view that both Reagan and Clinton rejected by thumbing his nose at the other side and insisting that if Republicans are not willing to do things his way, he will not do anything at all. If the President is serious, he will follow the lead of Presidents Reagan and Clinton. If he is really serious, he will put the campaign rhetoric aside, propose a realistic solution that can pass a Republican-controlled House and a divided Senate, and work to get it done. And if the President acts in this spirit, I have no doubt he will have the support of his own party and a willing partner in ours.

The American people will breathe a sigh of relief knowing not only that we have avoided a crisis but Washington can still serve their interests. Unless we act in a few short weeks, Americans will face a combination of defense cuts and automatic tax hikes that threaten to plunge us into another recession and undermine at the same time our national defense. This looming crisis is made worse by the backdrop of a massive Federal debt that we will never be able to tackle as long as Democrats refuse even the smallest of reforms to strengthen and protect the entitlement programs that are driving that debt.

That is why Republicans have remained firm on this point: Any serious solution, any serious solution, must include real spending cuts and meaningful entitlement reforms to strengthen and protect these programs for future generations. We got into this mess because we promised cuts that never materialized and because we could not muster the will to match entitlements with the changing demographics of our country.

We are not going to get out of it until we agree to do both, and agree to do it together. Republicans have reached out, made offers beyond our preferred approach in an effort to attract bipartisan solutions. Meanwhile, all we get from Democrats is letters saying they will not even consider reforming the very programs that lie at the heart, the very heart of our fiscal imbalance.

Instead of showing faith and a willingness to solve the problem, we get the same tired talking points that we cannot cut our way to prosperity. Well, that may poll well, but it is not a plan. It is a cliche that is meant to shut down debate and prevent a serious proposal from ever taking shape.

So how do we get around the stalemate? That is simple. Presidential leadership. Let me repeat. There is only one person in America out of 360 million Americans who can sign something into law and, even more importantly, deliver the members of his party to support a deal that he makes.

We will arrive at a plan when the President presents one or we will not get anywhere at all. That is how we get out of a jam. That is what the moment requires. It is the President's move. There is no way we can avert these job-killing tax hikes before they strike and replace the defense portion of the so-called sequester with cuts of equal size in areas that both sides have already agreed to during last summer's debt limit negotiations. We can do all of it in the weeks ahead with a promise to do even bigger things next year.

That is exactly what we should do. This is one of those moments where the only thing standing between success and failure is Presidential leadership. That is why we are calling on the President to seize the moment—seize the moment and do something he has not done before but which successful predecessors have so often done before.

We are calling on him to lead, to take the initiative, propose a plan that is actually designed to succeed. If he does, I am confident he will find he has more Republican friends over here than he thought. I am not asking the President to agree with us on the proper role of government or the dangers of a creeping regulatory state. I am not asking him to adopt our principles. I am simply asking him to respect our principles by not insisting that we compromise them because I assure you we will not. But we will be happy to work with him on a plan to avert the coming crisis and lay the groundwork for further success down the road.

Let's put the campaign behind us and get the job done.

I yield the floor.

RESERVATION OF LEADER TIME

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

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

ELECTION RESULTS

Mr. DURBIN. Mr. President, today is November 13. I think what strikes me about this date is it has only been 7 days since the election. It seems like a lot longer. Maybe it is because the election campaign itself felt so long. But it has been 7 days since the American people went out and voted.

I have to say this: It was not just because of the victory of the President which was important to many of us, but it was quite a validation of this country and this democracy that millions of Americans made the personal sacrifice, took the time, and went to the polling places and actually cast a vote. When it was all over, thank the Lord, it was decisive. The President won a majority of the popular vote as well as a strong majority of electoral votes. The outcome was not in suspense or in doubt when it was all over. That was good for the process, it was good for our country, and, quite frankly, it is time for us to move forward.

During the course of the campaign, I was actively working in my State of Illinois, around the Midwest, on behalf of the President. I was at one of these spin rooms, which is kind of hard to describe. You will not find it in the Constitution. It is hard to describe. After the debates there was this scrum of politicians and spokesmen who stood together under little signs with their names on them waiting for the press to come up to them and say: What did you see? What do you think?

I was in one of those. I can't remember where it was. I think it might have been New York at Hofstra after one of the Presidential debates. One of the reporters said to me: So, Mr. DURBIN, I know you are here supporting President Obama. What are you going to do

if Governor Romney wins and becomes President?

I said: Well, I am going to respect him, do everything I can to work with him to solve the problems of this country.

Do you know what he said? He said: I am going to hold you to that. Well, he should. That is the responsibility we all have regardless of party, to work with the President to solve our Nation's problems.

Now, there were some who said 4 years ago that when they viewed the new President, President Obama, their goal was to make sure, above all, that he was a one-term President. That was an unfortunate statement because it suggested that solving problems and dealing with our challenges was secondary to a political victory. I hope that in the second term the President can turn to both sides of the aisle in Congress and find support for solving our Nation's problems. They are many.

The first one is this fiscal cliff which Americans are hearing more and more about. On December 31 of this year laws will expire and things are going to happen. What will happen is taxes will go up across the board, not just on the wealthy but on everyone. There will be cutbacks in unemployment compensation, cutbacks in the payroll tax, 2-percent cuts. There will be a lot of different changes that affect a lot of people. We are going to see automatic cuts in spending, sequestration as we call it, both on the defense side and nondefense side.

Many people have said: Well, who dreamed this up? And the honest answer is all of us in Congress, Democrats and Republicans, together with the President created this so-called fiscal cliff, and we voted for it. The Republican leader of the Senate was here a few minutes ago. He voted in favor of it. I did too.

The idea was to have a December 31 deadline that was so imposing and so threatening that we would do something to avoid it. We created a supercommittee to reduce the deficit, with equal numbers of Democrats and Republicans, and said: Find a way out of this deficit mess so we can avoid this cliff.

They could not. They were unable to reach an agreement. So now this December 31 deadline is looming. It is one that ought to sharpen our senses and our attention on solving the problems that face this country. They are substantial.

First, we need to get out of this recession. We are moving forward but slowly. We need to make sure that whatever we do in Congress it moves us in the direction of creating more jobs and strengthening business and making us more competitive in the 21st-century economy.

But secondly, as important, we need to deal with the deficit, a deficit which requires us to borrow 40 cents for every dollar we spend in Washington. That is unsustainable. I say that as a Democrat. Republicans say it as well. We have got to balance the two, keep the economy moving forward and yet make a serious commitment to deficit reduction.

I was on the Bowles-Simpson Presidential commission which President Obama created. There were 18 of us. Eleven of us voted for the commission report, a bipartisan report, and I still believe that it contains the basic ingredients for finding our way through this challenge. I hope we could have support from the other side of the aisle.

I listened carefully to the speech just given by the Senator from Kentucky, and he said repeatedly that the election is behind us, we need to work together. That is exactly the right thing to say. It means we have to ask the Republican side that they join us in finding revenue. We know we need more in tax revenue to deal with this deficit. The President has proposed that those making over $250,000 a year pay a little more. I don't think that is unreasonable. Those who have been blessed with success and comfort in life and doubly blessed by being part of this great Nation should be wanting to pay back a little to help us get through this economic challenge, and I think they will. I genuinely think they will. I also believe those who are in the middle-income categories, working families, need to be spared a tax increase. Many of them are struggling paycheck to paycheck. It isn't an easy economy in which to raise a child, put a child through college or keep your home or make plans for the future. We need to give those working families a helping hand to make sure they don't face a tax rise.

The President said the other day that we have a bill pending before the House that would spare those families making $250,000 or less a year from seeing a tax increase, and he asked the House to pass it. I hope they will. That means we can focus on taxes only for those in higher income categories. The Senator from Kentucky said, well, it doesn't raise that much money. I beg to differ. If we impose a tax on those making over $250,000 a year, and if we go back pre-Bush tax cuts, it raises $800 billion over 10 years. That is not insubstantial. It is an important sum that we need to have to move toward a budget that is closer to being in balance. We have to include it. We need to look at entitlement programs in an honest fashion. We need to make sure that at the end of the day the Social Security system is there for generations to come, and Medicare, which is so important to 40 or 50 million Americans, will be there for many years to come as well. That is part of our responsibility.

I welcome the statement by the Senator from Kentucky. I take him at his word that he is willing to work with the President. He has called on the President to lead, and that is only right; the President is the leader of our Nation.

I might also add that we need leadership in Congress as well, Democrats and Republicans willing to sit down at a table and reasonably work out our differences. It is not easy, but we can do it and we should do it.

VETERANS DAY 2012

Mr. DURBIN. Mr. President, we have heard a lot about the wealthiest 1 percent of Americans, and on this session after Veterans Day I wish to talk about another 1 percent, the 1 percent who have volunteered to defend us. I want to say a few words about veterans in earlier wars. Thirty years ago, thousands of veterans of the Vietnam war came home. They gave themselves a homecoming parade that they deserved but almost none had ever received. The Presiding Officer here from Virginia, I know as a Senator and as an ace Vietnam veteran, knows of what I speak.

With wounded veterans in wheelchairs leading the parade, they marched up Constitution Avenue to dedicate the National Vietnam Veterans Memorial, on whose polished granite walls were etched the names of nearly 58,000 dead and missing comrades-in-arms.

Here is a photograph that was taken that day. This is Joseph Ambrose of Joliet, IL. Mr. Ambrose was 86 years old then. He is wearing the same uniform he wore as a 19-year-old U.S. Army private in France in World War I. In his arms he carries a flag, the flag that covered the coffin of his son who gave his life for our country in Korea.

Joseph Ambrose wore his old Army ''doughboy'' uniform and carried his son's flag often to Veterans Day parades and VFW conventions. He confessed that some years he had to go on a crash diet to get back into the uniform, but he did it to honor the veterans of Vietnam and Korean wars that he believed Americans needed to remember, and he wanted to remind us of an important truth, that no matter the outcome of the war, those who answer the call of duty and risk everything to defend our country deserve the respect of a grateful nation.

In the 30 years since its dedication, the Vietnam Veterans Memorial has become an almost sacred place of remembering, reconciliation, and healing. It has a special impact on visitors. I was one. As you walk down that incline and this polished granite monument starts to loom higher and higher, and the names grow until you are engulfed by them, you have a feeling of the immensity of sacrifice that was involved in that war.

This past weekend in Chicago and Quincy, IL, big cities and small alike across America communities held Veterans Day parades. Volunteers assembled and sent thank-you packages to the troops serving overseas. I was at Union Station in Chicago yesterday. Fifth Third Bank sponsored the sending of these packages to those who are currently serving. It is all good and it is important, but it is only a fraction of what we owe to veterans.

Mr. President, I want to give special thanks to you and a special shout-out

for what you have accomplished in your service in the Senate. I remember the first time we ever sat down and had any serious conversation about your service in the Senate for the State of Virginia, and you told me your No. 1 priority was a new GI bill. You were brandnew to this place, but you sure knew that subject inside and out. I respected you so much for it and respect you even more for sticking with it. Your determination led to the creation of a new GI bill. Thousands—thousands—of veterans are going to have better lives and their families as well because you were determined to make it happen.

I know you are retiring and nearing the end of your term here in the Senate, but it is a lasting contribution to this country, and I am glad that since it was at the top of your list when you arrived that you got it done. Some Senators spend a lifetime around here and never get No. 1 on the list accomplished, but you did it, and I thank you very much for your leadership in that regard.

It was 2½ years ago that we also created the family caregivers act to help veterans who survived catastrophic and disabling injuries in Iraq and Afghanistan and the family members who sacrificed so much to help them. I introduced this bill after Senator Hillary Clinton moved on to the State Department 4 years ago. I thought it was a good idea and it was recommended to me by the family of wounded veteran Eric Edmundson. His mom and dad and sister came to me, and we talked about the caregivers act. Traumatic brain injuries, as we know, are one of the signature casualties of the wars in Iraq and Afghanistan.

In 2005, Eric Edmundson was a 26-year-old Army sergeant. He survived a roadside blast but then went into cardiac arrest while awaiting transport to a military hospital. His brain was deprived of oxygen for almost 30 minutes. Doctors told his parents that Eric would spend the rest of his life in a vegetative state, and they should choose a nursing home for their 26-year-old son. But Eric's mom and dad said, no, we are not giving up on this young man. They fought for Eric to be transferred to the Rehabilitation Institute of Chicago, one of the best—in fact, the same hospital that my colleague Senator MARK KIRK has been returning to time and time again for rehabilitation from his stroke.

I visited Eric at that hospital several times. He worked so hard to heal and to make progress and his family was with him every day. I will never forget the time I visited Eric in his hospital room in Chicago and his mom said, Eric has a gift for you. I thought, wait a minute, Eric is giving me a gift, at which point his mom and dad walked over on each side of his wheelchair, grabbed one of his elbows each, lifted him up, and Eric took three steps. It was amazing. There wasn't a dry eye in that hospital room, tears of joy that this young man finally could take a few steps.

His dad said at that time, In about a month Eric is going to walk out of the front door of this hospital. Can you be there? Of course I was. It was a proud day not only for Eric and his family but for all of us to see the dramatic progress he made.

Today Eric lives in North Carolina with his wife and two young children. His mom and dad are there by his side every day. They have moved in today to be full-time caregivers for their son, and the family caregivers act helps their family and so many others make sure that Eric is home with his family where he wants to be, receiving the kind of care he deserves for service to our country. So far more than 130 families in Illinois and more than 5,000 nationwide are part of the caregivers program. I am proud of that program. I thank Senator Clinton for a great idea. I thank Senator DANNY AKAKA, who was chairman of the Veterans' Affairs Committee when it passed as part of larger legislation.

Posttraumatic stress syndrome is another signature wound of these wars that we recently engaged in. These wounds aren't visible, but they are wounds to the spirit. They can be just as debilitating and deadly as a visible wound. We know that active-duty servicemembers are taking their own lives at alarming rates, and the suicide rate among veterans is even higher. The VA estimates that 18 veterans a day take their own lives. The VA has made heroic efforts to keep up with the surge of mental health needs in Iraq and Afghanistan veterans. Yet despite those efforts only a fraction of veterans with PTSD are receiving timely, effective care.

President Obama recently issued an Executive order to improve mental health care for servicemembers and veterans. The order will expand by 50 percent the capacity of the VA on their crisis line to make sure that any veteran facing a crisis can get professional help within 24 hours.

There is a bill pending in the Senate that would do even more. The Mental Health ACCESS Act introduced by Senator PATTY MURRAY, who has been an amazing champion of veterans—she is the daughter of a severely wounded veteran, and a fierce champion for veterans and their families—the Mental Health ACCESS Act, which I am proud to cosponsor, would make comprehensive improvements in VA suicide prevention counseling and mental health staffing. It would also expand eligibility for a variety of VA health and mental health services to family members, which are so important. We also need to step forward as well and make sure that we go beyond welcoming home parades for veterans and find them a job. Parades are just fine, but if you really want to support a veteran, hire that veteran. Give that veteran a job. America's military today is the best trained, best educated in the history of the world. They have done an enormously good job for our country, and they can do the same for businesses across America.

I hope the bipartisan plan which we are working on with Senator BILL NELSON of Florida to pass will be enacted soon and become part of the law of the land to help these veterans. The President is prepared to sign it, and the sooner we do it the better.

Let me salute some of the veterans in the Senate who are here: Senator FRANK LAUTENBERG, who served in World War II; Senator DANNY INOUYE, a Medal of Honor recipient from World War II; Senator JOHN MCCAIN, Senator TOM CARPER, Senator KERRY, and the Presiding Officer, Senator JIM WEBB, both of whom served with honor in Vietnam, as well as Senator LINDSEY GRAHAM, who continues to serve as a colonel in the Air Force Reserve; and my colleague Senator MARK KIRK, who is a commander in the Navy Reserve. And not to leave out Senators AKAKA, BINGAMAN, BLUMENTHAL, SCOTT BROWN, CARPER, COATS, COCHRAN, ENZI, HARKIN, INHOFE, ISAKSON, TIM JOHNSON, KOHL, LUGAR, BILL NELSON, REED, ROBERTS, SESSIONS, and WICKER.

The elections earlier this month saw at least 9 new veterans of Iraq and Afghanistan elected to Congress, bringing the total of new veterans in the next Congress to at least 16. They are still counting the ballots in some States.

The people of Illinois are proud that 3 of those 16 veterans are from our State: Congressman ADAM KINZINGER, an Air Force veteran of Iraq and Afghanistan, and two exceptional leaders who will join the next Congress, Bill Enyart, a new Congressman from downstate Illinois, a veteran of Vietnam and former adjutant general of the Illinois National Guard. Then, of course, my friend, my ''sheroe,'' Tammy Duckworth. She is the daughter of a Vietnam vet and one of the first women to ever fly a combat mission in Iraq. She was copiloting a Black Hawk helicopter when an RPG struck her helicopter. She lost both her legs and the use of her right arm. She has worked in both State and Federal Government on behalf of veterans. What a proud day it will be for America when Tammy stands to take the oath of office in just a few weeks as the newest member of the U.S. House of Representatives.

I want to say a word about my first boss in the Senate, another veteran by the name of Paul Douglas, a man who at the age of 50 enlisted in the Marine Corps in 1942, went through Parris Island training, talked himself into combat, where he was wounded at Peliliu and then more seriously wounded at Okinawa and lost the use of his left arm. He was an extraordinary man who refused to take his veterans' disability pay. He sent his checks back to the government every single month. He joked that you could do the work of a Senator with one arm tied behind your back, so it wasn't really fair for him to

take disability pay for too long. In too many issues we in the Senate have tied our own hands with excessive rancor and bipartisanship.

I hope in this lameduck session and beyond, that at least on the issue of helping our veterans, we can come together on a bipartisan basis.

IMMIGRATION REFORM

Mr. DURBIN. Mr. President, it was 101 years ago when my grandmother came to this country with three small children and landed in Baltimore from Lithuania, and came down the steps into America for the first time. The year was 1911. I don't know how my grandmother managed to navigate her way to East Saint Louis, IL, to meet my grandfather with those three little kids and not speaking a word of English, but she did. So it is with some pride that I have displayed in my office right behind my desk my mother's naturalization certificate when she became a citizen of the United States.

I think the fact that her son became a U.S. Senator tells a great story about our Nation and the opportunity that is available.

I have always had a soft spot in my heart for immigrants because I am the proud son of an immigrant who came to this country and worked her way into citizenship and raised a good family. Our story is not unique. It is, in fact, the American story. And this election has really brought to the attention of many the need for us to deal with immigration reform. There are more than 10 million Americans out there who are undocumented, uncertain of their future. Some people mistakenly believe they live in homes full of undocumented people. In most cases, we find that four out of the five in a family are legally here in America and the fifth—maybe even mom—is undocumented. So it is a challenge for us to deal with these folks who have been here for so long in a fair and honest way. We can't turn our backs on them.

One can go into a restaurant or hotel in Chicago and by and large find many of these individuals working to clean the rooms and clear the tables. A family who has someone in a nursing home probably has an undocumented worker who is making sure their mother or father or someone they love has the basics they need every single day. So we need a realistic and reasonable approach to address the millions of undocumented immigrants living in America today.

In this year's election, the Republican Presidential nominee advocated what he called ''self-deportation.'' It doesn't make any sense. It would be wrong to force millions of hard-working immigrants who are contributing to our country to leave. Instead, we need a better solution—a path to citizenship for immigrants who will earn their way into that status by working hard, paying their taxes, learning English, and being a part of America's future. The American people agree. According to exit polls from last week's election, 65 percent of Americans—64 percent of Independents, 51 percent of Republicans—said that most undocumented immigrants working in the United States should be given a chance to apply for legal status, and 29 percent disagreed.

In my time in the Senate, I have had the opportunity to be involved in several bipartisan efforts to pass immigration reform. On the Democratic side, the late Senator Ted Kennedy was our leader, and Senator JOHN MCCAIN took the lead on the Republican side. President Barack Obama, then a Senator, was part of that effort. Unfortunately, we haven't moved forward since those days.

There is one part of immigration reform that is very important to me personally. It is known as the DREAM Act. Eleven years ago I introduced this legislation for the first time. It would allow a select group of immigrant students with great potential to contribute to this country. The DREAM Act would give these students a chance to earn their way to citizenship if they came to the United States as children, have good moral character, graduate from high school, and complete at least 2 years of college or serve in our military. Now, these young people grew up in America, and they have overcome great obstacles. They went to school with many of our own kids, and they are valedictorians, star athletes, and leaders in the ROTC. They are our future doctors, engineers, and teachers who will make America stronger. Why would we want to educate them and then lose their talents for the future of our country?

Last month a new report from the Center for American Progress and the bipartisan Partnership for a New American Economy concluded that passage of the DREAM Act would add $329 billion to our economy and create 1.4 million new jobs by 2030. In my home State of Illinois, by 2030 the DREAM Act would contribute $14 billion to the economy and DREAMers would create up to 58,000 new jobs, generating $461 million in tax revenue.

The young people who would be eligible for the DREAM Act call themselves DREAMers. Like the civil rights activists of past generations, they speak out. Now they are telling us their stories. I have been coming to the floor almost every week in the Senate to tell the story of another DREAM Act student. It is the best way for people to understand who they are.

I want to talk about Carlos Martinez today. Carlos and his brother were brought to the United States in 1991 when Carlos was 9 years old. When Carlos came to this country, he didn't speak a word of English. His father told him, ''Estudien para que no batallen en la vida como yo.'' Translated, it means, ''Study, so you don't struggle in life like I have.'' That was the advice he received from his dad, and Carlos took it to heart. At Cholla High School in Tucson, AZ, Carlos graduated ninth in his class. He enrolled at the University of Arizona. He had never owned a computer before he went to school, but he loved math and dreamed of being a computer engineer. Four years later, in 2003, Carlos graduated with a bachelor of science degree in computer engineering, with minors in computer science, electrical engineering, mathematics, and Spanish. He was named the top Hispanic graduate in his class at the University of Arizona.

After Carlos graduated, reality set in. He received job offers from Intel, IBM, and a lot of top tech companies, but he couldn't work for them because he is undocumented. But Carlos didn't give up. He enrolled in a master's program for software systems engineering at the University of Arizona. He completed the 2½-year program in just a year and a half. He was nominated for the University of Arizona Graduate School Centennial Award, given to the school's top graduate student.

This is a hopeful time for DREAMers like Carlos. The Obama administration has granted temporary legal status to young people who would be eligible for the DREAM Act. The status—known as deferred action for childhood arrivals—will allow DREAMers to live and work legally in America, and they can renew it every 2 years. This will give these young immigrants the chance to come out of the shadows and be part of the only country they have ever really known. It is a historic moment in the long struggle for equal justice in America.

The administration's new deportation policy will make America stronger by giving the DREAMers a chance to be part of it. Carlos Martinez submitted his application on August 15, the very first day forms were available, and he was one of the first to receive deferred action for childhood arrivals. Thanks to President Obama's new policy, Carlos will finally be able to use his bachelor's and master's degree in computer engineering. He had to wait 7 years after receiving his master's degree, but the day has finally come when he will get his chance.

As soon as he received the notification, Carlos went to a career fair at his alma mater and handed out resumes to IBM, Intel, and the other tech companies that had tried to hire him years earlier. In a letter he wrote to me, Carlos said:

> It was the best news of my life. Finally I would be able to work as a software engineer or own a business and create jobs.

According to recent polls, the American people clearly support the new DREAM Act policy. For example, a Bloomberg poll found that 64 percent of likely voters—including 66 percent of Independents—support the policy, compared to only 30 percent who oppose it. The American people understand it makes no sense to deport these talented young people. They grew up in America, and they can make us a better nation.

As America learns more about the DREAMers in our midst, such as Carlos

Martinez, who are ready to contribute their talents to getting our economy back on track, support will build for passing the DREAM Act and comprehensive immigration reform. President Obama has given temporary protection to DREAMers. Now let's pass the law. Let's do the right thing for people just like Carlos all over the United States.

Mr. President, I have listened carefully to some of the statements made after the elections by those on the other side of the aisle, many of whom have opposed the DREAM Act from the start, and I have been heartened and encouraged that so many are now speaking out in favorable terms about doing something finally for young people like Carlos. Let's get this done. This used to be a very bipartisan measure, but filibusters have stopped it year after year. We can pass it, and we should pass it. In 2007, the first time the DREAM Act came to a vote on the floor of the Senate, 52 Senators—a bipartisan majority—voted for it, but still the Republican filibuster stopped us. We didn't get the 60 votes we needed. Three years later, in December of 2010, the DREAM Act was again considered on the floor of the Senate. The gallery was filled with DREAMers in their caps and gowns. It was an inspiring sight to look up and see them in those seats. That day 55 Senators voted for the DREAM Act. It was a majority but not enough; we needed 60 to overcome another Republican filibuster. The President and the vast majority of Democrats continue to support the DREAM Act and comprehensive immigration reform.

Let me add that the DREAM Act is very important to me, but equally if not more important is comprehensive immigration reform to help not only Carlos but many like him—their parents and members of their family—who may not qualify under the DREAM Act but deserve a chance as well.

I believe most of my Republican colleagues understand that immigration is good for America. Immigration is America. We are all immigrants but for the Native Americans who welcomed to the shores the occupants of the Mayflower. Former President George W. Bush led the attempt to reform legislation, and he said, ''Family values don't stop at the Rio Grande.'' I disagree with George W. Bush on many things, but on the issue of immigration, he was genuine and committed, and I agree with what he said. I have been heartened by comments from Speaker BOEHNER and others in the last week. I believe Democrats and Republicans of good will can come together across the aisle, roll up our sleeves, and do something good for America and fix our broken immigration system so that it is true to our American values as a nation of immigrants.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of H.R. 4114 and that the Senate proceed to its consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4114) to increase, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 4114) was ordered to a third reading, was read the third time, and passed.

SPORTSMEN'S ACT OF 2012—MOTION TO PROCEED—Continued

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

HONORING OUR ARMED FORCES

SERGEANT JASON M. SWINDLE

Mr. BOOZMAN. Mr. President, at a time when we are seeing reports of violence in areas all around the world, we must never forget that the men and women of the U.S. military are out there fighting on our behalf day in and day out so we can live in a safe environment here at home. Our servicemembers are well aware of the risks they face as they serve this Nation, and it is our duty to do all we can to honor those who fight and pay the ultimate price for our freedoms.

Today I am here to pay my respects to SGT Jason M. Swindle, an Arkansan who, at 24 years of age, laid down his life for our country while supporting Operation Enduring Freedom. Sergeant Swindle attended Cabot High School in Cabot, AR, and joined the Army in 2005. He was assigned to B Company, 1st Battalion, 64th Regiment, 3rd Infantry Division at Fort Stewart, GA. He was serving his third combat deployment. He was posthumously awarded the Bronze Star and a Purple Heart.

His family and friends describe him as being a fun-loving guy who was very patriotic and very proud of the work he was doing in the Army.

In addition to being a soldier, Sergeant Swindle was also a husband and a father. He leaves behind his wife Chelsey, who is currently expecting their second child, and a 1-year-old son, Paxton.

Mr. President, it is people such as Jason Swindle who are the true American heroes. I ask my colleagues to keep his wife, children, and the rest of his family in their thoughts and prayers during this very difficult time. I humbly offer my sincerest gratitude to Jason for his selfless sacrifice in the service and defense of this great Nation.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Kansas.

Mr. MORAN. Mr. President, first I would like to add my condolences and sympathy to the family in honor of Sergeant Swindle. I appreciate what the Senator from Arkansas had to say, and I join all my colleagues in recognizing the sacrifice of this soldier and many others who have made such a tremendous sacrifice and have created opportunities for us as Americans.

GLOBAL ENTREPRENEURSHIP WEEK

Mr. President, we have just come through a divisive and expensive campaign. Hopefully that divisiveness and that expense is a thing of the past, and I come to the floor today—during Global Entrepreneurship Week—to ask my colleagues to now work together to pursue policies that are guaranteed to improve our economy. There have been too many opportunities in the past year to pursue issues and policies that divide us. Now we must come together around something that can unite us—entrepreneurship, innovation, and startup businesses.

The story of America is really a story of entrepreneurs. Our history is filled with examples of determined individuals who risked their livelihoods to pursue ideas they believed could solve problems and improve the quality of life of people around the world. These entrepreneurs built the foundation of the American economy from its earliest days, pushing forward innovative solutions to some of our most complex problems.

They pursued success, and that success built the American economy and the jobs it provides.

Entrepreneurs have continued to be the driving force in the U.S. economic growth and expansion in recent times as well. Data from the Kauffman Foundation shows that between 1980 and 2005, companies less than 5 years old accounted for nearly all new jobs created in the United States. Since 1977—the first year data was collected—new businesses have created an average of 3 million jobs each year.

At a time when millions of Americans remain out of work and our country is mired in debt, we need to do more to support the entrepreneurs who create American jobs and hold the promise of our growing economy.

Started in 2008 by the Kauffman Foundation, Global Entrepreneurship Week is a worldwide celebration of entrepreneurs and like-minded individuals. Since its founding, Global Entrepreneurship Week has grown to include

129 countries with some 35,000 activities that engage millions of people.

In the United States, more than 1,300 partners are planning events in all 50 States this week. These events allow participants to interact with entrepreneurs and share their passion for innovation and creativity. In my home State of Kansas, 35 events are taking place this week. Last Friday, November 9, I participated in one of these events at the University of Kansas.

To kick off this week, the University of Kansas Schools of Business, Engineering, and Journalism organized a half-day event to expose students to entrepreneurship as a career path, introduce students to startup companies in the region, and to learn the role of government in enabling entrepreneurship, innovation, and company creation, as well as the importance of our free market economy.

While most of us think first of Silicon Valley as a hotbed of entrepreneurship in our country, entrepreneurs are found everywhere. In Kansas, we have a rich tradition of entrepreneurship. It is a place where innovators have felt free to pursue their ideas, start businesses, and pursue dreams. This tradition includes many stories of risk and reward—of entrepreneurs whose businesses succeeded when others were betting against them.

Kansas's great entrepreneurs include Cleyson Brown, who founded Brown Telephone Company—now the Sprint Corporation—in the town of Abilene, KS; Walter Chrysler, of Chrysler Corporation, who began his career as a machinist in Ellis, KS; Clyde Cessna, who left the booming automobile industry to explore the exciting field of aviation. He founded Cessna Aircraft Corporation in Wichita in 1927; and, Dan and Frank Carney, who borrowed $600 from their mother to open their first Pizza Hut in Wichita in 1958.

With persistence and hard work, these entrepreneurs and their businesses created thousands of jobs and grew into some of the world's most successful companies. Now a new generation of Kansas entrepreneurs is continuing that tradition.

In Atwood, KS, SureFire Ag Systems has built products that specialize in the control and application of fertilizer, seed, and chemicals. These products have been delivered to customers in 42 of our States and internationally as well.

In Leewood, KS, a company called Instin reimagined how students and teachers managed homework assignments by using mobile apps. Their app, myHomework, has been downloaded over 100,000 times in the Google Play Store alone.

In Olathe, KS, Lantern Software is connecting homegrown businesses to new markets through high-value, real-time, location-based deals delivered to mobile devices.

In today's high-tech economy, the future of Internet-based applications such as these is limitless, which is why Kansas entrepreneurs are excited about Google's decision to make Kansas home to a new fiber project.

Google Fiber is equipping Kansas entrepreneurs for innovation that few places in the United States have. With Google Fiber, Kansans now have an opportunity to innovate on Google's ultra high-speed network, which is 100 times faster than typical high-speed Internet.

Kansas City, which has set the goal of becoming America's Most Entrepreneurial City, is building what they call the Digital Sandbox, in partnership with many Kansas businesses. The goal of the Digital Sandbox is to significantly accelerate the development of information technology startups in Kansas City, where IT is already a major economic engine.

These developments are empowering the next generation of Kansas entrepreneurs with new tools to innovate and build successful businesses.

Today's entrepreneurs may use different technology to develop products and reach potential markets than their predecessors, but the work ethic and passion to do something new remains the same.

This week, I encourage my colleagues to explore the impact of entrepreneurs in their communities and to engage with startup companies working to make the lives of Americans better.

I met with entrepreneurs in Kansas and across the country during the last 18 months. The passion and creativity of these entrepreneurs has encouraged me. One refreshing observation is that these entrepreneurs, while competitive, want to see their fellow entrepreneurs succeed. They are also building new tools that empower others to make their businesses better.

But in conversation after conversation, I have also learned there are common challenges these entrepreneurs face—some of which can be solved by Congress if we follow the entrepreneur's example of seizing an opportunity, rolling up our sleeves, and working together.

Entrepreneurs in America are finding it increasingly difficult to start a business and to grow that business. Consider the following:

In 2010, there were approximately 394,000 new businesses started in the United States. This, unfortunately, is the lowest number of new businesses since 1977. While these new businesses created more than 2.3 million jobs, that number is well below the historical average and represents the third fewest number of jobs created by new businesses in more than 30 years. At the same time, at least seven other countries during this Congress have approved legislation to welcome and better support entrepreneurs while America has done nothing.

To help more entrepreneurs start a business and to help those new businesses grow more quickly, I introduced Startup Act 2.0 with my colleagues Senator WARNER, Senator COONS, and Senator RUBIO. Startup Act 2.0 addresses critical needs facing entrepreneurs today. The legislation provides new opportunities for highly educated and entrepreneurial immigrants to stay in the United States where their talent can fuel economic growth and create jobs for Americans. By making new visas available for foreign students who graduate with an advanced degree in a STEM field from an American university, Startup Act 2.0 will provide a much needed way for fast-growing startups and businesses in America to get the talent they need to continue to grow and to create jobs. This is a critical and growing challenge.

The Partnership for a New American Economy projects that the United States will face a shortfall of more than 223,000 workers with advanced degrees in STEM areas by 2018. If the current trend holds, there will only be 550,000 American workers with the needed skills—far short of the projected demand. Without these workers, American businesses will be at a distinct disadvantage and unable to grow in our country.

Startup Act 2.0 also makes changes to the Tax Code that will help startups grow and create jobs. By exempting capital gains taxes on investments held in startups for 5 years or more, the bill would unlock $7.5 billion in new investment in startup. The legislation will also help universities bring good ideas to market by redirecting current grant dollars to support innovative university initiatives to accelerate commercialization.

Finally, Startup Act 2.0 will make changes to the Federal regulatory process so the costs of new regulations do not outweigh the benefits and will encourage State and local policies that make starting businesses easier in their States.

As our economy continues to struggle, Congress is left with two options: We can remain in gridlock, maintain the status quo, continue to leave Americans under- and unemployed, and spend away our future or we can work together to support the American entrepreneur and businessperson.

This week, during Global Entrepreneurship Week, I urge my colleagues to join in the latter—in coming together behind commonsense legislation such as the Startup Act 2.0 to unleash the power of entrepreneurship in America. The result will be more new businesses, more new jobs, innovation that allows the United States to aggressively compete in a global economy, and the empowerment of every American to pursue the American dream.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

SUPERSTORM SANDY

Mr. LAUTENBERG. Mr. President, we have come back here from a few turbulent weeks, and not the least of which is the continuation of President Obama with his work and his responsibilities. For most of us, I would say, that was a very positive thing. But something else happened during these very difficult weeks, and that was in my home State of New Jersey and the east coast. We were hit by storms never, never before seen in our State and maybe never ever to be seen in our country in terms of the volume of destruction.

My home State of New Jersey is known for a number of things: being the home of innovators, such as Thomas Edison; the place where Alexander Hamilton—at my birthplace, Paterson, NJ—helped start the industrial revolution; and it is also known as a State with a beautiful seashore, recreation areas. Unfortunately, the wrath of Superstorm Sandy 2 weeks ago destroyed so much of our shore. Its storm surge wrecked boats, homes, and even took trains—whole trains—off the tracks. Its winds reached 89 miles an hour, uprooting trees across our State, destroying everything in its path, and leaving millions—2½ million—without electricity and staying in the dark.

The force of this storm is so hard to describe in words, so I point out a picture here of one of our beachside communities, showing what was left of a house. The destruction was so total. And it was not just the possessions that were lost, it was the memorabilia, it was the pictures, it was the precious moments that were identified with trinkets or mementos. It was a terrible period. I am here to say that we are going to stand with those who have lost so much, and we are going to help them recover and rebuild their lives.

Superstorm Sandy was one of the most powerful storms in American history, and it was the largest Atlantic hurricane on record, with wild winds that stretched more than 1,100 miles. We are aware of at least 119 Americans who lost their lives as a result of this storm, including 33 in my home State of New Jersey.

The human toll of this storm defies description. Roughly 8 million homes lost power during this storm, including more than 2½ million in my home State. Food rotted in refrigerators, water treatment plants closed down, and when temperatures dropped, thousands were left cold and hungry and forced into hotels and temporary shelters. Many families slept in their cars to get out of the bad weather. They had no choice. When people finally returned home, many found nothing there. Imagine seeing the home you worked for your whole life—the place you raised your children and created so many memories—gone.

If we look at this picture, we see a depiction of despair, as it was portrayed by this person who obviously stood in front of a destroyed home—nothing but timbers and concrete, everything else gone.

We saw devastation across our State, not just at the seashore. I went to Hoboken—one of our most attractive communities in northern New Jersey—in the days after the storm. Half of that city was underwater, and the National Guard had to rescue those who were trapped in their homes without heat or supplies.

We also saw train stations that were flooded and inoperable. Water levels reached more than 6 feet. Can you imagine a room that seated people waiting for their trains 6 feet high in water?

New Jerseyans depend on our public transportation and rail systems. Commuters in our State take nearly 1 million trips per day, including going back and forth to New York and into Pennsylvania. And the entire country depends on the goods that come into our ports and go out by rail.

Our transportation system was torn apart. Tunnels were flooded, critical equipment was ruined, and rail lines were warped or buried by debris.

Here in this picture we see an example of what took place. This is of a rail line, New Jersey Transit.

Each one of our 21 counties in New Jersey was declared a major disaster, but the seashore communities were hit especially hard. The boardwalk is the defining image of the New Jersey shore. Many of us remember walking on that boardwalk in wonderment of the attractions. The boardwalk has been a constant in the lives of those who live there or visit the shore. But for communities such as Belmar, Seaside Heights, Atlantic City, and others, much of that boardwalk no longer exists—just the pillars where the boardwalk used to be, as we see it shown here in this picture. It was a magnificent boardwalk that had people in wagons that were pushed along, and you would view the sea and the attractions on the other side. It was painful to see the destruction of the part of the boardwalk in Atlantic City firsthand that day.

I joined President Obama in his visit to the area. For many people in my State, the boardwalk is not just a source of pride, it is a source of critical income to our State. In 2008, tourism brought in $38 billion and supported more than 300,000 jobs in the State of New Jersey. Families came from all over the country to walk the boardwalk in Atlantic City or take a fishing boat out of one of our ports, Port Pleasant or one of the others, or ride the roller coaster at a pier in Seaside Heights.

This is what Sandy did to that roller coaster. Look. This is almost impossible to conceive that this roller coaster sits in the water. It is a terrible end to a lot of thoughts and pleasant memories. People in New Jersey have lost their homes, their belongings, and their jobs. Much of that public infrastructure has also been destroyed. But we are tough people in New Jersey. We will fight our way back from this storm.

I saw that spirit in emergency shelters in our State. Families whose lives were upended by the storm were welcomed into a safe, warm place by strangers, given a hot meal, and had camaraderie during these very difficult moments. Nurses and EMTs evacuated babies from hospitals. They were carrying these children out so they would not be overwhelmed by flooding. Firefighters went from house to house saving lives as the water rose.

Gas station owners who had lost power pumped gasoline by hand so people could run their generators and keep their families warm. At one point, the lines were hours long waiting to get gas. One of the people from my office got up at 4:30 in the morning to go to a gas station and wound up 4 hours later before he could get gas. It was a terrible period.

We saw the worst of Mother Nature in this storm, but we also saw the best of the American people. One thing was established, that there is a place in government, in our country, for government service when it is needed. We cannot simply say: We will turn it over to the private sector and let them take care of what FEMA does. FEMA was critical in salvaging whatever we could have saved there. There is no doubt in my mind that there is an understanding now that did not exist before. We saw the fiber and the character of our people in these terrible moments. It was wonderful. This is a town not on the seashore. This is one of the communities in New Jersey where a lot of people commute to or work in the various industries around. This is where they had to go in order to save themselves from a worse situation than that which already existed.

People reached out to save people. It was under the supervision of FEMA and our emergency facility organizations. We have a lot of important businesses to address before the end of this Congress. But our agenda must include helping to rebuild and restore the communities destroyed by Sandy. We are going to need a lot of money, a lot of money. We cannot turn our backs on them. We cannot turn our backs. I know the Presiding Officer had similar situations in his State of Delaware. The destruction was all over. We had no ability to stop what was going on. We face serious fiscal challenges in our country, but nothing is more important than keeping our communities, our families, and our economy safe. We in New Jersey have been there for our fellow Americans from other States who suffered disasters. I am reminded that New Jersey was the first State to sign the Bill of Rights. It started the road to freedom that exists in New Jersey. Now we ask all Americans to join us in rebuilding and recovering from this terrible storm. I am sure it will get even the most disbelieving people in our community to see that it might

have been a good idea to fund FEMA and the other agencies that do so much.

I went to Alaska when the Exxon Valdez was floundering and saw our people, brave people, on islands stretched around Alaska, our people who were on the shore wiping off the ducks and the seals and all that. It says: America is not an accounting firm. America is a democracy with a heart and a soul. That is what we have to keep in mind as we deliberate what we have in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, before the Senator from New Jersey leaves the floor, I just wish to say this Senator's heart goes out to the Senator and his people. We take hurricanes more as a part of our lifestyle in Florida. But when we combine a hurricane in the Northeast at this time of year, during the full Moon, at high tide, in one of the most densely populated coastal areas of the United States, then we definitely have a problem.

This Senator wants to help Senator LAUTENBERG with what is going to be necessary for the additional funding of FEMA and so forth. I want the Senator to think about an idea that we implemented in Florida, to create, in effect, a reinsurance fund against this kind of catastrophe. We call it the Florida Hurricane Catastrophe Fund.

This was done when I was the elected insurance commissioner—prior to me, and then I had to implement it in the aftermath of the monster hurricane in the 1990s, Hurricane Andrew. I have talked to our colleagues in the Senate about a national catastrophic fund. People in other parts of the country do not think hurricanes are their problem. But what they do not realize is that their taxpayers are picking up the load. Whereas, if we reinsured against this kind of tragedy in a catastrophic fund that would be paid in over time, a little bit from each of the policyholders, then there would not be—there would be this fund that would become a cushion for such a disaster that the Northeastern United States is experiencing at this time and of which we have so often experienced on the gulf coast and the Atlantic coast in the Southeastern United States.

I just wanted to throw that idea out there for the Senator as he speaks so movingly and so eloquently about the suffering of his people. One can just imagine what are going to be the expenses of all the infrastructure that is going to have to be replaced.

Mr. LAUTENBERG. If I may respond, I wish to say the Senator from Florida presents a very good idea because we now know that to deal with catastrophes which are inevitable, we live in nature. We live in places where volcanoes can destroy an economy, earthquakes. We had the Katrina catastrophe in the Southern States. It is about time, would the Senator agree with me, that we looked at what it is that is creating the frequency and the ferocity of those storms. They are accelerated almost in geometric terms.

This is a good reminder, hey, get off the stick and on the job. I commend the Senator from Florida for his splendid victory. We knew the Senator was coming home, we just wanted to make sure he had a nice reception.

Mr. NELSON of Florida. Thanks to the Senator for his big heart, his big heart toward his people.

VOTER SUPPRESSION

Mr. NELSON of Florida. Mr. President, I wish to make a few comments before the chairman of the Judiciary Committee addresses the Senate. I am very happy he is here because he knows about what I am going to talk about, which were the attempts at suppressing the vote in the State of Florida, done a year and a half ago by the State legislature and the Governor. They did a number of things to try to suppress the vote.

The first thing they did was to make it much more difficult to register people to vote. The League of Women Voters has been registering people for 72 years in Florida. They stopped because of the onerous provisions of up to a $1,000 fine that would be upon their members if they did not turn it in within 48 hours. That was thrown out in court as unconstitutional. But it was a year and a half later, with all those registrations not having been done.

But then what they did, they constricted the number of early voting places, constricted the number of early voting days, constricted the number of early voting hours. What do you think was the result? It is what we have seen on TV—the long lines.

I wish to read a passage from the Miami Herald of November 6:

> When the polls officially closed at 7 p.m., hundreds of people were still waiting to cast ballots in precincts around South Florida in an election that was marked by long lines and the occasional snafu. Even after the networks called the race for President Obama, people in South Florida remained in line. From Hialeah to Country Walk and to Brickell, people waited as long as 7 hours to vote. In Broward County, voting at some precincts came to a halt when the ballots ran out.

This is the result of the voter suppression by lessening the number of early voting days. When this Senator asked the Governor, because of the long lines during early voting, to extend early voting on the Sunday before the Tuesday election, since it shut off on Saturday, there were long lines then in early voting, the Governor would not do it. We see the result. The Miami Herald continues:

> At the South Kendall Community Church, 1,000 people were in line at closing time, and at least 200 still remained three hours later.

That is a determination to vote, and the people do not want their right to cast their ballot taken away. Yet this was the result of voter suppression laws not only in my State but in other States as well. I wish to thank the chairman of the Judiciary Committee because he and his subcommittee, headed by Senator DURBIN, came to Tampa to take testimony.

A professor from the University of Florida gave his study and pointed out who used—in the experience of Florida for a decade, who used the Sunday early voting? It was two demographic groups, African Americans and Hispanics. They cut out the Sunday of early voting before the Tuesday election.

Yet with the constricted times and with others being forced to shoehorn in between 7 a.m. and 7 p.m. on election day, we see the result. As the Miami Herald said, some people waited 7 hours to vote. They were determined that the Governor and the legislature of Florida were not going to take away their right to cast that ballot. And we see again, we had again a close Presidential election in Florida. The President won by 74,000 votes. What if a number of people—such as the lady who waited and waited and she had babysitter problems and after 3 hours she left—what if that had happened to a lot of people?

Well, maybe that was the design of some people in constricting the laws in an America of 2012. We went through this in the civil rights era. The right to vote—as the Senator, our chairman, can tell us, has been said over and over by the courts—it is absolutely essential in a democracy that we have the right to cast our ballot. That is what Dr. King said as well.

Mr. LEAHY. Does the distinguished Senator yield?

Mr. NELSON of Florida. Of course I will.

Mr. LEAHY. I join my colleagues in welcoming him back to this body, in which he has served with distinction from his very first day here as he did in the other body.

It tears my heart apart to hear of this kind of suppression. In Vermont, we have pride in our ability to vote. We have Town Meeting Day. I think we had 65 or 70 percent turnout this time. We expect people to be able to vote.

The distinguished Senator has referred to the civil rights era. Do we, in this great country—a signal of democracy to so much of the world—want to go back there? I am sure the distinguished Senator has had, as I have had, the honor of being an observer of elections in other countries where, finally, a country that has overcome a dictatorship or overcome a civil war, they finally can vote, and the people are lining up and saying: Thank God we have a chance to vote and it is open for the first time. They would say: You Americans would never have to experience this. I don't want to go to these countries that we ask to come into the fold of democracy and ask them to have free and open voting and have them—those that do not want free and open voting—say: What about what you have done in your country?

This is not a Democratic or Republican issue. This is an American issue. We fought a revolution. We fought world wars. We worked to make this country of over 300 million people great because everybody's voice is supposed to be heard. I think it is shameful and I think it is illegal. Those who try to stop it, they should be exposed. They should be punished. I don't care if the person voting is a Republican or Democrat or Independent. They should have the right to vote. If we lose that right, we lose our soul as Americans. I thank the distinguished Senator for bringing this up.

Mr. NELSON of Florida. Amen to those comments. I would conclude by saying we ought to be making it easier to vote, not harder to vote. Then, when we get down to conducting an election, we definitely need to do something about the Citizens United Supreme Court 5-to-4 decision, and we can, statutorily. We almost did, lacking one vote breaking the filibuster 3 years ago because it would require the disclosure of those corporations giving the money. If the public knew who was giving the money, then they would be very reluctant. Whereas under the guise, the mask of secrecy, they can give money and try to influence the outcome of an election—as they tried this year.

It has gone out of control, and I know the chairman is going to be at the point of the spear on trying to pass the DISCLOSE Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

THE FARM BILL

Mr. LEAHY. Mr. President, I think the distinguished senior Senator from Florida has done the Senate and the country a service in what he has said.

We each represent our own States. We have matters of interest in our States, but also so many times they are national interests. During this past recess, I was in just about every part of Vermont. I was stopped time and time again by Vermont farmers who asked me why Congress left town without passing a farm bill. They knew we had passed it in the Senate, but why hadn't we finished?

Similar to my fellow Vermonters, I have been frustrated by the refusal of the leadership of the House of Representatives to consider the legislation sent to them by the Senate to extend the farm bill. In fact, they blocked consideration of a bipartisan farm bill, one that mirrors the legislation passed in their own body by the House Agriculture Committee.

I have been here nearly 38 years. I have served on the Senate Agriculture Committee all that time. I have never seen a case where the House Agriculture Committee—whether it is led by Democrats or by Republicans—passed a bipartisan farm bill only to see it blocked from a final vote by its own leadership.

The Senate has done its work, but as a result of the House's inaction, for the first time that anybody can remember in either body, the farm bill has expired. This is dangerous for dairy farmers in Vermont and for farmers across the country.

This delay threatens our rural communities. We all have rural communities in our States. The farmers not only need but also deserve the certainty that a 5-year farm bill provides. We pass farm bills in 5-year segments so that farmers, who have to plan way in the future, know how to plan. We can't say: Wait a minute, put your farming on hold while we try to get our act together. Don't milk those cows for a few months while we try to figure out what we are going to do. Don't plant or don't harvest that crop while we are trying to figure out what we are going to do.

It doesn't work that way. The farmers already confront enough uncertainty running their businesses. When we let farm programs expire without enacting a new farm bill, it needlessly compounds that uncertainty and it is irresponsible. Decisions must by made today to determine what is going to be planted next spring. But now they have to make that decision with uncertainty about what may be in the farm bill.

The essential nutrition programs in the farm bill provide healthy food for vulnerable populations, such as children and pregnant and nursing women. Vermonters, like tens of millions of people across the country, depend upon these programs where they are struggling to put enough food on their table during these very tough economic times.

Some of these program benefits will continue. But it is such a tenuous position. How does a State plan? How does a community plan? We need the House leadership to allow the farm bill to proceed so we can move this country forward, giving farmers the certainty and vulnerable citizens the security they deserve.

The Senate farm bill is a good, bipartisan bill. But more than that, it is a deficit reduction bill. It has $23 billion in cost savings as well as crucial policy reforms for dairy farmers facing the challenges of the 21st century. It also maintains a safety net for millions of hungry Americans.

The wealthiest, most powerful Nation on Earth has people going hungry. In a nation that spends billions of dollars on fad diet programs or billions of dollars to dispose of waste food, we should not have hungry people. Not in this country.

I also point out the farm bill has always been bipartisan. I remember the hard work, mutual respect, and spirit of cooperation that Senator DICK LUGAR and I shared. We worked together as Agriculture Committee chairman and ranking member. We put American farmers and families first and politics last. My good friend from Indiana and I were able to accomplish amazing things together. Obviously, we had some differences of opinion as Members of different regions and different parties do. But we knew we had to work together. We did, and America benefited from that. Certainly our farmers did too.

The need to work together is as true today as it was then. It is going to take real leadership in the House and Senate to pass a farm bill. We have seen that leadership and bipartisanship in the Senate. Having served as chairman of the Senate Agriculture Committee for 8 years, I can say without any doubt that Chairwoman DEBBIE STABENOW has been one of the finest chairs we have had of that committee. I have watched how hard she has worked and how hard Ranking Member PAT ROBERTS has worked. He brought his tremendous experience and knowledge through his time as chairman of the House agriculture Committee. In fact, in the debate over the Senate farm bill—and I commend Senator STABENOW on this—seated around that table we had several people who had previously been chairman or ranking member of the Senate Agriculture Committee or the House Agriculture Committee, both Republicans and Democrats. In fact, even one Senator who had been Secretary of Agriculture. We all said: We can play games, we can talk, we can posture, we can sloganeer or we can sit down like grownups and put together a real farm bill.

It took a nanosecond to decide we can be grownups and put together a real farm bill. Republicans and Democrats sat down. We wrote a deficit-reducing, meaningful farm bill, and it passed in a Senate which is often deadlocked. It passed 64–35. It passed overwhelmingly—from all parts of the country and across the political spectrum.

Senator JOHANNS, former Secretary of Agriculture during the Bush administration, sat around that table and helped us write it. That shows how bipartisan the approach to reauthorizing the farm bill was in the Senate. We did not let political labels get in the way of what was best for the country.

The elections are over. We know who has won or lost. We hope our friends in the other body, in the House of Representatives, will set aside their obstructionism and pass this bill. I am pleased by the fact that our State's Congressman, PETER WELCH, is a member of that committee. He has been urging both Republicans and Democrats to pass the bill, and I agree with him because it is a bill that directly affects every farm family's budget. It helps farmers decide which crops to plant, where to sell, how much to borrow. It allows farmers to make their decisions—which are hard enough to make without this delay—with some kind of certainty.

The farm bill affects Vermonters and Americans across the country where there is food insecurity and uncertainty in these difficult times. One of the things people lose sight of is that the farm bill is also a disaster relief

bill. We need the new farm bill to help farmers in the Garden State and across the entire Nation to recover from the nonstop floods of 2012. We need it to help those across the Nation who are stuck on the other side of the weather spectrum, with drought.

That is all in this bill. Because we know, as much as we wish there would never be floods, as much as we wish there would never be droughts, they occur. We have written that into this bill. Why in heaven's name would anybody, from any part of the country—and we are all vulnerable at one time or another—want to hold it up?

The fact is things are going to get worse very quickly if we begin the new year without a farm bill. Outdated parity price systems will multiply the price of milk on store shelves. It will destroy household pocketbooks and the milk market nationally.

Let me reiterate that. Certainly in my State this is very important. If we don't pass the bill, we will have outdated parity price systems that will multiply the price of milk on the store shelves and will destroy household pocketbooks and the milk market nationally. Ask anybody who lives paycheck to paycheck what that would be like.

So I urge the leadership in the House of Representatives to allow open debate on the Senate-passed farm bill. They don't have to have a bill that is word for word what we passed here in the Senate, but I point out that the Senate bill saves billions of dollars, it does have a dairy program, and it does speak to disaster, drought, and flood relief. We need it now. Let us stand with our dairy farmers in Vermont, our eggplant growers in New Jersey, and our hungry families across the country. Let's set the political gamesmanship aside, help America's farmers, families, and rural communities that all rely on the farm bill. The people in these communities, the farmers in these communities, do not care whether there is a Democrat or Republican's name on the bill. All they know is they want a good farm bill that allows them to stay in farming.

Farming is hard enough as it is. None of us has to do the farming. We ought to stand up and help—that we can do.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. WHITEHOUSE).

Without objection, it is so ordered.

Mr. TESTER. Mr. President, I rise today to urge support on the motion to proceed to my bipartisan Sportsmen's Act. Outdoor traditions are a deep and important part of our heritage in Montana and across our Nation.

Two years ago, when I became chair of the Congressional Sportsmen's Caucus, I made it my goal to do something significant, something historic, something responsible that will help this country's hunters and anglers.

Mr. President, this week we have that opportunity. This Sportsmen's Act is the biggest package of sportsmen's bills in a generation. It combines nearly 20 different bills, all important to those who know we must never take our outdoors for granted.

These bills increase access for recreational hunting and fishing. They support land and species conservation, and they protect our hunting and fishing rights. Most importantly, they take ideas from both sides of the political aisle. This bill isn't about Democrats and it isn't about Republicans or Independents. This bill is about Americans and the great outdoors we all share as a nation. This bipartisan bill is supported by nearly 50 different conservation wildlife groups ranging from the Nature Conservancy, the National Wildlife Federation, to the NRA. It earned their endorsement because it includes responsible provisions that are important to sportsmen and women across America.

In my role as the chairman of the Congressional Sportsmen's Caucus, outdoorsmen and women constantly tell me about the importance of access to public lands. What good does it do to protect land for hunting, fishing, and hiking if folks are unable to get to it? Right now there are some 35 million acres of public land that sportsmen can't access. That is why this bill requires 1.5 percent of annual funding from the Land and Water Conservation Fund that is set aside to increase public access to public lands, ensuring sportsmen access to some of the best places to hunt and fish in the country.

Right now, the Congress delegates all power to determine land and water conservation priorities to the executive branch. We can add or subtract money from the President's budget request, but Congress cannot determine how that money gets spent. This provision ensures that this administration and the next one must authorize, must prioritize access to public lands.

My bill also reauthorizes the North American Wetlands Conservation Act. This voluntary initiative provides matching grants to landowners who set aside critical habitat for migratory birds such as ducks. Over the past 20 years, volunteers across America have completed more than 2,000 conservation projects. They protected more than 26 million acres of habitat under this successful initiative. The North American Wetlands Conservation Act is a smart investment in both our lands and our wildlife, and it needs to be reauthorized.

This widely supported bill also reauthorizes the Secretary of the Interior to reevaluate the price of duck stamps to keep up with inflation. Revenue from duck stamps has been used to purchase and release more than 6 million acres of wetlands, preserving a viable waterfowl population. It funds new shooting ranges while encouraging Federal land agencies to cooperate with State and local authorities to maintain existing ranges. This is a responsible bill. It takes into account the needs of the entire sportsmen's community.

Why is this important? It is important because hunting and fishing and hiking is a way of life in places such as Montana.

One in three Montanans hunt big game and more than half of us fish. An outdoor recreation economy across this country contributes some $646 billion in direct spending to this U.S. economy. Fishing and hunting is not just recreation, it is a critical part of our economy. In Montana, hunting and fishing alone brings $1 billion a year to our economy, nearly as much as the State's cattle industry. It drives and sustains jobs. With hunting season in full swing and thousands of Montanans headed out to hunt in Montana's back country over Thanksgiving weekend, this bill is as timely as ever.

The Sportsmen's Act of 2012 is balanced, it is bipartisan, and it is widely supported. It is also fiscally responsible. The bill has no cost. Before the Senate went out of session, we voted to move forward with this bill by a vote of 84 to 7—84 to 7. It was a resounding approval to conserve some of our most productive habitat to pass on our hunting and fishing tradition to future generations and to entrust them with the land and water we share.

Now it is time to get this bill across the finish line, to approve a bill with widespread support that preserves our outdoor economy and secures our outdoor heritage for our kids and our grandkids.

We need to take some good Democratic ideas and some good Republican ideas and pass them. We need to do something for the more than 90 million sportsmen and sportswomen in this country and for our economy.

The time is now. I urge all Members to support this bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Under the previous order, all time has expired.

The question is on agreeing to the motion to proceed to S. 3525.

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

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) and the Senator from Rhode Island (Mr. REED) are necessarily absent.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. REED) would vote ''nay.''

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

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

The result was announced—yeas 92, nays 5, as follows:

[Rollcall Vote No. 201 Leg.]

YEAS—92

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

NAYS—5

Boxer	DeMint	Sessions
Coburn	Paul	

NOT VOTING—3

Begich	Kirk	Reed

The motion was agreed to.

VOTE EXPLANATION

● Mr. REED. Mr. President, I was necessarily absent for this vote due to a flight delay caused by mechanical problems. Had I been present, I would have voted no.●

The PRESIDING OFFICER. The majority leader.

SPORTSMEN'S ACT OF 2012

Mr. REID. Mr. President, on behalf of Senator TESTER, I have a substitute amendment which is at the desk.

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

The assistant legislative clerk read as follows:

A bill (S. 3525) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Mr. REID. Mr. President, it is a shame. We have a bill that is bipartisan. Cloture has already been invoked on it. We are on the bill. Why in the world can't we just finish this bill, have a couple amendments and go on?

I am going to go ahead. I am going to fill the tree. I am sure I will get some outrageous response back, as if we are still in the Presidential election, saying we want this many amendments. We are not going to have that many amendments. This is a bipartisan bill. People are going to have an opportunity to vote for or against the bill. If they want to kill the bill, they can. It is one of the most popular bills we did all last Congress. We didn't do many, but this is one that was popular.

I cannot imagine why we are trying to refight an election that took place 1 week ago. The clerk is going to report the substitute amendment.

AMENDMENT NO. 2875

(Purpose: In the nature of a substitute.)

Mr. REID. I have a perfecting amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. TESTER, proposes an amendment numbered 2875.

The text of the amendment is printed in today's RECORD under ''Text of Amendments.''

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. 2876 TO AMENDMENT NO. 2875

Mr. REID. I now have a first-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered No. 2876 to amendment No. 2875.

The amendment is as follows:

At the end, add the following new section:

SEC. _____.

This Act shall become effective 7 days after enactment.

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2877 TO AMENDMENT NO. 2876

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2877 to amendment No. 2876.

The amendment is as follows:

In the amendment, strike ''7 days'' and insert ''6 days''.

AMENDMENT NO. 2878

Mr. REID. I have an amendment at the desk to the language that is proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2878 to the language proposed to be stricken by amendment No. 2875.

The amendment is as follows:

At the end, add the following new section:

SEC. _____.

This title shall become effective 5 days after enactment.

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2879 TO AMENDMENT NO. 2878

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered No. 2879 to amendment No. 2878.

The amendment is as follows:

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

MOTION TO COMMIT WITH AMENDMENT NO. 2880

Mr. REID. I have a motion to commit the bill with instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill (S. 3525) to the Committee on Energy, with instructions to report back with the following amendment numbered 2880.

The amendment is as follows:

At the end, adding the following new section:

SEC. _____.

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2881

Mr. REID. I have an amendment to the instructions that is also at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2881 to the instructions to commit S. 3525.

The amendment is as follows:

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

Mr. REID. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2882 TO AMENDMENT NO. 2881

Mr. REID. I have a second-degree amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2882 to amendment No. 2881.

The amendment is as follows:

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

CLOTURE MOTION

Mr. REID. I have a cloture motion on the bill that is already 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 legislative 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 S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Harry Reid, Jon Tester, Kent Conrad, Joe Manchin III, Jeff Bingaman, John D. Rockefeller IV, Benjamin L. Cardin, Ben Nelson, Max Baucus, Jeanne Shaheen, Mark Pryor, Christopher A. Coons, Al Franken, Amy Klobuchar, Jim Webb, Mark R. Warner, Michael F. Bennet.

Mr. REID. Mr. President, I ask unanimous consent mandatory quorum in accordance with rule XXII be waived.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 419.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to Calendar No. 419, S. 2535, a bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribed military personnel strengths for such fiscal year, and for other purposes.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we are going to complete work on this bill, that is the one we had prior to the clerk announcing the Defense authorization bill. We are going to complete the work on the sportsmen's bill before we go home for Thanksgiving. People are going to have an opportunity to vote for that bill, either for it or against it. As I indicated, it is a widely popular bill. If Republicans want to drag it down and kill it as they have a lot of other things, they will have that opportunity to do that. We have more than 20 bills that are important to sportsmen around the country.

As I said a few minutes ago, I cannot imagine why we are still fighting the battles of the last election. We are going to have a vote on cyber security. I spoke to the chairman of the committee a short time ago, Senator LIEBERMAN. He is going to come over tomorrow and give a speech about the importance of this legislation. He and Senator COLLINS have worked so hard to come up with a bill. They have compromised and compromised and compromised until the point where people are going to have an opportunity to talk on this also. Senator LIEBERMAN is going to talk about how important this bill is to protect our country.

I left the White House an hour or two ago. They believe, the President of the United States believes the cyber security bill is one of the most important issues facing this Congress now—not next Congress, now. I have said on a number of occasions that the Pentagon and the intelligence community believe this legislation is vitally important to the safety and security of our country. So before Thanksgiving we are going to finish the sportsmen's bill. The Republicans can either kill the cyber security bill—they have been following the lead of the Chamber of Commerce, which is an arm for the Republican Party anymore. It is just a front for the Republican Party. They spent huge amounts of money that they get from unknown sources to defeat Democrats. They wasted their money this time. But that is the way it is.

They are opposing this bill for not any logical reason, and then Senators LEVIN and MCCAIN have asked to go to Defense authorization. I think, if this bill is as important as they say it is—and they say it is important—I know how Senator LEVIN and Senator MCCAIN feel about it—it looks like they would clear up some of this stuff that is standing in the way of getting that bill done.

I think it is a bridge too far to complete the Defense authorization bill before we leave, but we need to get on that bill. We are not going to stall around on this and spend weeks on the Defense authorization bill. I have told the two managers of that bill, Senator MCCAIN and Senator LEVIN, that is the case, and that is what we are going to do before Thanksgiving.

I would like to get out of here so we can go home to our States, our families, for Thanksgiving early, but if we have to stay here until the day before Thanksgiving, we are going to do it.

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

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

SPORTSMEN'S ACT OF 2012

Mr. UDALL of Colorado. Mr. President, I rise in support of the Sportsmen's Act of 2012, which is Senate bill No. 3525. This bill is a set of bipartisan proposals that enjoys overwhelming support in the sportsmen's community, and I was glad to see it clear another procedural hurdle just a short time ago. As the majority leader did, I urge my colleagues to give it final approval as quickly as we possibly can.

I wish to share some of the reasons why I think it is so important to get this bill to the President's desk. As the name implies, the Sportsmen's Act is focused on helping the Nation's 88 million sports men and women. They want, more than anything, responsible access to Federal lands and the conservation of critical habitat and species and that is exactly what this bill does.

By dedicating 1.5 percent of Land and Water Conservation Fund dollars to improve access for hunting, fishing, and other recreational purposes, sportsmen will be able to make better use of our public lands. By giving the States greater flexibility over the use of Federal dollars to build shooting ranges, sportsmen will have more places to safely sharpen their marksmanship skills and sighting their rifles for the hunting season.

By reauthorizing many critical habitat investment programs—for example, the North American Wetlands Conservation Act and the Federal Land Transaction Facilitation Act—we are ensuring that sportsmen will have places to continue our proud hunting and fishing heritage.

The benefits of the Sportsmen's Act of 2012 will fall most directly on America's hunters and anglers, but outdoor enthusiasts of all stripes will reap the rewards. By improving the outdoor experience of all Americans, I am hoping future generations will more readily take up our outdoor traditions.

I know my colleague from Colorado will join me in commending Senator TESTER for putting this package together. He has taken ideas from both Democrats and Republicans to create the greatest legislative boon for sportsmen in a generation, and that is why over 50 of the leading sportsmen's groups in our country support his bill.

I am particularly grateful to Senator TESTER for including a bipartisan provision I authored—the Target Practice and Marksmanship Training Support Act. This act will encourage the development of high-quality public shooting ranges by giving the States greater flexibility over Federal dollars they already receive for certain wildlife restoration and hunter education programs.

Since these funds come from an existing excise tax on shooting and archery equipment, this bipartisan proposal doesn't cost our taxpayers a dime and instead simply helps those paying into the system—which are primarily sportsmen—to get a better return on their investment.

Earlier this year, I asked our fellow Coloradans to tell me why they support my efforts and why they would like to see more high-quality shooting ranges, and I wish to close with some of their words.

Donald, from Pagosa Springs, CO, said:

We desperately need a range facility in our area to be able to continue teaching our kids and those who are new to hunting how to safely handle firearms.

From Gary, in Aurora, CO:

These ranges are not just a place to shoot. I cannot stress this enough as we are seeing more and more clubs closing down: We need more places to teach, enjoy and relax with fellow shooters.

So in the spirit of those Coloradans, I urge my colleagues to support the Sportsmen's Act of 2012 and put these bipartisan, commonsense proposals to work for America's sportsmen as soon as possible.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

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

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

HONORING OUR ARMED FORCES

Mr. GRASSLEY. Mr. President, Iowa has lost another native son fighting for our liberty on foreign soil. I am sad to announce that on Monday, November 5, just as our Nation was preparing to cast our ballots in the election, PFC Brandon Buttry of Shenandoah, IA, gave his life defending our freedom. He was only 19 years old but had felt a calling to join the military since he was a young child. I thank God for such patriots as Brandon Buttry. Without such brave and selfless Americans in each new generation, our liberty and way of life could not have been sustained.

My prayers go out to his parents, Don and Pam, his many brothers and sisters, and all those who knew and loved Brandon. He is described as having a mischievous smile and a twinkle in his eye as well as a slight contrarian streak. By all accounts, he was liked by all who knew him, and I know he will be missed very deeply in his community.

I understand he had an interest in American history, and his love of his country is evident from his deep desire to serve. He has now given the ultimate sacrifice on behalf of his fellow countrymen, and his name will be immortalized alongside all those other American patriots who have laid down their lives in the name of freedom.

• Mr. BEGICH. Mr. President, I rise to commend the members of the 4th Brigade Combat Team (Airborne), 25th Infantry Division from Joint Base Elemendorf-Richardson, AK, upon the completion of their deployment to Afghanistan in support of Operation Enduring Freedom.

I had the chance to be there in person when part of the brigade arrived at Fort Richardson. It was great to see our soldiers reunited with their families after so long apart. I was glad to be there last year when the 4/25 deployed, and I am pleased to offer my best wishes now as we celebrate their return home.

The 4/25 accomplished incredible things during its time in Afghanistan. Each and every member of the brigade—all 3,500 Spartans—carried the fight to those who would do our Nation harm. In doing so, they have made the world a safer place for those who love freedom and democracy.

However, those victories were not without sacrifice. During this deployment, eight brave Spartans were killed in action—PFC Nathan T. Davis, PFC Vincent J. Ellis, SSG Thomas K. Fogarty, SSG Carl E. Hammar, CPL Ethan J. Martin, PFC Richard L. McNulty III, SGT Brian L. Walker, and SPC Jeffrey L. White. We will never forget them.

I would also like to recognize the families of the 4/25. As we all know, our soldiers simply could not do their jobs without the support of their loved ones. You are the ones who wrote letters and emails, sent care packages, and kept things running smoothly back home.

When a soldier raises their right hand and swears in, their family joins the Army, too. Thank you all for your service.

As a member of the Senate Armed Services Committee, I commend the 4th Brigade, 25th Infantry Division, for their dedication, commitment and sacrifice. We owe them a debt of gratitude that can never fully be repaid.

To both the Spartans and their families, thank you again for everything you do. God bless you, and God bless the United States of America.•

RECOGNIZING OUR NATION'S VETERANS

Mr. TESTER. Mr. President, today I wish to honor John V. Klobofski, a veteran of World War II. It is my honor to share the story of John's military service because no story of heroism should ever fall through the cracks.

John was born in Cleveland, MT, in 1919. After graduating from Chinook High School, he enlisted in the National Guard, where he served for 3 years.

He then attended classes at Northern Montana College and worked for the Weather Bureau in Havre.

John reenlisted in 1940 and was assigned to the 41st Infantry Division, made up of guardsmen from across the West. As a member of the 163rd Infantry Regiment, John was a part of the campaign to capture New Guinea, which was then under Japanese control. Dubbed Operation Persecution, his unit landed ashore at Aitape on April 22, 1944. Within a number of days, the unit had captured and secured two airfields, and supplies were being delivered to the island.

Because of how quickly they were able to seize these airfields, John's unit was awarded a Presidential Unit Citation.

But fighting continued in the region for several days and many men, including John, were killed. SSG John Klobofski died on April 30, 1944.

On October 16, 2012, in the presence of his family, it was my great honor to finally present to John's family his Bronze Star Medal, a Purple Heart, and a Presidential Unit Citation.

It was also my honor to present an American Defense Service Medal, an Asiatic-Pacific Campaign Medal with Two Bronze Stars, a World War II Victory Medal, and a Combat Infantryman Badge First Award.

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

These medals are presented on behalf of a grateful nation.

Mr. President, today I also wish to honor Alan R. Shennum, a veteran of the Vietnam war. It is my honor to share the story of Alan's military service because no story of heroism should ever fall through the cracks.

Alan was born in Helena, MT, in 1946. After graduating from high school, he enlisted in the Army and trained at Fort Wolters in Texas before attending flight school at Hunter Army Airfield in Georgia.

Alan was sent to Vietnam in September of 1968, where he flew helicopters as part of the Fourth Army Division.

In October of 1968, Alan was wounded while flying a combat operation. Because his injuries were not severe, he returned to duty and flew over 30 missions in all. Warrant Officer Alan Shennum retired from service in 1971 but never received his medals.

On October 17, 2012, in the presence of his family, it was my great honor to finally present to Alan the National Defense Service Medal, the Army Aviator Badge, the Good Conduct Medal, and the Vietnam Service Medal.

It was also my honor to present an Air Medal with 32 Oak Leaf Clusters, a Vietnam Campaign Medal, and two Overseas Service Bars.

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

These medals are presented on behalf of a grateful nation.

• Mr. BEGICH. Mr. President, I also wish to commend the members of B Company, 1st Battalion, Airborne, 143rd Infantry Regiment of the Alaska Army National Guard upon the completion of their deployment to Afghanistan in support of Operation Enduring Freedom.

I had the chance to be there in person when the company deployed, and I am pleased to offer my best wishes now as we celebrate their safe return home.

Alaska has a special relationship with our military. That relationship started long before statehood during World War II with the Alaska Territorial Guard. Thousands of Alaska Natives voluntarily took up arms in defense of our Nation and established a history of commitment and sacrifice that lives on in Alaska today. We are proud of the thousands of Alaskans, and especially Alaska Natives, who continue to volunteer to protect our homeland. As members of the Alaska Army National Guard, as Alaskans who have stood up for America, the members of Bravo Company carry on our State's long legacy of service.

Bravo Company accomplished incredible things during its time in Afghanistan. While deployed to Kandahar, Farah, and Zabul, our Guardsmen supported three provincial reconstruction teams. Their efforts have contributed enormously to promoting security and the rule of law in Afghanistan and have helped moved the United States closer to accomplishing its mission in the country.

I would also like to take this opportunity to recognize the families of Bravo Company. Our guardsmen faced a difficult mission in Afghanistan, and they simply could not have done it without the support of their loved ones back home. Thank you all for your service, sacrifice, and dedication.

As citizen-soldiers, the members of Bravo Company hail from throughout Alaska. They come from Anchorage, Bethel, Chevak, Delta Junction, Dillingham, Eagle River, Ekwok, Emmonak, Fairbanks, Fort Greely, Hooper Bay, Houston, Juneau, Kipnuk, Kodiak, Kongiganak, Kwethluk, Little Diomede, Marshal, Nikiski, Nome, North Pole, Palmer, Port Graham, Quinaag, Scammon Bay, Shishmaref, Sitka, Tuluksa, Upper Kalskag, Valdez, Wasilla, and Wrangell. They return now to communities proud of their service and grateful to have them home.

As a member of the Senate Armed Services Committee, I commend B Company, 1st Battalion, Airborne, 143rd Infantry Regiment, for their dedication, commitment, and sacrifice. We owe them a debt of gratitude that can never fully be repaid.

To both Bravo Company and the families, thank you again for everything you do. God bless you, and God bless the United States of America.●

Mr. BOOZMAN. Mr. President, today I wish to recognize the heroic University of Arkansas alumni whose actions earned them the Nation's highest distinction for valor in military action, the Congressional Medal of Honor.

Throughout the storied history of the University of Arkansas, many men and women have served their Nation with honor and valor, and five of these selfless heroes have earned our Nation's highest military honor.

On Monday, November 12, 2012, we recognized these valiant heroes who put their lives on the line. We honored their service and accomplishments with the dedication of a memorial flag pole on the University of Arkansas campus.

Maurice L. Britt was born in Carlisle, AR, in 1919. On November 10, 1943, north of Mignano, Italy, Army Lieutenant Britt was wounded in battle, but he refused medical attention and proceeded to lead a handful of men in a counterattack against the Germans. Lieutenant Britt and his men ultimately captured four Germans and enabled captured Americans to escape.

Nathan Green Gordon was born in Morrilton, AR, in 1916. On February 15, 1944, in the Bismarck Sea, Navy Lieutenant Gordon was the commander of a Catalina patrol plane. Braving close-range fire from the enemy, Lieutenant Gordon rescued U.S. airmen of the U.S. Army 5th Air Force in full view of the Japanese. He made a daring escape under direct fire to fly them to safety.

Edgar H. Lloyd was born in Blytheville, AR. On September 14, 1944, near Pompey, France, Army First Lieutenant Lloyd was serving as a rifle platoon leader in Company E of the 319th Infantry. Assigned task of removing 200 enemy forces from their position, Lieutenant Lloyd's company was within 50 yards of the enemy position and suffered many casualties. Despite the enemy threat, First Lieutenant Lloyd encouraged his fellow soldiers by attacking enemy machine gun positions, personally destroying five machine guns. His valor inspired the men to overrun the enemy position.

Seymour W. Terry was born in Little Rock, AR. On May 11, 1945, on Zebra Hill, Okinawa, Ryukyu Islands, Army First Lieutenant Terry led his company on an attack when his men came under heavy enemy fire. He singlehandedly began securing the hill, running directly towards the enemy and destroying the strongholds. He sealed 4 pillboxes with explosives, killed 20 Japanese and destroyed 3 machine guns. He continued his assault on the hill to allow his troops to advance. As First Lieutenant Terry was reorganizing the company, he was mortally wounded. His heroism inspired the platoon to continue the mission.

James L. Stone was born in Pine Bluff, AR. On November 21 and 22, 1951, near Sokkogae, Korea, First Lieutenant Stone's platoon was attacked by Chinese forces. Courageously, he stood and directed his men while repairing a faulty flamethrower. He was wounded but continued to fire on the enemy during a second attack and encouraged the platoon members' efforts to protect their position.

It is people like Maurice Britt, Nathan Gordon, Edgar Lloyd, Seymour Terry, and James Stone whose resilience, bravery, and courage exemplify the American spirit. Their legacies will live on as we remember all of our brave service members who selflessly serve our Nation to protect its ideals and interests.

Mr. CARDIN. Mr. President, I wish to acknowledge the millions of brave American veterans who have given of themselves to protect this great Nation and our precious liberties. I thank not only our veterans but also men and women currently in uniform and all their families. The sacrifices our veterans and service members make are enormous: remote deployments, long deployments, injuries, and worse.

Despite the inherent risk, the United States continues to attract the most qualified and dedicated citizen soldiers. The role of the citizen soldier in this country is older than the United States itself. From the first shots declaring our independence to the current war in Afghanistan, Americans have enjoyed unparallel freedom and security thanks to those among us who are willing to put themselves in harm's way.

This past Sunday, we formally honored our Nation's veterans and we celebrated how privileged we are to have a fighting force as committed to excellence as our own. Our expressions of gratitude, however, should manifest themselves in actions that make positive impacts on the lives of the veterans to whom we owe so much. President John Kennedy once said: ''As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.'' So today I will utter words I hope you will join me in living by. When we say ''we owe our freedom to our men and women in uniform,'' we must make sure our veterans are treated as such. We must make sure that those veterans who need help transitioning back to civilian life have the resources to do so. We need to be sure veterans can find suitable jobs. When our men and women return home, they should have access to the best medical care, education, and training available so they can continue to be beacons of model citizenry.

Let this Veterans Day be a catalyst for how we treat veterans for the rest of the year and beyond. The appreciation, gratitude, and respect shown to veterans today should be ever-present. The men, women, and families who protect us deserve so much more than just 1 day to be publicly appreciated. Every American can do something to repay our veterans. There are many organizations dedicated to helping veterans. For instance, I have had the distinct honor to work on legislation with my colleague C.A. DUTCH RUPPERSBERGER to help Fisher House, an organization that arranges for travel and accommodations for family members who visit their wounded warriors as they recuperate in hospitals away from home. Fisher House established a program called Hotels for Heroes which allows travelers to donate credit card hotel reward points to military families. Many of those families will be visiting their loved ones at Water Reed in my home State of Maryland. With fewer than 1 percent of all Americans currently serving in our All-Volunteer Armed Forces, the sacrifices of the few are not always felt by the many. Donating unused frequent flyer airline

miles and hotel points is a wonderful—and easy—way for Americans to express their appreciation for our brave warriors and their families. Another worthy organization is America's Vet Dogs, which is working with inmates provided by the Maryland Department of Public Safety and Correctional Services to train service dogs to aid returning veterans who are disabled.

There are countless other groups doing an immeasurable amount of good for our veterans and their families but we always can—and should—do more. So on this Veterans Day, I ask that all Americans give something back to the people who have given so much for this country. Our veterans deserve it, and our country is made stronger when everyone makes sacrifices for it. Veterans understand sacrificing for others; we honor our veterans if we understood that too.

Mr. President, as we honor the brave men and women who have served in our military, we also must turn our thoughts and prayers to those who currently wear a uniform in service to our country, especially those in harm's way in Afghanistan and around the world. They are tomorrow's veterans. So during this lameduck session of the 112th Congress and as we prepare for the 113th Congress, I urge my colleagues to consider our Active-Duty service members, our veterans, and their families' needs as we legislate. It is my deepest hope addressing those needs will not be mired down by partisanship on either side of the aisle.

In closing, I would like to extend my deepest and most sincere thanks to our Active-Duty service men and women, veterans, and their families. I thank you for your selfless service, your dedication, your strength of character, and your courage. As a nation, we owe you an eternal debt of gratitude and appreciation for your innumerable sacrifices on our behalf.

Mr. UDALL of Colorado. Mr. President, I rise today to pay tribute to the outstanding military service of a group of incredible Coloradans. These World War II veterans each played a role in defending the world from tyranny, truly earning their reputation as the ''greatest generation'' through their service and sacrifice. Now, thanks to an organization dedicated to honoring these veterans for all they have done for us, these great Coloradans came to Washington, DC, to visit the National World War II Memorial, to share their experiences with later generations and to pay tribute to those who gave their lives. It is an honor to have had them here, and I join with all Coloradans in thanking them for all they have done for us.

I also want to say a word about the volunteers from Honor Flight of Southern Colorado who made this trip possible. They are great Coloradans in their own right, and their mission to bring our southern Colorado veterans to Washington, DC, is truly commendable. They have been doing great work since their inaugural flight in June 2012, this week bringing another group of American heroes to Washington, DC. The volunteers of Honor Flight of Southern Colorado believe our veteran heroes aren't asking for recognition, but they certainly deserve it. This opportunity to come to Washington is just a small token of appreciation for those who gave so much.

I wish to publicly recognize the members of the Southern Colorado Honor Flight who visited their Nation's Capital, many seeing for the first time the memorials their Nation built as a tribute to their selfless service. These are the lucky veterans, the ones who came home. Their war memorials also pay tribute to those who have paid the ultimate price. Today I honor these Colorado veterans on their visit to Washington, DC:

From the U.S. Army: Adolph Wolff, Jack Traxler, Earl Clark, Leroy Jensen, James Beham, and Sherwood Gray; from the U.S. Army Air Corps: Howard Casey and Will ''Lew'' Finlaynson; from the U.S. Navy: Raymond Feather, Howard Pease, Pete Demario, James Welty, and Clyde Womer; and from the U.S. Marine Corps: Jess Masias.

Our Nation asked a great deal of these individuals: to leave their families to fight in unknown lands against a deadly enemy. And each of these brave Coloradans bravely answered the call, placing themselves between this country and harm. They served our country through dangerous times, when democratic nations and ideals around the world were threatened, and they saved entire continents from falling to fascism and tyranny.

Please join me in thanking these Colorado veterans and the volunteers of Honor Flight of Southern Colorado for their tremendous service to an eternally grateful nation.

Mr. BARRASSO. Mr. President, we have all paused to remember our Nation's veterans this week. This year, the Daniels Scholars wrote letters to our country's heroes in uniform. These letters, published in Because of you . . . Letters of Gratitude from the 2012 Daniels Scholars to the Defenders of American Freedom, are heartwarming.

The Daniels Scholarship Program was created by a true American patriot, Bill Daniels. Bill was awarded the Bronze Star for his service in the Navy in World War II. He was called back into service during the Korean War. Bill went on to have a tremendously successful career. Due to his generosity, young people from Wyoming, Utah, New Mexico, and Colorado are selected to be Daniels Scholars. In addition to their college tuition and fees, they receive tremendous support and encouragement to give back to their communities.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter written by Megan Saylor from Casper, WY. May it inspire all who read it.

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

Dear Soldier,

I would like to begin by thanking you from the bottom of my heart for your military service to our country. I'm struggling to find the appropriate words that can explain how thankful I am, but the truth is, there are none. Because of you, I am able to sit in this room and freely express my thoughts and begin my path on to a bright future. You made the sacrifice for me, and now it's my turn to return the favor to you. I may not be able to repay you with what you gave me, my freedom, but I can assure you that I will reach for my dreams. I will be successful. I will make a difference. As a 2012 Daniels Scholar, I will live my life with integrity, honesty, loyalty, character, and I will contribute and give back to my community. All too often, we take for granted our rights and freedoms; we live in the best country in the world and you made that possible. You and your family. Actually, after listening to our speakers from the military, meeting with my friend who just returned from Afghanistan, and now writing this letter to you, my major could be changing. Helping our country's soldiers would be the ultimate way to return the favor. You are an amazing person for what you did for our country. Just know wherever you are, whatever struggle you are going through, just know you aren't forgotten. I'll think about you constantly, praying for you and those who are still fighting, and those who will never return. Because of you, I am living a better life, and I won't disappoint you, my country and my community. Thank you again from the bottom of my heart. Never give up!

Sending my highest regards, respect, and love, Megan Saylor, Casper, Wyoming.

REMEMBERING RUSSELL TRAIN

Mr. REID. Mr. President, I rise to briefly honor a distinguished former Republican environmental and conservation leader. As my colleagues know, Russell Train passed away on September 17.

Mr. Train was the first head of the Council on Environmental Quality under President Nixon and the second EPA Administrator, serving under both Presidents Nixon and Ford. He was the chairman emeritus of the World Wildlife Fund and helped found the organization in the 1960s. He founded the African Wildlife Leadership Foundation in 1961 and was president of the Conservation Foundation from 1965 to 1969.

He was a shining example of the age when the political parties cooperated on environmental protection, and Republicans even sometimes led the way forward. He implemented and defended the Clean Air Act and helped protect the health and welfare of millions of Americans. In recent years, he specifically criticized the modern Republican party's rejection of health and science-based decisionmaking, especially as related to EPA's authority to address climate change and carbon pollution. In a 2010 interview, he stated that he had become a registered Independent.

I hope that the Republican Party will soon return to the example of statesmanship and good governance set by Russell Train. Our Nation has enormous environmental challenges, like

climate change, that must be addressed in a bipartisan fashion.

If today's Republican Party leadership continues to keep its members' heads stuck in the sand on the matter of the manmade carbon pollution that is contributing to record-setting drought, heat waves, floods, and other extreme weather in the United States and globally, they will bear the greatest responsibility for the economic, ecosystem, and public health damages that will only accelerate and grow over time.

They would be wise instead to adopt Mr. Train's worthy counsel from his memoir: ''Today, as a nation, we urgently need to develop the political will to overcome our avoidance of difficult environmental decisions. The problems will only get worse, and we have a long way to go.''

REMEMBERING SENATOR ARLEN SPECTER

Mr. LEAHY. Mr. President, it was more than 40 years ago when two young prosecutors, one from the biggest city in Pennsylvania and one from a smaller town in rural Vermont, came together at an annual meeting of the National District Attorneys Association in Philadelphia. Little did Arlen Specter and I know then that we would spend 30 years working together in the United States Senate, building on our bond as former prosecutors, seeking to bridge the partisan divide, and striving to find common ground on some of the most contentious issues of our time.

Arlen Specter's public service began during the Korean War. When elected to serve as Philadelphia's District Attorney, he led landmark prosecutions against public corruption and to rid his city's streets of some of the country's most hardened criminals. He was a prosecutor's prosecutor.

Arlen Specter also was a Senator's Senator. He loved the Constitution, he loved and honored the institutions of our democracy, and he loved policymaking and the political process. As a Senator he tried to put the interests of the Nation and the Senate's special role in our system above partisanship while always representing and serving the people of Pennsylvania. He believed in aggressive oversight of government agencies, regardless of the administration's affiliation, from our bipartisan investigation of the shootout at Ruby Ridge, to the political firings of U.S. attorneys and the threats to civil liberties posed during the Bush administration. He reached across the aisle to partner with me to try to pass comprehensive asbestos legislation and we joined to reauthorize the Voting Rights Act during the Bush administration. He supported more transparency, in every branch of our government, to ensure the American people knew what their government was doing. He was a strong supporter of law enforcement and a vigorous and fair judicial system. And he joined with TOM HARKIN to direct billions of dollars to the National Institutes of Health and cancer research.

His work ethic and dedication were tested when he was first diagnosed with an advanced form of Hodgkin's lymphoma in 2005. Through that ordeal, Arlen kept his humor, his spirit, and his rigorous work schedule. He served as chairman of the Judiciary Committee in 2005 and 2006. I was the ranking Democratic member of the committee during those years and worked collaboratively to make my friend a success and ensured that we treated him fairly. During those years and those that followed, when it was my turn to chair the committee and his to lead the Republican members, we used to joke that we spoke to each other more often than we spoke to our wives, Marcelle and Joan.

Arlen was a fighter. I never knew anyone who worked or fought harder. I think he hoped to fight through his disease one more time.

The history books will note that Arlen Specter was the longest-serving U.S. Senator in Pennsylvania history. History should remember Arlen Specter as a person who tried to do what he thought was best for the country and to challenge the ever more constricting litmus test of partisan politics. He represented Pennsylvania and served the Nation. Like the Republican Senators who have represented Vermont, Arlen is an example to all senators, of any party. He will be missed.

REMEMBERING ROGER D. FISHER

Mr. LEAHY. Mr. President, on August 25, 2012, the United States and the world lost one of its most creative thinkers and problem solvers. Roger D. Fisher, Williston Professor of Law at Harvard University and coauthor of ''Getting to Yes: Negotiating Without Giving In,'' the most widely read book ever written on the subject, was 90 years old.

Roger Fisher was a pioneer and a giant in the field of negotiation. He not only changed the way people think about dispute resolution, inspiring and mentoring countless students who have gone on to use his teachings in their own careers, he applied his theories to real-life conflicts from South America to the Middle East.

I had the good fortune to meet Roger and was struck by his affable manner and big smile, his inquisitive mind, and, perhaps above all, his enthusiasm for devising creative ways to help others solve seemingly intractable problems and in doing so make the world a better place. No conflict was too big or too small. He had imaginative, thoughtful approaches to everything, from ending the Vietnam war to resolving an argument among siblings at the family dinner table.

Roger was a gifted advocate. He had a brilliant mind and an extraordinary ability to persuade. But, as others have said, ''he taught that conflict was not simply a 'zero-sum' game in which a fixed pie is simply divided through haggling or threats.'' Rather, it was about how one approaches the problem, recognizing the other side's needs, understanding their interests, and in doing so maximizing outcomes for both sides. That was the genius of the ''without giving in'' part of ''Getting to Yes.'' While some might assume he meant getting one's way at another's expense, Roger recognized that is rarely possible or desirable, and it is often not necessary for a good result. But he also saw how lacking in the basic analytical and practical tools of negotiation most people are.

I often think of Roger when I see the House and Senate so polarized and incapable of the positive, creative thinking and compromise that are necessary to deal effectively with issues of importance to our constituents, to the country, and to the world. ''Getting to Yes'' should be mandatory reading for every Member of Congress. It contains invaluable lessons for the job the American people sent us here to do.

I want to express my condolences to Roger's two sons, Elliot and Peter. Elliot Fisher lives in Vermont, is a respected physician at the Dartmouth-Hitchcock Medical Center and a leading voice for health policy reform. Peter Fisher has had a distinguished career in finance, including at the Federal Reserve Bank of New York and as an Under Secretary of the Treasury. I have no doubt they both have put to good use the lessons of their father.

Mr. President, I ask unanimous consent to have printed in the RECORD an obituary in the Economist about Roger Fisher.

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

[Sept. 15, 2012]

ROGER FISHER

ROGER FISHER, LAWYER, TEACHER AND PEACEMAKER, DIED ON AUGUST 25TH, AGED 90

He might be an academic—40 years on the faculty of Harvard Law School—but Roger Fisher was really a fixer. He would relax by mending the plumbing, or laying brick terraces at the summer house he loved in Martha's Vineyard. But that was tiddler stuff. At breakfast he would scan the New York Times, looking for bigger problems he could fix: arms control, hostage-taking, the Middle East. Over dinner the conversation would be sorting out Vietnam, or ending the war in El Salvador. At his 80th birthday party, most other guests gone, he was found deep in a discussion of peace between Arabs and Israelis.

As long as there were disputes in the world and energy in his body, he was going to help resolve them. If it needed a letter to a head of state, he would send it. If it needed him on the next flight to Moscow or Tokyo, he would catch it. People didn't have to invite him in. He would go anyway, tall, slim and smiling, and slip into action behind the scenes. With that sunny confidence he always had, he knew he could make the world better. And so did others: J.K. Galbraith remarked that if he knew Mr. Fisher was on to a problem, it always eased his conscience.

Mr. Fisher had a system. He outlined it with William Ury in his book ''Getting to

Yes'' (1981), which sold 3 million copies; he also taught it to students, especially, from 1979, through his Harvard Negotiation Project. Like all good tools, it got better with use. In any negotiation, he wrote—even with terrorists—it was vital to separate the people from the problem; to focus on the underlying interests of both sides, rather than stake out unwavering positions; and to explore all possible options before making a decision. The parties should try to build a rapport, check each other out, even just by shaking hands or eating together. Each should ''listen actively'', as he always did, to what the other was saying. They should recognise the emotions on either side, from a longing for security to a craving for status. And they should try to get inside each other's heads.

That was the theory, and Mr. Fisher delighted to put it into practice. At the Geneva summit of 1985, for example, Ronald Reagan on his advice did not confront Mikhail Gorbachev, but sat by a roaring fire with him while they exchanged ideas. More summits followed. A border war between Peru and Ecuador was nipped in the bud when Mr. Fisher advised the president of Ecuador (once a pupil of his) to sit on a sofa with the Peruvian president, and look at a map with him. Interviewing President Nasser of Egypt in 1970, Mr. Fisher asked him how Golda Meir, then Israel's prime minister, would be regarded at home if she agreed to all his demands. ''Boy, would she have a problem!'' Nasser laughed. He then grew thoughtful, having briefly seen their dispute from her point of view.

The Middle East, which caused him personal grief, also brought his most public success. His principles were used all through the Camp David negotiations of 1978, from the brainstorming over Jimmy Carter's draft of an agreement (23 rewrites) to the moment when Mr. Carter presented Menachem Begin, the Israeli leader, with signed pictures dedicated, by name, to each of Begin's grandchildren. Deeply affected, Begin began to talk about his family. The accords were signed that day.

He had his failures. As a Pentagon adviser in the 1960s he suggested several ''yesable propositions'' to put to the North Vietnamese; Robert McNamara listened, but not the military brass. In 1967 he had fun trying to nurse the tiny, dusty island of Anguilla to independent statehood, but the experiment was overturned. South Africa possibly satisfied him most: the Afrikaner cabinet and ANC officials, trained separately by him in negotiation workshops, agreeing to end apartheid without resorting to violence.

LESSONS FROM THE SOUK

Mr. Fisher's motivation was as clear as his writing. He hated war. His own service had been as a weather reconnaissance officer; in the course of it he had lost his roommate and many college friends. He had also flown often over Japan, harmless morning flights which the Japanese, pre-Hiroshima, had fatally learned to ignore. All those deaths weighed on him.

More light-heartedly, he grew up as one of six children, preferring to strike bargains rather than land a punch. Later on, still bargain-minded, he would stroll the souks of Damascus or Jerusalem, looking to expand his collection of ancient weights. Every one of those pieces represented a tough negotiation successfully concluded. For those who found his principles too idealistic, he could point to age-old haggling tricks he also recommended: pretending not to be interested, refusing to react to pressure, being prepared to walk away.

His most pleasing bargain, though, was the one he made to get his lot on the Vineyard. There he built a glass and shingle house right between the pounding ocean and Watcha Pond, where ospreys nested. When he first found the place, the owner refused to part with the few acres he needed. He would sell him only the whole property, 60 acres or so, which cost too much. But Mr. Fisher called in friends, they all clubbed together, the deal was agreed; and he spent 50 glorious summers there, in just the sort of sweet, wise, negotiated peace he always wished for the world.

REQUEST FOR CONSULTATION

Mr. COBURN. Mr. President, I ask consent that the following letter be printed in the CONGRESSIONAL RECORD.

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

U.S. SENATE,
November 13, 2012,

Hon. MITCH MCCONNELL,
Senate Minority Leader,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding H.R. 6062, Edward Byrne Memorial Justice Assistance Grant Program Reauthorization Act of 2012.

I support the goals of this legislation and believe state and local law enforcement agencies are a vital part of the criminal justice system in this country. However, I believe the responsibility to support, fund, and hold accountable state and local law enforcement agencies lies with the states and local communities these brave law enforcement officers serve. Furthermore, while I do not believe this issue is the responsibility of the federal government; if Congress does act, we can and must do so in a fiscally responsible manner. My concerns are included in, but not limited to, those outlined in this letter.

While this bill is well-intentioned, it could cost the American people approximately $800 million per year for 5 years without corresponding offsets, totaling $4 billion. Furthermore, with the exception of the extra stimulus funding in 2009 through the American Recovery and Reinvestment Act (ARRA), the Byrne Justice Assistance Grant Program (JAG) has never received funding at the level authorized in this legislation. According to the Congressional Research Service (CRS), JAG funding has averaged $461 million per year since its first appropriation in FY 2005, and appropriations have actually been trending downward since that time. Without including the 2009 ARRA funding, the most Congress has ever appropriated to Byrne JAG in a single year is $546 million in FY 2009. I recognize this legislation reduces the overall authorization for the Byrne JAG program; however, I do not believe this reduction is sufficient to address the growing federal spending problem in this country.

It is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now over $16 trillion. That means over $51,000 in debt for each man, woman and child in the United States. A year ago, the national debt was $14.7 trillion. Despite pledges to control spending, Washington adds billions to the national debt every single day. In just one year, our national debt has grown by $19 trillion or 8.8%.

In addition to these fiscal concerns, there are several problems specific to this legislation. First, the Byrne JAG program duplicates other sources of federal funding. State and local governments can use Byrne JAG funds for projects in seven different purpose areas: (1) law enforcement programs; (2) prosecution and court programs; (3) prevention and education programs; (4) corrections and community corrections programs; (5) drug treatment programs; (6) planning, evaluation, and technology improvement programs; and (7) crime victim and witness programs. Several of these broad purpose areas are already covered by other federal grant programs including Community Oriented Policing Services (COPS), Second Chance Act grants, drug and mental health court grants, and the Debbie Smith DNA Backlog Grant program, among others.

Second, Congress, particularly the Senate, has not performed sufficient oversight of the Byrne JAG program to justify its reauthorization at this time. Before reauthorizing this or any program, Congress should perform oversight to determine how a grant program is performing, evaluate how grantees use federal funds, measure the results of the program, and analyze whether there are other federal programs funding the same purposes. In my federal deficit reduction plan, Back in Black, I noted that critics on the right and left, along with the Department of Justice Office of the Inspector General, agree Byrne JAG experiences waste, fraud, and abuse in a variety of ways and should be reformed. Thus, I do not believe Congress should blindly reauthorize this program without oversight through a detailed review of its policies and practices.

Finally, I do not believe the federal government has the authority under the Constitution to provide federal funds to state and local governments for use on state and local criminal justice systems. Article I, Section 8 of the Constitution enumerates the limited powers of Congress, and nowhere are we tasked with funding or becoming involved with state and local criminal issues.

There is no question state and local law enforcement play a vital role in maintaining order and safety in many communities. However, I believe this issue is the responsibility of the states and not the federal government. Despite these constitutional limitations, if Congress does act in this area we should evaluate the program as most American individuals and companies must do with their own resources; we should review current programs, determine any needs that may exist, and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse, and duplication.

Sincerely,

TOM A. COBURN, M.D.,
United States Senator.

WYOMING TAXPAYERS ASSOCIATION

Mr. BARRASSO. Mr. President, I rise today to submit for the RECORD a document that I think everyone in this body should consider.

There is no question that our Nation is facing a challenging financial future.

Our country needs real leadership to recognize the problems that we are facing and address them directly.

For 75 years, my home State has benefited from the knowledge and expertise of the Wyoming Taxpayers Association. The Wyoming Taxpayers Association has fought for transparency, equity, balance, and stability for Wyoming taxpayers.

There is no question that the U.S Tax Code is a mess and in need of serious reform.

As we look to address our debt crisis and reform the Tax Code, we should take a responsible, sensible approach to taxation.

The Wyoming Taxpayers Association's ''Cornerstones of Taxation'' provides an excellent foundation that we should consider as we debate the future of the U.S. Tax Code.

I ask unanimous consent to have printed in the RECORD the Wyoming Taxpayers Association's ''Cornerstones of Taxation.''

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

WYOMING TAXPAYERS ASSOCIATION'S ''CORNERSTONES OF TAXATION''

Justification:

Is there a justified need for the tax and is it fiscally prudent?

Are existing government funds spent efficiently before considering a new tax?

Is the primary goal of the tax to generate revenue or does it modify behavior or influence policy?

Equity:

Does the tax impose equal and uniform liabilities upon similarly situated taxpayers?

Is the tax constitutional?

Does the tax disadvantage one taxpayer over another?

Balance:

Does the tax result in diversification in taxation?

Does the tax influence decisions regarding spending, saving or investing?

Does the tax concentrate a financial burden on a few and will the tax distort economic behavior?

Stability:

Is the tax stable and predictable under changing political, economic, regulatory and environmental conditions?

Transparency:

Is the tax visible, accountable and auditable?

Is the tax easy to understand, administer and cost effective to collect?

150TH ANNIVERSARY OF CONGREGATION SHAAREY ZEDEK

Mr. LEVIN. Mr. President, on Oct. 27, many of my fellow Michiganians gathered to recognize an event of enormous historical and cultural significance to our State: the 150th anniversary of Congregation Shaarey Zedek in the City of Southfield, just outside my hometown of Detroit.

For a century and a half, from its humble beginnings in Detroit to its emergence as one of the most important and influential institutions in the American Jewish community, Shaarey Zedek has played a vital role, not just for Michigan Jews, but for the community at large. Even more important than its high profile events with high-level speakers and guests is Shaarey Zedek's 150 years of day-in, day-out service to faith, community and humanity.

Shaarey Zedek has played a vital role in Jewish cultural and political life. It is no coincidence that, as the threat of Nazi Germany rose, Shaarey Zedek hosted one of the most important meetings of American Jews in the May of 1938, warning Americans about Hitler's threat to European Jews and to international security and strongly advocating for Jewish emigration to Palestine to escape Hitler's clutches. And in later years, Shaarey Zedek was one of America's leading voices in support of oppressed Jews in the Soviet Union.

It was Shaarey Zedek where Detroit Tigers slugger Hank Greenberg attended services on Yom Kippur of 1934, in the midst of the American League pennant race, receiving a standing ovation from the congregation, serving as a powerful symbol of Jewish identity, and, as he later put it in his autobiography, pleasing his relieved parents.

Like any religious institution, Shaarey Zedek has first and foremost been a touchstone of faith. Congregation Shaarey Zedek is one of America's most respected synagogues.

Of particular importance to me is the congregation's longstanding dedication to tolerance, not just in matters of faith, but in all matters of conscience. At times of strife and conflict in Michigan and the Nation, and in the face of discrimination or oppression, Shaarey Zedek has consistently served as a voice of reason, peace, understanding and equality.

So this anniversary is important to the Jewish community, and the larger community. But it also means a lot to me personally. Congregation Shaarey Zedek is where my brother and I were bar mitzvahed. It is the spiritual home of many who are dear to me, and to the community of which I am a proud member. I know my colleagues will want to join me in congratulating all those who have made Congregation Shaarey Zedek such an important institution for 150 years, and who will carry that tradition forward in the decades to come.

ADDITIONAL STATEMENTS

TRIBUTE TO SHERIFF KEITH FERGUSON

• Mr. BOOZMAN. Mr. President, today I wish to honor Benton County sheriff Keith Ferguson, who is retiring after more than four decades of dedication to safety and law enforcement.

Serving for 32 years with the Arkansas State Police, with more than half of those years as supervisor of Carroll and Benton Counties, Keith made a career out of helping the people of Arkansas.

In 2003 he became the sheriff of Benton County, a position he still holds today. In the past 10 years he has proven his commitment to keeping Arkansans safe. I have worked with Sheriff Ferguson and other community leaders during the institution of the 287(g) Program with Immigration and Customs Enforcement, commonly known as ICE. This local, State, and Federal cooperation has played a key role in combating illegal immigration in Northwest Arkansas.

Keith also helped create a child internet pornography investigation unit to help keep our children safe and has championed the use of inmate labor to help the county through programs such as Habitat for Humanity and the Northwest Arkansas Food Bank.

As sheriff of Benton County, he has improved outreach to children and the elderly and efficiency in the office with upgraded technology and improved equipment and employee training.

Keith's commitment to safety has been recognized at the State level, earning the Arkansas State Police Commendation Award for his heroics in apprehending a suspect and the Northwest Community Valor Award for his role in capturing three prison escapees.

I congratulate Sheriff Keith Ferguson for his outstanding achievements and success in law enforcement, and I ask my colleagues to join me in honoring him on his retirement. I wish him continued success in his future endeavors. Benton County is a better place to live thanks to his years of service and leadership to Arkansas.•

RECOGNIZING THOMPSON-MARKWARD HALL

• Mr. HOEVEN. Mr. President, today I wish to recognize the 125th anniversary of Thompson-Markward Hall, formerly known as the Young Women's Christian Home. Thompson-Markward Hall is located on Capitol Hill, directly across from the Senate Hart Building, and has long served as a temporary home for young women studying or working in our Nation's Capital, including many who have interned or worked in congressional offices.

Thompson-Markward Hall was founded in 1833 by Mary G. Wilkinson. Wilkinson, who was grieving the death of her daughter, recognized the need to create a safe housing option for young women moving to Washington seeking employment, and he began housing two young women in her Capitol Hill home. The need for additional space soon led to the securing of a new location at Fifth Street, NW, where the early years of the home were funded through the generosity and hard work of Wilkinson, her friends, benevolent merchants, and other community members.

In 1887, the Young Woman's Christian Home was chartered by Congress and incorporated to provide temporary housing for young women coming to

the District of Columbia. The assistance Congress provided to this home during its early years stands today as a strong example of ways Congress can show support and lend short-term assistance to help an organization get its legs. By 1906, the trustees believed the home could manage without Federal assistance, and the congressional appropriation was discontinued Today the home remains a self-sustaining organization funded through endowments and residents.

Today, Thompson-Markward Hall also remains, true to its founding principles, a safe, comfortable, moderately-priced place for young women to live when studying or establishing careers in Washington. Retaining the spirit of Mary G. Wilkinson's founding intentions, Thompson-Markward Hall has earned a reputation as a special place for its residents, helping equip them with a strong foundation for developing lifelong friendships and fostering a deep regard for Washington, DC, and the opportunities the city offers.

As Thompson-Markward Hall celebrates another important milestone in its history, it is important that we recognize and congratulate this organization and especially the many talented individuals who have worked hard and given of their time and talents to help found this residence and now work to maintain and further its rich legacy. It is the efforts of all of these individuals, and especially Mar G. Wilkinson, Bessie J. Kibbey, Flora Markward Thompson, and past and present. Board of Trustee members and staff, who have helped make Thompson-Markward Hall a wonderful housing option for thousands of young women.●

RECOGNIZING TEXAS CENTER FOR SUPERCONDUCTIVITY

● Mrs. HUTCHISON. Mr. President, today, the Texas Center for Superconductivity at the University of Houston (TCSUH) commemorates 25 years of achievements following the discovery of the High Temperature Superconductor YBCO by Dr. Paul C. W. Chu and colleagues in 1987 and the establishment the Center by the State of Texas.

With ongoing support from the State, the Center has continued to grow in size and in the breadth of its programs which include basic and applied research, technology development and transfer and advanced education and training. TCSUH maintains an infrastructure that supports the interdisciplinary research and education that is necessary to advance new fields and accelerate scientific discovery.

I am intensely committed to investing in science and research and Texas' place at the top of that ladder. In 2004, I worked to create TAMEST The Academy of Medicine, Engineering and Science of Texas a vehicle for Texas institutions to share knowledge and research, to know what others in the scientific fields were working on. Today, with better information sharing, Texas has gone from sixth to third as a recipient of Federal research funding.

Science and technology are critical to the future growth and prosperity of our country. America must continue to prioritize scientific research and technological development that fuels our economy, creates jobs, improves health care and helps to promote our national security and global leadership.

This is incredibly important to both Texas and America. Since World War II, more than half of US economic growth can be attributed to technological innovation; part of this is a direct result of Federal investment in science and technology.

Texas' world-class research institutions and university-based innovation centers like TCSUH bring new technology and research together with savvy entrepreneurs, creating new businesses and, most important, creating jobs.

TCSUH contributes to the goals of strengthening the prominence of Texas as a national research leader by attracting top quality researchers to the State, educating the next generation of scientists and engineers, and building links with industry to commercialize new technologies and create quality jobs.

I congratulate Dr. Chu and his colleagues at TCSUH on this important occasion and extend my best wishes to all for many more years of continued success.●

25TH ANNIVERSARY OF DAKOTA RURAL ACTION

Mr. JOHNSON of South Dakota. Mr. President, today I wish to commemorate the 25th anniversary of Dakota Rural Action. I am proud to honor the members and stakeholders involved in Dakota Rural Action and extend my congratulations to them on this memorable occasion.

Dakota Rural Action is a local, grassroots organization that exhibits leadership through community organizing. They strive to give South Dakotans a strong voice by working with local, State, and Federal Government officials on issues and decisions involving family agriculture, conservation, and overall quality of life. The members of DRA were also early vocal advocates of my Country-of-Origin Labeling, COOL, law, which has enabled consumers to access information about where their food is coming from and enabled producers to get a better price for their products.

The Dakota Rural Action organization started in 1985 as a steering committee called the South Dakota Rural Organizing Project. The committee was tasked with finding substantive and effective ways to organize citizens on a grassroots level, largely due to the farm crisis of the late 1980s. When the need for a more sustained, long-term organization became evident, Dakota Rural Action was formally created. The founding members wanted to create a nonprofit, nonpartisan, community-driven organization that focused on the causes and larger issues affecting rural America, rather than just the effects of the farm crisis. On January 10, 1987, Dakota Rural Action held its first meeting in Brookings, SD, to adopt bylaws and an organizational structure, set membership dues, and to establish an issue platform.

Today, Dakota Rural Action remains a vibrant, statewide network of six chapters. They celebrated their 25th anniversary at their annual meeting in Brookings, SD on November 9 and 10, 2012. It is a great privilege for me to recognize Dakota Rural Action's 25 years of service to South Dakotans, as well as their continuing commitment to the issues and causes that affect South Dakota and rural areas across the Nation.●

TRIBUTE TO MIKE MODRICK

● Mr. THUNE. Mr. President, today I recognize Mike Modrick of Rapid City, SD. Mike, a recognized television personality in western South Dakota, is celebrating 25 years on October 26, 2012, as a meteorologist at KOTA Territory News and 30 years in weather forecasting. Mike is a graduate of Iowa State University with a bachelor of science degree in meteorology and a degree in speech. Shortly after graduating, Mike made his way to the beautiful, yet markedly unpredictable climate of western South Dakota where he has provided important safety and weather communications to the people of South Dakota for 25 years.

Mike has received the Seal of Approval for Television Weathercasting from the American Meteorological Society, which is considered the most prestigious award in weather broadcasting. His dedication to timely, reliable forecasting across western South Dakota is indicative of his passion and commitment to the safety of all South Dakotans. As Mike celebrates his silver anniversary with KOTA, it is my pleasure to thank him for his service.●

TRIBUTE TO DR. DUANE MEYER

● Mr. BLUNT. Mr. President, today I wish to honor Dr. Duane Meyer, historian, educator, author, former university president and my friend. Fittingly, the Greene County Historical Society honored Dr. Meyer in October with its Life Time Achievement Award for his body of work enriching Missouri's educational, historical and cultural life.

Dr. Meyer, through his dedication, is recognized as one of Missouri's most distinguished historians. Dr. Meyer served as a teacher for 18 years and as an administrator for 22 years (1971–1983 as president of what is today Missouri State University). He arrived in Springfield in 1955 with a Ph.D. from the University of Iowa. Dr. Meyer began his career as an assistant professor of history and later became a

full professor of history. By 1961 he was dean of facilities for what was then Southwest Missouri State College. Ten years later Dr. Meyer was selected as the sixth president of Southwest Missouri State College, which earned university status in 1972.

During his 12 years at the helm of Southwest Missouri State University, enrollment increased to an all-time high (62 percent), making it the second largest 4-year public institution of higher learning in Missouri. Southwest Missouri State University was transformed with the creation of an academic master plan, including a new business school, construction of a student event center and elevation of the athletic program to NCAA Division I competition. Academic achievements included new specialist degrees for graduate programs, new associate degrees for undergraduate students and cooperative education. Students were also given the opportunity to have learning experiences abroad. Faculty research was encouraged and research and service centers took form at Southwest Missouri State University during Dr. Meyer's tenure as president.

As the academic landscape changed, so did the look of the campus. The campus expanded to 125 acres, the first public-private building—Hammons Student Center—was constructed along with three new classroom buildings and four new residence halls. During that period, Southwest Missouri State University added the State Fruit Experiment Station in Mountain Grove and a new campus in West Plains, Missouri. In recognition of his contributions, Southwest Missouri State University honored Dr. Meyer by naming the school's new library after him.

After leaving the president's office, Dr. Meyer continued to teach as a professor emeritus of history. He also served as a member on the Missouri Council of Public Higher Education Board and on the Missouri Humanities Council. Dr. Meyer's research has produced two text books, including The Heritage of Missouri: A History, which serves as a valuable reference for students learning about Missouri history.

Dr. Meyer's leadership and dedication to excellence have reshaped one of the region's great universities and benefited countless students who have passed through its halls. Congratulations to Dr. Meyer for enhancing our understanding of Missouri history and making it available for future generations.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on September 25, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. LEWIS of California) has signed the following enrolled bills and joint resolution:

S. 300. An act to prevent abuse of Government charge cards.

S. 710. An act to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

H.R. 1272. An act to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al., by the United States Court of Federal Claims in the Docket Numbers 19 and 188, and for other purposes.

H.R. 1791. An act to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the ''Alto Lee Adams, Sr., United States Courthouse''.

H.R. 2139. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Club International.

H.R. 2240. An act to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts, and for other purposes.

H.R. 2706. An act to prohibit the sale of billfish.

H.R. 3556. An act to designate the new United States courthouse in Buffalo, New York, as the ''Robert H. Jackson United States Courthouse''.

H.R. 4158. An act to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions.

H.R. 4223. An act to amend title 18, United States Code, to prohibit theft of medical products, and for other purposes.

H.R. 4347. An act to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the ''Robert Boochever United States Courthouse''.

H.R. 5512. An act to amend title 28, United States Code, to realign divisions within two judicial districts.

H.R. 6189. An act to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs.

H.R. 6215. An act to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution.

H.R. 6375. An act to authorize certain Department of Veterans Affairs major medical facility projects, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes.

H.R. 6431. An act to provide flexibility with respect to United States support for assistance provided by international financial institutions for Burma, and for other purposes.

H.R. 6433. An act to make corrections with respect to Food and Drug user fees.

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

Under the authority of the order of the Senate of January 5, 2011, the enrolled bills and joint resolution were subsequently signed on September 25, 2012, during the adjournment of the Senate, by the President pro tempore (Mr. INOUYE).

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on September 28, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bills, without amendment:

S. 3624. An act to amend section 31311 of title 49, United States Code, to permit States to issue commercial driver's licenses to members of the Armed Forces whose duty station is located in the State.

S. 3625. An act to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on September 28, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. LEWIS of California) has signed the following enrolled bill:

S. 3625. An act to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, and for other purposes.

Under the authority of the order of the Senate of January 5, 2011, the enrolled bill was subsequently signed on September 28, 2012, during the adjournment of the Senate, by the Acting President pro tempore (Mr. REID).

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on October 9, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. HARRIS of Maryland) has signed the following enrolled bill:

S. 3624. An act to amend section 31311 of title 49, United States Code, to permit States to issue commercial driver's licenses to members of the Armed Forces whose duty station is located in the State.

Under the authority of the order of the Senate of January 5, 2011, the enrolled bill was subsequently signed on October 9, 2012, during the adjournment of the Senate, by the Acting President pro tempore (Mr. WEBB).

MESSAGE FROM THE HOUSE

At 2:22 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3409. An act to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977.

The message also announced that the House passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 743. An act to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on September 25, 2012, she had presented to the President of the United States the following enrolled bills:

S. 300. An act to prevent abuse of Government charge cards.

S. 710. An act to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

The Secretary of the Senate reported that on September 28, 2012, she had presented to the President of the United States the following enrolled bill:

S. 3625. An act to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies, and for other purposes.

The Secretary of the Senate reported that on October 9, 2012, she had presented to the President of the United States the following enrolled bill:

S. 3624. An act to amend section 31311 of title 49, United States Code, to permit States to issue commercial driver's licenses to members of the Armed Forces whose duty station is located in the State.

MEASURES REFERRED

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

H.R. 3409. An act to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977; to the Committee on Environment and Public Works.

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–7739. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Disclosure to Investor in System-wide and Consolidated Bank Debt Obligations of the Farm Credit System'' (RIN3052–AC77) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7740. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Suspension of End-Use Certificate Program Requirements'' (7 CFR Part 782) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7741. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Prohibitions Governing Fire'' (RIN0596–AD08) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7742. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Plum Pox Compensation'' ((RIN0579–AD58) (Docket No. APHIS–2011–0004)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7743. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Asian Longhorned Beetle; Quarantined Areas in Massachusetts, Ohio, and New York'' (Docket No. APHIS–2012–0003) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7744. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Citrus Greening and Asian Citrus Psyllid; Quarantine and Interstate Movement Regulations'' ((RIN0579–AC85) (Docket No. APHIS–2008–0015)) received during adjournment of the Senate in the Office of the President of the Senate on October 1, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7745. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irradiation Treatment; Location of Facilities in the Southern United States; Technical Amendment'' ((RIN0579–AD35) (Docket No. APHIS–2009–0100)) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7746. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Agricultural Bioterrorism Protection Act of 2002; Biennial Review and Republication of the Select Agent and Toxin List; Amendments to the Select Agent and Toxin Regulations'' ((RIN0579–AD09) (Docket No. APHIS–2009–070)) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7747. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National Organic Program (NOP); Sunset Review (2012) for Nutrient Vitamins and Minerals'' ((RIN0581–AD17) (AMS–NOP–10–0083; NOP–10–09IR)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7748. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National Organic Program (NOP); Amendment to the National List of Allowed and Prohibited Substances (Livestock)'' ((RIN0581–AD018) (AMS–NOP–11–0063; NOP–11–11FR)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7749. A communication from the Administrator of Dairy Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Grading and Inspection, General Specifications for Approved Plants and Standards for Grades of Dairy Products; General Specifications for Dairy Plants Approved for USDA Inspection and Grading Service'' (AMS–DA–10–0055) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7750. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorantraniliprole; Pesticide Tolerances'' (FRL No. 9362–5) received during adjournment of Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7751. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Alkyl Amines Polyalkoxylates; Exemption from the Requirement of a Tolerance'' (FRL No. 9361–7) received during adjournment of Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7752. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Trinexapac-ethyl; Pesticides Tolerances'' (FRL No. 9363–4) received during adjournment of Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7753. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Glufosinate ammonium; Pesticide Tolerances'' (FRL No. 9363–6) received during adjournment of Senate in the Office of the President of the Senate on September 25, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7754. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sulfentrazone; Pesticide Tolerances'' (FRL No. 9363–3) received during adjournment of Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7755. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sulfoxaflor; Pesticide Tolerances for Emergency Exemptions'' (FRL No. 9361–4) received during adjournment of Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7756. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Butylate, Clethodim, Dichlorvos, Dicofol, Isopropyl carbanilate, et al.; Tolerance Actions'' (FRL No. 9358–8) received during adjournment of Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7757. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Buprofezin; Pesticide Tolerances'' (FRL No. 9364–9) received during adjournment of Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7758. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, an addendum to the Antideficiency Act violation report on United States Special Operations Command case number 09–02; to the Committee on Appropriations.

EC–7759. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, an addendum to the Army Antideficiency Act violation report on Army case number 10–02; to the Committee on Appropriations.

EC–7760. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation of funding for Overseas Contingency Operations/Global War on Terrorism; to the Committee on Appropriations.

EC–7761. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Admiral Kirkland H. Donald, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC–7762. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Raymond E. Johns, Jr., United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–7763. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Douglas M. Fraser, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–7764. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Mark P. Hertling, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–7765. A communication from the Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, a report relative to Army Industrial Facilities Cooperative Activities with Non-Army Entities; to the Committee on Armed Services.

EC–7766. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–7767. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–7768. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled ''Department of Defense Report on Pilot Program for Foreign Language Proficiency Training for Reserve Members''; to the Committee on Armed Services.

EC–7769. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7770. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((44 CFR Part 65) (Docket No. FEMA–2012–0003)) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7771. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7772. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2012–0003)) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7773. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Certain Persons to the Entity List'' (RIN0694–AF77) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7774. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Temporary Registration as a Municipal Advisor; Required Amendments; and Withdrawal from Temporary Registration'' (RIN3235–AK69) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7775. A communication from the Deputy Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Repeal of the Final Rule Imposing Special Measures and Withdrawal of the Findings of Primary Money Laundering Concern Against Myanmar Mayflower Bank and Asia Wealth Bank'' (RIN1506–AA63) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7776. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Annual Stress Test'' (RIN1557–AD58) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7777. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Short-term Investment Funds'' (RIN1557–AD37) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7778. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines: Market Risk'' (RIN7100–AD61 and FRB Docket No. R–1401) received during adjournment of the Senate in the Office of the President of the Senate on October 12, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–7779. A communication from the President of the United States, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC–7780. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Russia; to the Committee on Banking, Housing, and Urban Affairs.

EC–7781. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to India; to the Committee on Banking, Housing, and Urban Affairs.

EC–7782. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Hong Kong; to the Committee on Banking, Housing, and Urban Affairs.

EC–7783. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a notice of the continuation of the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–7784. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report

on the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–7785. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to the continuation of the national emergency relative to the actions and policies of the Government of Sudan as declared in Executive Order 13067 of November 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–7786. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month report on the national emergency that was originally declared in Executive Order 13159 relative to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs.

EC–7787. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report on the continuation of the national emergency declared in Executive Order 13413 with respect to blocking the property of persons contributing to the conflict taking place in the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC–7788. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Office of Financial Research's annual report on activities of the office to date; to the Committee on Banking, Housing, and Urban Affairs.

EC–7789. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting, pursuant to law, the Bank's 2011 Statement on System of Internal Controls, audited financial statements, and Report of Independent Auditors on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards; to the Committee on Banking, Housing, and Urban Affairs.

EC–7790. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's Office of Civilian Radioactive Waste Management's Annual Financial Reports for the years ending September 30, 2010 and 2011; to the Committee on Energy and Natural Resources.

EC–7791. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the Department's status report on its rulemaking under section 133 of the Energy Independence and Security Act of 2007; to the Committee on Energy and Natural Resources.

EC–7792. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations; Areas of the National Park System, Saguaro National Park, Bicycling'' (RIN1024–AE08) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Energy and Natural Resources.

EC–7793. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Electricity Market Transparency Provisions of Section 220 of the Federal Power Act'' (RIN1902–AD96) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Energy and Natural Resources.

EC–7794. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision to Form No. 6'' (RIN1902–AE37) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Energy and Natural Resources.

EC–7795. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Design, Inspection, and Testing Criteria for Air Filtration and Adsorption Units of Post-accident Engineered-Safety-Feature Atmosphere Cleanup in Light-Water-Cooled Nuclear Power Plants'' (Regulatory Guide 1.52) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2012; to the Committee on Environment and Public Works.

EC–7796. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal of Regulatory Guide 5.67, 'Material Control and Accounting for Uranium Enrichment Facilities Authorized to Produce Special Nuclear Material of Low Strategic Significance''' received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2012; to the Committee on Environment and Public Works.

EC–7797. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''NRC Staff Position on Dispositioning Boiling-Water Reactor Licensee Noncompliance with Technical Specification Requirements During Operations with a Potential for Draining the Reactor Vessel'' (RIS 2012–11) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2012; to the Committee on Environment and Public Works.

EC–7798. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Oregon'' (FRL No. 9722–2) received during adjournment of Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Environment and Public Works.

EC–7799. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard and Diesel Sulfur Programs'' (FRL No. 9733–3) received during adjournment of Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Environment and Public Works.

EC–7800. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Kentucky; Approval of Revisions to the Jefferson County Portion of the Kentucky SIP; New Source Review; Prevention of Significant Deterioration'' (FRL No. 9734–7) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Environment and Public Works.

EC–7801. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Requirements for Prevention of Significant Deterioration and Nonattainment New Source Review; Fine Particulate Matter (PM2.5)'' (FRL No. 9735–7) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Environment and Public Works.

EC–7802. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Vermont: Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule'' (FRL No. 9736–5) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Environment and Public Works.

EC–7803. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; The 2002 Base Year Emissions Inventory for the Washington DC-MD-VA Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard'' (FRL No. 9735–5) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Environment and Public Works.

EC–7804. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Idaho: Incorporation by Reference of Approved State Hazardous Waste Management Program'' (FRL No. 9707–1) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Environment and Public Works.

EC–7805. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Arizona; Prevention of Air Pollution Emergency Episodes'' (FRL No. 9713–4) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7806. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Partial Approval and Partial Disapproval of Air Quality Implementation Plans for Florida, Mississippi, and South Carolina; Section 110(a) (2) (D) (i) (I) Transport Requirements for the 2006 24-Hour Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9738–9) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7807. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Mississippi; 110(a) (1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9738–7) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7808. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; The 2002 Base Year Emissions Inventory for the Washington DC-MD-VA Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard'' (FRL No. 9735–6) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7809. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Mississippi; 110(a) (2) (G) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9738–6) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7810. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Streamlining Amendments to the Plan Approval Regulations'' (FRL No. 9738–1) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7811. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Attainment Demonstration for the 1997 8-Hour Ozone National Ambient Air Quality Standard for the Philadelphia-Wilmington-Atlantic City Moderate Nonattainment Area'' (FRL No. 9737–9) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7812. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality Implementation Plans; Alabama; Attainment Plan for the Alabama Portion of the Chattanooga 1997 Annual PM2.5 Nonattainment Area'' (FRL No. 9737–8) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7813. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the Nevada State Implementation Plan, Washoe County Air Quality District'' (FRL No. 9736–8) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Environment and Public Works.

EC–7814. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cumberland Darter, Rush Darter, Yellowcheek Darter, Chucky Madtom, and Laurel Dace'' (RIN1018–AX76) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2012; to the Committee on Environment and Public Works.

EC–7815. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Species Status for the Alabama Pearlshell, Round Ebonyshell, Southern Kidneyshell, and Choctaw Bean, and Threatened Species Status for the Tapered Pigtoe, Narrow Pigtoe, Southern Sandshell, and Fuzzy Pigtoe, and Designation of Critical Habitat'' (RIN1018–AW92) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2012; to the Committee on Environment and Public Works.

EC–7816. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Species Status for Coqui Llanero Throughout Its Range and Designation of Critical Habitat'' (RIN1018–AX68) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2012; to the Committee on Environment and Public Works.

EC–7817. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds'' (RIN1018–AX97) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7818. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Final Frameworks for Early-Season Migratory Bird Hunting Regulations'' (RIN1018–AX97) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7819. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2012–13 Early Season'' (RIN1018–AX97) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7820. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands'' (RIN1018–AX97) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7821. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2012–13 Late Season'' (RIN1018–AX97) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7822. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Final Frameworks for Late-Season Migratory Bird Hunting Regulations'' (RIN1018–AX97) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7823. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Minerals Management: Adjustments of Cost Recovery Fees'' (RIN1004–AE29) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7824. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Preoperational Testing of Instrument and Control Air Systems'' (Regulatory Guide 1.68.3) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2012; to the Committee on Environment and Public Works.

EC–7825. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Combining Modal Responses and Spatial Components in Seismic Response Analysis'' (Regulatory Guide 1.92, Revision 3) received during adjournment of the Senate in the Office of the President of the Senate on September 25, 2012; to the Committee on Environment and Public Works.

EC–7826. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' (FRL No. 9764–5) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Environment and Public Works.

EC–7827. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Control Technique Guidelines for Plastic Parts, Metal Furniture, Large Appliances, and Miscellaneous Metal Parts'' (FRL No. 9731–8) received during adjournment of the Senate in the Office of the President of the Senate on September 25, 2012; to the Committee on Environment and Public Works.

EC–7828. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina: Approval of Rocky Mount Motor Vehicle Emissions Budget Update'' (FRL No. 9732–7) received during adjournment of the Senate in the Office of the President of the Senate on September 25, 2012; to the Committee on Environment and Public Works.

EC–7829. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Florida 110(a) (1) and (2) Infrastructure Requirements for the 1997 and

2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9734–6) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7830. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alabama 110(a) (1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9734–5) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7831. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Kentucky 110(a) (1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9734–4) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7832. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; PBR and PTIO'' (FRL No. 97) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7833. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Georgia; Control Techniques Guidelines and Reasonably Available Control Technology'' (FRL No. 9732–2) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Environment and Public Works.

EC–7834. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report listing unconstructed projects, or unconstructed separable elements of projects, that have been authorized but for which no funds have been obligated for planning, design, or construction during the preceding five full fiscal years; to the Committee on Environment and Public Works.

EC–7835. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District'' (FRL No. 9740–7) received during adjournment of the Senate in the Office of the President of the Senate on October 11, 2012; to the Committee on Environment and Public Works.

EC–7836. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Pittsburgh-Beaver Valley Nonattainment Area Determinations of Attainment of the 1997 Annual Fine Particulate Standard'' (FRL No. 9738–3) received during adjournment of the Senate in the Office of the President of the Senate on October 11, 2012; to the Committee on Environment and Public Works.

EC–7837. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina Portion of the Charlotte-Gastonia-Rock Hill, North Carolina-North Carolina 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan'' (FRL No. 9741–2) received during adjournment of the Senate in the Office of the President of the Senate on October 11, 2012; to the Committee on Environment and Public Works.

EC–7838. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alabama; Disapproval of 110(a)(2)(E)(ii) Infrastructure Requirement for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9739–3) received during adjournment of the Senate in the Office of the President of the Senate on October 11, 2012; to the Committee on Environment and Public Works.

EC–7839. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Portion of York County, South Carolina Within Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan'' (FRL No. 9740–9) received during adjournment of the Senate in the Office of the President of the Senate on October 11, 2012; to the Committee on Environment and Public Works.

EC–7840. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina 110(a) (1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9739–2) received during adjournment of the Senate in the Office of the President of the Senate on October 11, 2012; to the Committee on Environment and Public Works.

EC–7841. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut, Maine, Massachusetts, New Hampshire; Infrastructure SIPs for the 1997 and 2006 Fine Particulate Matter Standards'' (FRL No. 9740–1) received during adjournment of the Senate in the Office of the President of the Senate on October 11, 2012; to the Committee on Environment and Public Works.

EC–7842. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Attainment of the 1-Hour Ozone National Ambient Air Quality Standards in the Sacramento Metro Nonattainment Area in California'' (FRL No. 9741–8) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Environment and Public Works.

EC–7843. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Georgia 110(a) (1) and (2) Infrastructure Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9739–1) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Environment and Public Works.

EC–7844. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Dakota: Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule; PM2.5 NSR Implementation Rule'' (FRL No. 9742–3) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Environment and Public Works.

EC–7845. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Prevention of Significant Deterioration'' (FRL No. 9738–2) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Environment and Public Works.

EC–7846. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Alaska: Infrastructure Requirements for the 1997 8-Hour Ozone National Ambient Air Quality Standard'' (FRL No. 9701–5) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Environment and Public Works.

EC–7847. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District'' (FRL No. 9732–5) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Environment and Public Works.

EC–7848. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; Greif Packaging, LLC Adjusted Standard'' (FRL No. 9733–6) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Environment and Public Works.

EC–7849. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Nevada; Infrastructure Requirements for Ozone and Fine Particulate Matter'' (FRL No. 9739–8) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the Committee on Environment and Public Works.

EC–7850. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Limited Approval and Disapproval of Air Quality Implementation Plans; Nevada; Clark County; Stationary Source Permits'' (FRL No. 9740–3) received during adjournment of the Senate in the Office of the President of the Senate on October 16, 2012; to the

Committee on Environment and Public Works.

EC–7851. 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 ''Applicable Federal Rates—October 2012'' (Rev. Rul. 2012–28) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Finance.

EC–7852. 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 ''Extension of Import Restrictions on Archaeological and Ethnological Materials from Guatemala'' (RIN1515–AD92) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Finance.

EC–7853. 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 ''Extension of Replacement Period for Livestock Sold on Account of Drought in Specified Counties'' (Notice 2012–62) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Finance.

EC–7854. 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 ''RIC Modernization Act Capital Loss Carryforward Effective Date'' (Rev. Rul. 2012–29) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Finance.

EC–7855. 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 ''New Markets Tax Credit Non-Real Estate Investments'' (TD 9600) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Finance.

EC–7856. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''United States—Peru Trade Promotion Agreement'' (RIN1515–AD79) received during adjournment of the Senate in the Office of the President of the Senate on October 15, 2012; to the Committee on Finance.

EC–7857. 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 (OSS 2012–1481); to the Committee on Foreign Relations.

EC–7858. 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 12–113, 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–7859. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–7860. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Operation of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act 2011 Annual Report to Congress''; to the Committee on Foreign Relations.

EC–7861. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 1002 (P.L. 107–243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102–1) for the April 26, 2012 through June 24, 2012 reporting period; to the Committee on Foreign Relations.

EC–7862. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Secretary of State's convening of an Accountability Review Board regarding Benghazi, Libya; to the Committee on Foreign Relations.

EC–7863. 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 12–098); to the Committee on Foreign Relations.

EC–7864. 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 12–118); to the Committee on Foreign Relations.

EC–7865. 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 12–117); to the Committee on Foreign Relations.

EC–7866. 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 12–123); to the Committee on Foreign Relations.

EC–7867. 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 12–116); to the Committee on Foreign Relations.

EC–7868. 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 12–112); to the Committee on Foreign Relations.

EC–7869. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012–0123—2012–0142); to the Committee on Foreign Relations.

EC–7870. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2012–0143—2012–0150); to the Committee on Foreign Relations.

EC–7871. 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 12–132); to the Committee on Foreign Relations.

EC–7872. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled ''The Department of Labor's 2011 Findings on the Worst Forms of Child Labor''; to the Committee on Health, Education, Labor, and Pensions.

EC–7873. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled ''List of Goods Produced by Child Labor or Forced Labor''; to the Committee on Health, Education, Labor, and Pensions.

EC–7874. A communication from the Chairman of the National Health Care Workforce Commission, transmitting, a report relative to the status of the Commission; to the Committee on Health, Education, Labor, and Pensions.

EC–7875. A communication from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priorities and Definitions; State Personnel Development Grants'' (CFDA No. 84.323A) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7876. A communication from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priority; Technical Assistance on State Data Collection, Analysis, and Reporting—National IDEA Technical Assistance Center on Early Childhood Longitudinal Data Systems'' (CFDA No. 84.373Z) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7877. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Civil Monetary Penalties for Inflation'' (RIN1801–AA12) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7878. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration's report relative to the Third Review of the Backlog of Postmarketing Requirements and Postmarketing Commitments; to the Committee on Health, Education, Labor, and Pensions.

EC–7879. A communication from General Counsel, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled ''Criminal History Check Requirements for AmeriCorps State/National, Senior Companions, Foster Grandparents, the Retired and Senior Volunteer Program, and Other National Service Programs; Final Rule'' (RIN3045–AA56) received during adjournment of the Senate in the Office of the President of the Senate on October 12, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7880. A communication from the Deputy Director for Policy, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7881. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Possession, Use, and Transfer of Select Agents and Toxins; Biennial Review'' (RIN0920–AA34) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7882. A communication from the Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Delay of Effective Date'' (RIN1205–AB61) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7883. A communication from the Director, Directorate of Cooperative and State Programs, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Hawaii State Plan for Occupational Safety and Health'' (RIN1218–AC78) received during adjournment of the Senate in the Office of the President of the Senate on October 9, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–7884. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''District of Columbia Public Schools Local Schools and Central Office Budget Process Review Consulting Report (Report No. 2) Fiscal Years 2007–2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–7885. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Review of the District of Columbia's Performance Measurement System''; to the Committee on Homeland Security and Governmental Affairs.

EC–7886. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Audit of the Accounts and Operations of ANC 2D for Fiscal Years 2009 through 2011''; to the Committee on Homeland Security and Governmental Affairs.

EC–7887. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Audit of the Metropolitan Police Department's Investigations and Preliminary Inquiries Involving First Amendment Activities''; to the Committee on Homeland Security and Governmental Affairs.

EC–7888. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Fiscal Year 2011 Annual Report on Advisory Neighborhood Commissions''; to the Committee on Homeland Security and Governmental Affairs.

EC–7889. A communication from the Acting Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Department of Homeland Security Privacy Office 2012 Annual Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–7890. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''Employee Perceptions of Federal Workplace Violence''; to the Committee on Homeland Security and Governmental Affairs.

EC–7891. A communication from the Chairman of the National Capital Planning Commission, transmitting, pursuant to law, the Commission's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–7892. A communication from the Associate Deputy Director, Central Intelligence Agency, transmitting, pursuant to law, the Agency's fiscal year 2011 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–7893. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3347–EM in the State of Louisiana having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–7894. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation; Rewrite of Part 504, Administrative Matters'' (RIN3090–AI72) received during adjournment of the Senate in the Office of the President of the Senate on October 3, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–7895. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Heating, Cooling, and Lighting Standards for Bureau-funded Dormitory Facilities'' (RIN1076–AF10) received during adjournment of the Senate in the Office of the President of the Senate on October 5, 2012; to the Committee on Indian Affairs.

EC–7896. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2011 Report to Congress on Funding Needs For Contract Support Cost of Self-Determination Awards''; to the Committee on Indian Affairs.

EC–7897. A communication from the General Counsel of the National Tropical Botanical Garden, transmitting, pursuant to law, a report relative to an audit of the Garden for the period from January 1, 2011, through December 31, 2011; to the Committee on the Judiciary.

EC–7898. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department's 2011 Annual Privacy Report; to the Committee on the Judiciary.

EC–7899. A communication from the Clerk of Court, United States Court of Appeals for the Seventh Circuit, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit (Senne v. Village of Palatine, IL); to the Committee on the Judiciary.

EC–7900. A communication from the Clerk of Court, United States Court of Appeals for the Seventh Circuit, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit (George v. Junior Achievement of Central Indiana); to the Committee on the Judiciary.

EC–7901. A communication from the Clerk of Court, United States Court of Appeals for the Seventh Circuit, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit (In re: Ganess Maharaj); to the Committee on the Judiciary.

EC–7902. A communication from the Acting Chief, Asset Forfeiture and Money Laundering Section, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Consolidation of Seizure and Forfeiture Regulations'' (RIN1105–AA74) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2012; to the Committee on the Judiciary.

EC–7903. 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 Derivation Proceedings'' (RIN0651–AC74) received during adjournment of the Senate in the Office of the President of the Senate on October 1, 2012; to the Committee on the Judiciary.

EC–7904. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Middleburg Virginia Viticultural Area'' (RIN1513–AB67) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on the Judiciary.

EC–7905. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revision to Vintage Date Requirements'' (RIN1513–AB84) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on the Judiciary.

EC–7906. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Inwood Valley Viticultural Area'' (RIN1513–AB83) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on the Judiciary.

EC–7907. A communication from the Chief of Regulation Development, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Fisher House and Other Temporary Lodging'' (RIN2900–AN79) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Veterans' Affairs.

EC–7908. A communication from the Director of the Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Removal of 30-Day Residency Requirement for Per Diem Payments During an In-Patient Hospital Stay'' (RIN2900–AO36) received during adjournment of the Senate in the Office of the President of the Senate on September 26, 2012; to the Committee on Veterans' Affairs.

EC–7909. A communication from the Director of the Regulation Policy and Management, Veterans Benefit Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Servicemembers' Group Life Insurance and Veterans' Group Life Insurance—Slayer's Rule Exclusion'' (RIN2900–AN40) received during adjournment of the Senate in the Office of the President of the Senate on October 2, 2012; to the Committee on Veterans' Affairs.

EC–7910. 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–2012–0264)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to

the Committee on Commerce, Science, and Transportation.

EC–7911. 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; BAE Systems (Operations) Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0332)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7912. 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–2012–0336)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7913. 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–2011–1418)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7914. 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 Restricted Category Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0739)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7915. 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–2010–0480)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7916. 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–2012–0414)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7917. 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; Glasflugel Gliders'' ((RIN2120–AA64) (Docket No. FAA–2012–0046)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7918. 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–2011–1322)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7919. 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–2009–0607)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

EC–7920. 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; HPH s.r.o. Sailplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0598)) received during adjournment of the Senate in the Office of the President of the Senate on September 27, 2012; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of September 22, 2012, the following reports of committees were submitted on November 2, 2012:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1998. A bill to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security (Rept. No. 112–230).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2215. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes (Rept. No. 112–231).

S. 2318. A bill to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes (Rept. No. 112–232).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

S. 3310. A bill to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, and for other purposes (Rept. No. 112–233).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 3331. A bill to provide for universal intercountry adoption accreditation standards, and for other purposes (Rept. No. 112–234).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1268. A bill to increase the efficiency and effectiveness of the Government by providing for greater interagency experience among national security and homeland security personnel through the development of a national security and homeland security human capital strategy and interagency rotational service by employees, and for other purposes (Rept. No. 112–235).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1953. A bill to reauthorize the Research and Innovative Technology Administration, to improve transportation research and development, and for other purposes (Rept. No. 112–236).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1701. A bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes (Rept. No. 112–237).

S. 1950. A bill to amend title 49, United States Code, to improve commercial motor vehicle safety and reduce commercial motor vehicle-related accidents and fatalities, to authorize the Federal Motor Carrier Safety Administration, and for other purposes (Rept. No. 112–238).

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. MERKLEY:

S. 3626. A bill to provide financing assistance for qualified water infrastructure projects, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY:

S. Res. 590. A resolution supporting the goals and ideals of ''Children's Grief Awareness Day''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SESSIONS (for himself and Mr. SHELBY):

S. Res. 591. A resolution expressing the sense of the Senate regarding Raymond Weeks and his efforts in the establishment of Veterans Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 82

At the request of Mr. JOHANNS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 82, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs, to repeal the sunset of the Patient Protection and Affordable Care Act with respect to increased dollar limitations for such credit and programs, and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 202

At the request of Mr. PAUL, the names of the Senator from Maine (Ms.

COLLINS), the Senator from Ohio (Mr. PORTMAN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 260

At the request of Mr. NELSON of Florida, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 339

At the request of Mr. BAUCUS, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Maine (Ms. COLLINS) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 755

At the request of Mr. WYDEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 821

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 821, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Hawaii (Mr. INOUYE) 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. 1042

At the request of Ms. MURKOWSKI, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1042, a bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and physicians or practitioners to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits.

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1173

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1173, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program.

S. 1244

At the request of Mr. INOUYE, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1244, a bill to provide for preferential duty treatment to certain apparel articles of the Philippines.

S. 1269

At the request of Ms. SNOWE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1269, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational secondary schools on such schools' athletic programs, and for other purposes.

S. 1391

At the request of Mr. TESTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1391, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with post-traumatic stress disorder or mental health conditions related to military sexual trauma, and for other purposes.

S. 1423

At the request of Mr. TOOMEY, the name of the Senator from Idaho (Mr. CRAPO) 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. 1460

At the request of Mr. BAUCUS, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Louisiana (Ms. LANDRIEU) 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. 1770

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1770, a bill to prohibit discrimination in adoption or foster case placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1782

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1782, a bill to provide for the reduction in unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes.

S. 1872

At the request of Mr. CASEY, the name of the Senator from Alaska (Mr. BEGICH) 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. 1880

At the request of Mr. BARRASSO, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1880, a bill to repeal the health care law's job-killing health insurance tax.

S. 1916

At the request of Mr. NELSON of Florida, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1916, a bill to exclude ecosystem component stocks of fish from certain annual catch limits and for other purposes.

S. 2124

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2124, a bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Maine (Ms. SNOWE) 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. 2259

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2259, a bill to provide for an increase, effective December 1, 2012, in

the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 3243

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3243, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the low-income housing credit that may be allocated in States damaged in 2011 by Hurricane Irene or Tropical Storm Lee.

S. 3275

At the request of Mr. COONS, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Colorado (Mr. BENNET), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 3275, a bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes.

S. 3338

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor 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. 3394

At the request of Mr. JOHNSON of South Dakota, the names of the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from New York (Mrs. GILLIBRAND) 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.

S. 3407

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3407, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 3427

At the request of Mr. KOHL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3427, a bill to permanently extend the employer-provided child care credit under section 45F of the Internal Revenue Code of 1986.

S. 3460

At the request of Mr. ENZI, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3460, a bill to amend the Internal Revenue Code of 1986 to provide for startup businesses to use a portion of the research and development credit to offset payroll taxes.

S. 3477

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. LAUTENBERG) 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 name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor 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. 3498

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3498, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 3526

At the request of Mr. WICKER, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 3526, a bill to amend title 10, United States Code, to protect the rights of conscience of members of the Armed Forces and chaplains of members of the Armed Forces, and for other purposes.

S. 3550

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3550, a bill to amend the Higher Education Act of 1965 to protect students from deceptive practices and high-pressure sales by institutions of higher education, to provide a waiting period for students to make enrollment decisions, to guard against misrepresentation, to standardize and elevate institutional disclosures, and for other purposes.

S. 3565

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) 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. 3573

At the request of Mr. HOEVEN, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 3573, a bill to recognize the primacy of States, provide for the consideration of the economic impact of additional regulations, and provide for standards and requirements relating to certain guidelines and regulations relating to health and the environment.

S. 3574

At the request of Mr. BLUNT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3574, a bill to amend section 403 of the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines.

S. 3584

At the request of Mr. PRYOR, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 3584, a bill to reauthorize the National Integrated Drought Information System, and for other purposes.

S. 3605

At the request of Mr. CRAPO, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of 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.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S.J. RES. 45

At the request of Mrs. HUTCHISON, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S.J. Res. 45, a joint resolution amending title 36, United States Code, to designate June 19 as ''Juneteenth Independence Day''.

S.J. RES. 50

At the request of Mr. JOHANNS, his name was added as a cosponsor of S.J. Res. 50, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program.

S. RES. 543

At the request of Mrs. BOXER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 543, a resolution to express the sense of the Senate on international parental child abduction.

S. RES. 574

At the request of Mrs. GILLIBRAND, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 590—SUPPORTING THE GOALS AND IDEALS OF ''CHILDREN'S GRIEF AWARENESS DAY''

Mr. CASEY submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 590

Whereas 1 in 5 children in the United States will experience the death of a close friend or relative by the age of 18 years old;

Whereas in the United States, 1,900,000 children under the age of 18 years old have lost 1 or both parents;

Whereas the death of a loved one can affect a child for the rest of his or her life;

Whereas the death of a loved one causes confusion and distress because the child does not understand why the loved one died;

Whereas a grieving child often feels lonely, fearful, and misunderstood, hindering the ability to face feelings and manage grief;

Whereas children have often been called ''forgotten mourners'' because many people erroneously believe that children are resilient enough to ''just get over'' grief;

Whereas a grieving child needs to have his or her feelings acknowledged, a listening ear, and the support of caring individuals, such as family members, friends, and others who are also grieving a loss;

Whereas Children's Grief Awareness Day began in 2008, through grassroots efforts to help others understand the impact of death on children, and the need for support, and to provide ways for adults and young people to show support and solidarity for grieving children;

Whereas Children's Grief Awareness Day is observed every year on the Thursday before Thanksgiving, immediately preceding the winter holidays, which can be a particularly difficult time for grieving children;

Whereas individuals can participate in Children's Grief Awareness Day by engaging in activities that raise awareness of the needs of grieving children and by wearing blue on that day as a symbol of support for grieving children;

Whereas on November 15, 2012, thousands of children and adults from all walks of life and across the United States will join together to show support for grieving children by participating in Children's Grief Awareness Day; and

Whereas November 15, 2012, would be an appropriate day to designate as ''Children's Grief Awareness Day'' to help the public understand the devastating impact of the death of a loved one on a child, and of the need for support for grieving children: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Children's Grief Awareness Day to raise awareness of and support for grieving children;

(2) recognizes the hard work that grieving children do every day in creating a new life out of the pieces remaining of their old lives;

(3) applauds the individuals that volunteer to support grieving children;

(4) salutes the Federal, State, and local organizations that work on behalf of grieving children;

(5) recognizes the tireless efforts put forth by the individuals that help grieving children day after day; and

(6) encourages the people of the United States to observe Children's Grief Awareness Day with appropriate programs and activities.

SENATE RESOLUTION 591—EXPRESSING THE SENSE OF THE SENATE REGARDING RAYMOND WEEKS AND HIS EFFORTS IN THE ESTABLISHMENT OF VETERANS DAY

Mr. SESSIONS (for himself and Mr. SHELBY) submitted the following resolution; which was considered and agreed to:

S. RES. 591

Whereas November 11, 2012, is the 65th anniversary of National Veterans Day in Birmingham, Alabama;

Whereas the National Veterans Day in Birmingham is the longest running celebration of Veterans Day in the Nation;

Whereas, on November 11, 1946, World War II veteran Raymond Weeks presented General Eisenhower a program design proposing to replace Armistice Day with a National Veterans Day in 1947;

Whereas the very first Veterans Day celebration was held in Birmingham by the National Veterans Day Organization in 1947;

Whereas President Eisenhower signed into law on June 1, 1954, the Act proclaiming November 11 as Veterans Day (Public Law 380; 83rd Congress);

Whereas in 1954, the National Veterans Day Volunteer Organization, started by Raymond Weeks, expanded to organize a multi-day celebration including, but not limited to, a Veterans Day Parade, a World Peace Luncheon, and presentation during the National Veterans Award Dinner of the National Veterans Award;

Whereas these three events have been held every year since 1954;

Whereas the briefing for President Reagan by Elizabeth Dole for the Presidential Citizens Medals cited Raymond Weeks as the ''Father of Veterans Day'';

Whereas President Reagan recognized Raymond Weeks as the driving force behind Veterans Day while presenting Raymond Weeks with the Presidential Citizens Medal on November 11, 1982;

Whereas Raymond Weeks should be recognized for his push to honor the great men and women who have served their country with a special day of recognition; and

Whereas Birmingham, Alabama, should be recognized for its contributions to the institution of Veterans Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes Birmingham, Alabama, as the home to the first and longest running celebration of Veterans Day;

(2) recognizes Raymond Weeks for his pioneering efforts in the establishment of Veterans Day; and

(3) honors the sacrifices of, and pays tribute to, the men and women of the United States in uniform who risk life and limb for their country at home and overseas.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2871. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table.

SA 2872. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2873. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2874. Mr. KERRY (for himself, Ms. CANTWELL, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. DURBIN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2875. Mr. REID (for Mr. TESTER) proposed an amendment to the bill S. 3525, supra.

SA 2876. Mr. REID proposed an amendment to amendment SA 2875 proposed by Mr. REID (for Mr. TESTER) to the bill S. 3525, supra.

SA 2877. Mr. REID proposed an amendment to amendment SA 2876 proposed by Mr. REID to the amendment SA 2875 proposed by Mr. REID (for Mr. TESTER) to the bill S. 3525, supra.

SA 2878. Mr. REID proposed an amendment to the bill S. 3525, supra.

SA 2879. Mr. REID proposed an amendment to amendment SA 2878 proposed by Mr. REID to the bill S. 3525, supra.

SA 2880. Mr. REID proposed an amendment to the bill S. 3525, supra.

SA 2881. Mr. REID proposed an amendment to amendment SA 2880 proposed by Mr. REID to the bill S. 3525, supra.

SA 2882. Mr. REID proposed an amendment to amendment SA 2881 proposed by Mr. REID to the amendment SA 2880 proposed by Mr. REID to the bill S. 3525, supra.

SA 2883. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2884. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2885. Mr. LEE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2886. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, supra; which was ordered to lie on the table.

SA 2887. Mr. KOHL (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2888. Mr. KOHL (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 3254, supra; which was ordered to lie on the table.

SA 2889. Mr. PRYOR (for himself and Mr. BOOZMAN) submitted an amendment intended

to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2871. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.

(a) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)——

(i) by inserting after the first sentence the following: ''Fees and other expenses may be awarded under this subsection only to a prevailing party who has a direct and personal interest in the adversary adjudication because of medical costs, property damage, denial of benefits, unpaid disbursement, fees and other expenses incurred in defense of the adjudication, interest in a policy concerning such medical costs, property damage, denial of benefits, unpaid disbursement, or fees and other expenses, or otherwise.''; and

(ii) by adding at the end the following: ''The agency conducting the adversary adjudication shall make any party against whom the adjudication is brought, at the time the adjudication is commenced, aware of the provisions of this section.''; and

(B) in paragraph (3), in the first sentence—

(i) by striking ''may reduce'' and inserting ''shall reduce''; and

(ii) by striking ''unduly and unreasonably'' and inserting ''unduly or unreasonably'';

(2) in subsection (b)(1)—

(A) in subparagraph (A)(ii), by striking ''$125 per hour'' and all that follows through the end and inserting ''$200 per hour.);''; and

(B) in subparagraph (B)(ii), by striking ''; except that'' and all that follows through ''section 601;'' and inserting ''except that—

''(I) the net worth of a party (other than an individual or a unit of local government) shall include the net worth of any parent entity or subsidiary of that party; and

''(II) for purposes of subclause (I)—

''(aa) a 'parent entity' of a party is an entity that owns or controls the equity or other evidences of ownership in that party; and

''(bb) a 'subsidiary' of a party is an entity the equity or other evidences of ownership in which are owned or controlled by that party;''.

(3) in subsection (c)(1), by striking '', United States Code''; and

(4) by striking subsections (e) and (f) and inserting the following:

''(e)(1) The Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall report annually to the Congress on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this section. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. Each agency shall provide the Chairman in a timely manner all information necessary for the Chairman to comply with the requirements of this subsection. The report shall be made available to the public online.

''(2)(A) The report required by paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions, except that any version of the report made available to the public may not reveal any information the disclosure of which is contrary to the national security of the United States.

''(B) The disclosure of fees and other expenses required under subparagraph (A) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

''(f) The Chairman of the Administrative Conference shall create and maintain online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

''(1) The name of each party to whom the award was made.

''(2) The name of each counsel of record representing each party to whom the award was made.

''(3) The agency to which the application for the award was made.

''(4) The name of each counsel of record representing the agency to which the application for the award was made.

''(5) The name of each administrative law judge, and the name of any other agency employee serving in an adjudicative role, in the adversary adjudication that is the subject of the application for the award.

''(6) The amount of the award.

''(7) The names and hourly rates of each expert witness for whose services the award was made under the application.

''(8) The basis for the finding that the position of the agency concerned was not substantially justified.

''(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or court order, or the disclosure of which is contrary to the national security of the United States.

''(h) The Director of the Office of Management and Budget shall adjust the maximum hourly fee set forth in subsection (b)(1)(A)(ii) for the fiscal year beginning October 1, 2013, and for each fiscal year thereafter, to reflect changes in the Consumer Price Index, as determined by the Secretary of Labor.''.

(b) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended—

(1) by amending subsection (d)(1)(A) to read as follows:

''(d)(1)(A) Except as otherwise specifically provided by statute, a court, in any civil action (other than cases sounding in tort), including proceedings for judicial review of agency action, brought by or against the United States in any court having jurisdiction of that action, shall award to a prevailing party (other than the United States) fees and other expenses, in addition to any costs awarded pursuant to subsection (a), incurred by that party in the civil action, unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust. Fees and other expenses may be awarded under this paragraph only to a prevailing party who has a direct and personal interest in the civil action because of medical costs, property damage, denial of benefits, unpaid disbursement, fees and other expenses incurred in defense of the civil action, interest in a policy concerning such medical costs, property damage, denial of benefits, unpaid disbursement, or fees and other expenses, or otherwise.'';

(2) in paragraph (1)(C)—

(A) by striking ''court, in its discretion, may'' and inserting ''court shall''; and

(B) by striking ''unduly and unreasonably'' and inserting ''unduly or unreasonably'';

(3) in paragraph (2)—

(A) in subparagraph (A)(ii), by striking ''$125'' and all that follows through the end and inserting ''$200 per hour.);'';

(B) in subparagraph (B)(ii), by striking ''; except that'' and all that follows through ''section 601 of title 5;'' and inserting ''except that—

''(I) the net worth of a party (other than an individual or a unit of local government) shall include the net worth of any parent entity or subsidiary of that party; and

''(II) for purposes of subclause (I)—

''(aa) a 'parent entity' of a party is an entity that owns or controls the equity or other evidences of ownership in that party; and

''(bb) a 'subsidiary' of a party is an entity the equity or other evidences of ownership in which are owned or controlled by that party;''.

(4) by adding at the end the following:

''(5) The Director of the Office of Management and Budget shall adjust the maximum hourly fee set forth in paragraph (2)(A)(ii) for the fiscal year beginning October 1, 2013, and for each fiscal year thereafter, to reflect changes in the Consumer Price Index, as determined by the Secretary of Labor.

''(6)(A) The Chairman of the Administrative Conference of the United States shall report annually to the Congress on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in each controversy, and any other relevant information which may aid the Congress in evaluating the scope and impact of such awards. Each agency shall provide the Chairman with such information as is necessary for the Chairman to comply with the requirements of this paragraph. The report shall be made available to the public online.

''(B) (i) The report required by subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions, except that any version of the report made available to the public may not reveal any information the disclosure of which is contrary to the national security of the United States.

''(ii) The disclosure of fees and other expenses required under clause (i) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

''(C) The Chairman of the Administrative Conference shall include and clearly identify in the annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

''(i) any amounts paid from section 1304 of title 31 for a judgment in the case;

''(ii) the amount of the award of fees and other expenses; and

''(iii) the statute under which the plaintiff filed suit.

''(7) The Chairman of the Administrative Conference shall create and maintain online a searchable database containing the following information with respect to each award of fees and other expenses under this subsection:

''(A) The name of each party to whom the award was made.

''(B) The name of each counsel of record representing each party to whom the award was made.

''(C) The agency involved in the case.

''(D) The name of each counsel of record representing the agency involved in the case.

''(E) The name of each judge in the case, and the court in which the case was heard.

''(F) The amount of the award.

''(G) The names and hourly rates of each expert witness for whose services the award was made.

''(H) The basis for the finding that the position of the agency concerned was not substantially justified.

''(8) The online searchable database described in paragraph (7) may not reveal any information the disclosure of which is prohibited by law or court order, or the disclosure of which is contrary to the national security of the United States.

''(9) The Attorney General of the United States shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information necessary for the Chairman to carry out the Chairman's responsibilities under this subsection.''.

(c) CLERICAL AMENDMENT.—Section 2412(e) of title 28, United States Code, is amended by striking ''of section 2412 of title 28, United States Code,'' and inserting ''of this section''.

SA 2872. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. NATCHEZ TRACE PARKWAY LAND CONVEYANCE.

(a) SHORT TITLE.—This section may be cited as the ''Natchez Trace Parkway Land Conveyance Act of 2012''.

(b) DEFINITIONS.—In this section:

(1) MAP.—The term ''map'' means the map entitled ''Natchez Trace Parkway, Proposed Boundary Change'', numbered 604/105392, and dated November 2010.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Mississippi.

(c) LAND CONVEYANCE.—

(1) CONVEYANCE AUTHORITY.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall convey to the State, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the parcels of land described in paragraph (2).

(B) COMPATIBLE USE.—The deed of conveyance to the parcel of land that is located southeast of U.S. Route 61/84 (commonly known as the ''bean field property'') shall reserve an easement to the United States restricting the use of the parcel to only those uses that are compatible with the Natchez Trace Parkway.

(2) DESCRIPTION OF LAND.—The parcels of land referred to in paragraph (1) are the 2 parcels totaling approximately 67 acres generally depicted as ''Proposed Conveyance'' on the map.

(3) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) BOUNDARY ADJUSTMENTS.—

(1) EXCLUSION OF CONVEYED LAND.—On completion of the conveyance to the State of the land described in subsection (c)(2), the boundary of the Natchez Trace Parkway shall be adjusted to exclude the conveyed land.

(2) INCLUSION OF ADDITIONAL LAND.—

(A) IN GENERAL.—Effective on the date of enactment of this Act, the boundary of the Natchez Trace Parkway is adjusted to include the approximately 10 acres of land that is generally depicted as ''Proposed Addition'' on the map.

(B) ADMINISTRATION.—The land added under subparagraph (A) shall be administered by the Secretary as part of the Natchez Trace Parkway.

SA 2873. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. TRANSFER OF YELLOW CREEK PORT PROPERTIES.

In accordance with section 4(k) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c(k)), Congress approves the conveyance by the Tennessee Valley Authority, on behalf of the United States, to the State of Mississippi of the Yellow Creek Port properties owned by the United States and in the custody of the Tennessee Valley Authority at Iuka, Mississippi, as of the date of enactment of this Act.

SA 2872. Mr. KERRY (for himself, Ms. CANTWELL, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. DURBIN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 102.

SA 2875. Mr. REID (for Mr. TESTER) proposed an amendment to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Sportsmen's Act of 2012''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—HUNTING, FISHING, AND RECREATIONAL SHOOTING

Subtitle A—Hunting and Recreational Shooting

Sec. 101. Making public land public.
Sec. 102. Permits for importation of polar bear trophies taken in sport hunts in Canada.
Sec. 103. Transporting bows through National Parks.

Subtitle B—Target Practice and Marksmanship Training Support

Sec. 111. Target practice and marksmanship training.
Sec. 112. Findings; purpose.
Sec. 113. Definition of public target range.
Sec. 114. Amendments to Pittman-Robertson Wildlife Restoration Act.
Sec. 115. Sense of Congress regarding cooperation.

Subtitle C—Fishing

Sec. 121. Modification of definition of toxic substance to exclude sport fishing equipment.

TITLE II—NATIONAL FISH HABITAT

Subtitle A—National Fish Habitat

Sec. 201. Definitions.
Sec. 202. National Fish Habitat Board.
Sec. 203. Fish habitat partnerships.
Sec. 204. Fish habitat conservation projects.
Sec. 205. National Fish Habitat Conservation Partnership Office.
Sec. 206. Technical and scientific assistance.
Sec. 207. Conservation of aquatic habitat for fish and other aquatic organisms on Federal land.
Sec. 208. Coordination with States and Indian tribes.
Sec. 209. Accountability and reporting.
Sec. 210. Regulations.
Sec. 211. Effect of subtitle.
Sec. 212. Nonapplicability of Federal Advisory Committee Act.
Sec. 213. Funding.

Subtitle B—Duck Stamps

Sec. 221. Findings.
Sec. 222. Cost of stamps.
Sec. 223. Waivers.
Sec. 224. Permanent electronic duck stamps.

Subtitle C—Joint Ventures to Protect Migratory Bird Populations

Sec. 231. Purposes.
Sec. 232. Definitions.
Sec. 233. Joint Ventures Program.
Sec. 234. Administration.
Sec. 235. Grants and other assistance.
Sec. 236. Reporting.
Sec. 237. Relationship to other authorities.
Sec. 238. Federal Advisory Committee Act.

Subtitle D—Reauthorizations

Sec. 241. North American Wetlands Conservation Act.
Sec. 242. Partners for Fish and Wildlife Act.
Sec. 243. National Fish and Wildlife Foundation reauthorization.
Sec. 244. Multinational Species Conservation Funds Semipostal Stamp.
Sec. 245. Multinational species conservation funds reauthorizations.
Sec. 246. Neotropical Migratory Bird Conservation Act.
Sec. 247. Federal Land Transaction Facilitation Act.
Sec. 248. Nutria eradication and control.

TITLE I—HUNTING, FISHING, AND RECREATIONAL SHOOTING

Subtitle A—Hunting and Recreational Shooting

SEC. 101. MAKING PUBLIC LAND PUBLIC.

(a) IN GENERAL.—Section 3 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–6) is amended—

(1) by striking ''SEC. 3. APPROPRIATIONS.—Moneys'' and inserting the following:

''SEC. 3. FUNDING.

''(a) IN GENERAL.—Amounts''; and

(2) by adding at the end the following:

''(b) PRIORITY LIST.—

''(1) IN GENERAL.—Subject to the availability of appropriations and notwithstanding any other provision of this Act, the Secretary of the Interior and the Secretary of Agriculture shall ensure that, of the amounts made available for the fund for each fiscal year, not less than 1.5 percent of the amounts shall be made available for projects identified on the priority list developed under paragraph (2).

''(2) PRIORITY LIST.—The Secretary of the Interior and the Secretary of Agriculture, in consultation with the head of each affected Federal agency, shall annually develop a priority list for the sites under the jurisdiction of the applicable Secretary.

''(3) CRITERIA.—Projects identified on the priority list developed under paragraph (2) shall secure recreational public access to Federal public land in existence as of the date of enactment of this subsection that has significantly restricted access for hunting, fishing, and other recreational purposes through rights-of-way or acquisition of land (or any interest in land) from willing sellers.''.

(b) CONFORMING AMENDMENTS.—

(1) LAND AND WATER CONSERVATION FUND ACT.—The Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–4 et seq.) is amended—

(A) in the proviso at the end of section 2(c)(2) (16 U.S.C. 460*l*–5(c)(2)), by striking ''notwithstanding the provisions of section 3 of this Act'';

(B) in the first sentence of section 9 (16 U.S.C. 460*l*–10a), by striking ''by section 3 of this Act''; and

(C) in the third sentence of section 10 (16 U.S.C. 460*l*–10b), by striking ''by section 3 of this Act''.

(2) FEDERAL LAND TRANSACTION FACILITATION ACT.—Section 206(f)(2) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(f)(2)) is amended by striking ''section 3 of the Land and Water Conservation Fund Act (16 U.S.C. 460*l*–6)'' and inserting ''the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–4 et seq.)''.

SEC. 102. PERMITS FOR IMPORTATION OF POLAR BEAR TROPHIES TAKEN IN SPORT HUNTS IN CANADA.

Section 104(c)(5) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374(c)(5)) is amended by striking subparagraph (D) and inserting the following:

''(D)(i) The Secretary of the Interior shall, expeditiously after the expiration of the applicable 30-day period under subsection (d)(2), issue a permit for the importation of any polar bear part (other than an internal organ) from a polar bear taken in a sport hunt in Canada to any person—

''(I) who submits, with the permit application, proof that the polar bear was legally harvested by the person before February 18, 1997; or

''(II) who has submitted, in support of a permit application submitted before May 15, 2008, proof that the polar bear was legally harvested by the person before May 15, 2008, from a polar bear population from which a sport-hunted trophy could be imported before that date in accordance with section 18.30(i) of title 50, Code of Federal Regulations.

''(ii) The Secretary shall issue permits under clause (i)(I) without regard to subparagraphs (A) and (C)(ii) of this paragraph, subsection (d)(3), and sections 101 and 102. Sections 101(a)(3)(B) and 102(b)(3) shall not apply to the importation of any polar bear part authorized by a permit issued under clause (i)(I). This clause shall not apply to polar bear parts that were imported before June 12, 1997.

''(iii) The Secretary shall issue permits under clause (i)(II) without regard to subparagraph (C)(ii) of this paragraph or subsection (d)(3). Sections 101(a)(3)(B) and 102(b)(3) shall not apply to the importation of any polar bear part authorized by a permit issued under clause (i)(II). This clause shall not apply to polar bear parts that were imported before the date of enactment of the Sportsmen's Act of 2012.''.

SEC. 103. TRANSPORTING BOWS THROUGH NATIONAL PARKS.

(a) FINDINGS.—Congress finds that—

(1) bowhunters are known worldwide as among the most skilled, ethical, and conservation-minded of all hunters;

(2) bowhunting organizations at the Federal, State, and local level contribute significant financial and human resources to wildlife conservation and youth education programs throughout the United States; and

(3) bowhunting contributes $38,000,000,000 each year to the economy of the United States.

(b) POSSESSION OF BOWS IN UNITS OF NATIONAL PARK SYSTEM OR NATIONAL WILDLIFE REFUGE SYSTEM.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary of the Interior shall permit individuals carrying bows and crossbows to traverse national park land if the traverse is—

(A) for the sole purpose of hunting on adjacent public or private land; and

(B) the most direct means of access to the adjacent land.

(2) USE.—Nothing in this section authorizes the use of the bows or crossbows that are being carried while on national park land.

Subtitle B—Target Practice and Marksmanship Training Support

SEC. 111. TARGET PRACTICE AND MARKSMANSHIP TRAINING.

This subtitle may be cited as the ''Target Practice and Marksmanship Training Support Act''.

SEC. 112. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) in recent years preceding the date of enactment of this Act, portions of Federal land have been closed to target practice and marksmanship training for many reasons;

(2) the availability of public target ranges on non-Federal land has been declining for a variety of reasons, including continued population growth and development near former ranges;

(3) providing opportunities for target practice and marksmanship training at public target ranges on Federal and non-Federal land can help—

(A) to promote enjoyment of shooting, recreational, and hunting activities; and

(B) to ensure safe and convenient locations for those activities;

(4) Federal law in effect on the date of enactment of this Act, including the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.), provides Federal support for construction and expansion of public target ranges by making available to States amounts that may be used for construction, operation, and maintenance of public target ranges; and

(5) it is in the public interest to provide increased Federal support to facilitate the construction or expansion of public target ranges.

(b) PURPOSE.—The purpose of this subtitle is to facilitate the construction and expansion of public target ranges, including ranges on Federal land managed by the Forest Service and the Bureau of Land Management.

SEC. 113. DEFINITION OF PUBLIC TARGET RANGE.

In this subtitle, the term ''public target range'' means a specific location that—

(1) is identified by a governmental agency for recreational shooting;

(2) is open to the public;

(3) may be supervised; and

(4) may accommodate archery or rifle, pistol, or shotgun shooting.

SEC. 114. AMENDMENTS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) the term 'public target range' means a specific location that—

''(A) is identified by a governmental agency for recreational shooting;

''(B) is open to the public;

''(C) may be supervised; and

''(D) may accommodate archery or rifle, pistol, or shotgun shooting;''.

(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—Section 8(b) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g(b)) is amended—

(1) by striking ''(b) Each State'' and inserting the following:

''(b) EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State'';

(2) in paragraph (1) (as so designated), by striking ''construction, operation,'' and inserting ''operation'';

(3) in the second sentence, by striking ''The non-Federal share'' and inserting the following:

''(3) NON-FEDERAL SHARE.—The non-Federal share'';

(4) in the third sentence, by striking ''The Secretary'' and inserting the following:

''(4) REGULATIONS.—The Secretary''; and

(5) by inserting after paragraph (1) (as designated by paragraph (1) of this subsection) the following:

''(2) EXCEPTION.—Notwithstanding the limitation described in paragraph (1), a State may use the funds apportioned to the State under section 4(d) to pay up to 90 percent of the cost of acquiring land for, expanding, or constructing a public target range.''.

(c) FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.—Section 10 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–1) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) ALLOCATION OF ADDITIONAL AMOUNTS.—Of the amount apportioned to a State for any fiscal year under section 4(b), the State may elect to allocate not more than 10 percent, to be combined with the amount apportioned to the State under paragraph (1) for that fiscal year, for acquiring land for, expanding, or constructing a public target range.'';

(2) by striking subsection (b) and inserting the following:

''(b) COST SHARING.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activity carried out using a grant under this section shall not exceed 75 percent of the total cost of the activity.

''(2) PUBLIC TARGET RANGE CONSTRUCTION OR EXPANSION.—The Federal share of the cost of acquiring land for, expanding, or constructing a public target range in a State on Federal or non-Federal land pursuant to this section or section 8(b) shall not exceed 90 percent of the cost of the activity.''; and

(3) in subsection (c)(1)—

(A) by striking ''Amounts made'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts made''; and

(B) by adding at the end the following:

''(B) EXCEPTION.—Amounts provided for acquiring land for, constructing, or expanding a public target range shall remain available for expenditure and obligation during the 5-fiscal-year period beginning on October 1 of the first fiscal year for which the amounts are made available.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS TO THE PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.—

(1) TECHNICAL AMENDMENTS.—Section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(A) by redesignating subsection (d) as subsection (e); and

(B) by striking ''(c) APPORTIONMENT'' and inserting ''(d) APPORTIONMENT''.

(2) CONFORMING AMENDMENTS.—

(A) DEFINITIONS.—Section 2(6) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a(6)) is amended by striking ''section 4(d)'' and inserting ''section 4(e)''.

(B) AUTHORIZATION OF APPROPRIATIONS.—Section 3(c)(2) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(c)(2)) is amended by striking ''sections 4(d) and (e)'' and inserting ''section 4(e)''.

SEC. 115. SENSE OF CONGRESS REGARDING COOPERATION.

It is the sense of Congress that, consistent with applicable laws (including regulations), the Chief of the Forest Service and the Director of the Bureau of Land Management should cooperate with State and local authorities and other entities to implement best practices for waste management and removal and carry out other related activities on any Federal land used as a public target range to encourage continued use of that land for target practice or marksmanship training.

Subtitle C—Fishing

SEC. 121. MODIFICATION OF DEFINITION OF TOXIC SUBSTANCE TO EXCLUDE SPORT FISHING EQUIPMENT.

(a) IN GENERAL.—Section 3(2)(B) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)) is amended—

(1) in clause (v), by striking '', and'' and inserting '', or any component of any such article when included in the article including, without limitation, shot, bullets and other projectiles, propellants, and primers,'';

(2) in clause (vi) by striking the period at the end and inserting '', and''; and

(3) by inserting after clause (vi) the following:

''(vii) any sport fishing equipment (as such term is defined in section 4162(a) of the Internal Revenue Code of 1986, without regard to paragraphs (6) through (9) thereof) the sale of which is subject to the tax imposed by section 4161(a) of such Code (determined without regard to any exemptions from such tax as provided by section 4162 or 4221 or any other provision of such Code), and sport fishing equipment components.''.

(b) RELATIONSHIP TO OTHER LAW.—Nothing in this section or any amendment made by this section affects or limits the application of or obligation to comply with any other Federal, State or local law.

TITLE II—NATIONAL FISH HABITAT

Subtitle A—National Fish Habitat

SEC. 201. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) AQUATIC HABITAT.—

(A) IN GENERAL.—The term ''aquatic habitat'' means any area on which an aquatic organism depends, directly or indirectly, to carry out the life processes of the organism, including an area used by the organism for spawning, incubation, nursery, rearing, growth to maturity, food supply, or migration.

(B) INCLUSIONS.—The term ''aquatic habitat'' includes an area adjacent to an aquatic environment, if the adjacent area—

(i) contributes an element, such as the input of detrital material or the promotion of a planktonic or insect population providing food, that makes fish life possible;

(ii) protects the quality and quantity of water sources;

(iii) provides public access for the use of fishery resources; or

(iv) serves as a buffer protecting the aquatic environment.

(3) ASSISTANT ADMINISTRATOR.—The term ''Assistant Administrator'' means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(4) BOARD.—The term ''Board'' means the National Fish Habitat Board established by section 202(a)(1).

(5) CONSERVATION; CONSERVE; MANAGE; MANAGEMENT.—The terms ''conservation'', ''conserve'', ''manage'', and ''management'' mean to protect, sustain, and, where appropriate, restore and enhance, using methods and procedures associated with modern scientific resource programs (including protection, research, census, law enforcement, habitat management, propagation, live trapping and transplantation, and regulated taking)—

(A) a healthy population of fish, wildlife, or plant life;

(B) a habitat required to sustain fish, wildlife, or plant life; or

(C) a habitat required to sustain fish, wildlife, or plant life productivity.

(6) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(7) FISH.—

(A) IN GENERAL.—The term ''fish'' means any freshwater, diadromous, estuarine, or marine finfish or shellfish.

(B) INCLUSIONS.—The term ''fish'' includes the egg, spawn, spat, larval, and other juvenile stages of an organism described in subparagraph (A).

(8) FISH HABITAT CONSERVATION PROJECT.—

(A) IN GENERAL.—The term ''fish habitat conservation project'' means a project that—

(i) is submitted to the Board by a Partnership and approved by the Secretary under section 204; and

(ii) provides for the conservation or management of an aquatic habitat.

(B) INCLUSIONS.—The term ''fish habitat conservation project'' includes—

(i) the provision of technical assistance to a State, Indian tribe, or local community by the National Fish Habitat Conservation Partnership Office or any other agency to facilitate the development of strategies and priorities for the conservation of aquatic habitats; or

(ii) the obtaining of a real property interest in land or water, including water rights, in accordance with terms and conditions that ensure that the real property will be administered for the long-term conservation of—

(I) the land or water; and

(II) the fish dependent on the land or water.

(9) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(10) NATIONAL FISH HABITAT ACTION PLAN.—The term ''National Fish Habitat Action Plan'' means the National Fish Habitat Action Plan dated April 24, 2006, and any subsequent revisions or amendments to that plan.

(11) PARTNERSHIP.—The term ''Partnership'' means an entity designated by the Board as a Fish Habitat Conservation Partnership pursuant to section 203(a).

(12) REAL PROPERTY INTEREST.—The term ''real property interest'' means an ownership interest in—

(A) land;

(B) water (including water rights); or

(C) a building or object that is permanently affixed to land.

(13) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(14) STATE AGENCY.—The term ''State agency'' means—

(A) the fish and wildlife agency of a State;

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources or the habitat for those fishery resources of the State pursuant to State law or the constitution of the State; or

(C) the fish and wildlife agency of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or any other territory or possession of the United States.

SEC. 202. NATIONAL FISH HABITAT BOARD.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a board, to be known as the ''National Fish Habitat Board''—

(A) to promote, oversee, and coordinate the implementation of this subtitle and the National Fish Habitat Action Plan;

(B) to establish national goals and priorities for aquatic habitat conservation;

(C) to designate Partnerships; and

(D) to review and make recommendations regarding fish habitat conservation projects.

(2) MEMBERSHIP.—The Board shall be composed of 27 members, of whom—

(A) 1 shall be the Director;

(B) 1 shall be the Assistant Administrator;

(C) 1 shall be the Chief of the Natural Resources Conservation Service;

(D) 1 shall be the Chief of the Forest Service;

(E) 1 shall be the Assistant Administrator for Water of the Environmental Protection Agency;

(F) 1 shall be the President of the Association of Fish and Wildlife Agencies;

(G) 1 shall be the Secretary of the Board of Directors of the National Fish and Wildlife Foundation appointed pursuant to section 3(g)(2)(B) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702(g)(2)(B));

(H) 4 shall be representatives of State agencies, 1 of whom shall be nominated by a regional association of fish and wildlife agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(I) 1 shall be a representative of the American Fisheries Society;

(J) 2 shall be representatives of Indian tribes, of whom—

(i) 1 shall represent Indian tribes from the State of Alaska; and

(ii) 1 shall represent Indian tribes from the other States;

(K) 1 shall be a representative of the Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852);

(L) 1 shall be a representative of the Marine Fisheries Commissions, which is composed of—

(i) the Atlantic States Marine Fisheries Commission;

(ii) the Gulf States Marine Fisheries Commission; and

(iii) the Pacific States Marine Fisheries Commission;

(M) 1 shall be a representative of the Sportfishing and Boating Partnership Council; and

(N) 10 shall be representatives selected from each of the following groups:

(i) The recreational sportfishing industry.

(ii) The commercial fishing industry.

(iii) Marine recreational anglers.

(iv) Freshwater recreational anglers.

(v) Terrestrial resource conservation organizations.

(vi) Aquatic resource conservation organizations.

(vii) The livestock and poultry production industry.

(viii) The land development industry.

(ix) The row crop industry.

(x) Natural resource commodity interests, such as petroleum or mineral extraction.

(3) COMPENSATION.—A member of the Board shall serve without compensation.

(4) TRAVEL EXPENSES.—A member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(b) APPOINTMENT AND TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, a member of the Board described in any of subparagraphs (H) through (N) of subsection (a)(2) shall serve for a term of 3 years.

(2) INITIAL BOARD MEMBERSHIP.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the representatives of the board established by the National Fish Habitat Action Plan shall appoint the initial members of the Board described in subparagraphs (H) through (I) and (K) through (N) of subsection (a)(2).

(B) TRIBAL REPRESENTATIVES.—Not later than 180 days after the enactment of this Act, the Secretary shall provide to the board established by the National Fish Habitat Action Plan a recommendation of not less than 4 tribal representatives, from which that board shall appoint 2 representatives pursuant to subparagraph (J) of subsection (a)(2).

(3) TRANSITIONAL TERMS.—Of the members described in subsection (a)(2)(N) initially appointed to the Board—

(A) 4 shall be appointed for a term of 1 year;

(B) 4 shall be appointed for a term of 2 years; and

(C) 3 shall be appointed for a term of 3 years.

(4) VACANCIES.—

(A) IN GENERAL.—A vacancy of a member of the Board described in any of subparagraphs (H) through (I) or (K) through (N) of subsection (a)(2) shall be filled by an appointment made by the remaining members of the Board.

(B) TRIBAL REPRESENTATIVES.—Following a vacancy of a member of the Board described in subparagraph (J) of subsection (a)(2), the Secretary shall recommend to the Board not less than 4 tribal representatives, from which the remaining members of the Board shall appoint a representative to fill the vacancy.

(5) CONTINUATION OF SERVICE.—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(6) REMOVAL.—If a member of the Board described in any of subparagraphs (H) through (N) of subsection (a)(2) misses 3 consecutive regularly scheduled Board meetings, the members of the Board may—

(A) vote to remove that member; and

(B) appoint another individual in accordance with paragraph (4).

(c) CHAIRPERSON.—

(1) IN GENERAL.—The Board shall elect a member of the Board to serve as Chairperson of the Board.

(2) TERM.—The Chairperson of the Board shall serve for a term of 3 years.

(d) MEETINGS.—

(1) IN GENERAL.—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less frequently than twice each calendar year.

(2) PUBLIC ACCESS.—All meetings of the Board shall be open to the public.

(e) PROCEDURES.—

(1) IN GENERAL.—The Board shall establish procedures to carry out the business of the Board, including—

(A) a requirement that a quorum of the members of the Board be present to transact business;

(B) a requirement that no recommendations may be adopted by the Board, except by the vote of ⅔ of all members present and voting;

(C) procedures for establishing national goals and priorities for aquatic habitat conservation for the purposes of this subtitle;

(D) procedures for designating Partnerships under section 203; and

(E) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(2) QUORUM.—A majority of the members of the Board shall constitute a quorum.

SEC. 203. FISH HABITAT PARTNERSHIPS.

(a) AUTHORITY TO DESIGNATE.—The Board may designate Fish Habitat Partnerships in accordance with this section.

(b) PURPOSES.—The purposes of a Partnership shall be—

(1) to coordinate the implementation of the National Fish Habitat Action Plan at a regional level;

(2) to identify strategic priorities for fish habitat conservation;

(3) to recommend to the Board fish habitat conservation projects that address a strategic priority of the Board; and

(4) to develop and carry out fish habitat conservation projects.

(c) APPLICATIONS.—An entity seeking to be designated as a Partnership shall submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require.

(d) APPROVAL.—The Board may approve an application for a Partnership submitted under subsection (c) if the Board determines that the applicant—

(1) includes representatives of a diverse group of public and private partners, including Federal, State, or local governments, nonprofit entities, Indian tribes, and private individuals, that are focused on conservation of aquatic habitats to achieve results across jurisdictional boundaries on public and private land;

(2) is organized to promote the health of important aquatic habitats and distinct geographical areas, keystone fish species, or system types, including reservoirs, natural lakes, coastal and marine environments, and estuaries;

(3) identifies strategic fish and aquatic habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decisionmaking;

(4) is able to address issues and priorities on a nationally significant scale;

(5) includes a governance structure that—

(A) reflects the range of all partners; and

(B) promotes joint strategic planning and decisionmaking by the applicant;

(6) demonstrates completion of, or significant progress toward the development of, a strategic plan to address the causes of system decline in fish populations, rather than simply treating symptoms in accordance with the National Fish Habitat Action Plan; and

(7) ensures collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

SEC. 204. FISH HABITAT CONSERVATION PROJECTS.

(a) SUBMISSION TO BOARD.—Not later than March 31 of each calendar year, each Partnership shall submit to the Board a list of fish habitat conservation projects recommended by the Partnership for annual funding under this subtitle.

(b) RECOMMENDATIONS BY BOARD.—Not later than July 1 of each calendar year, the Board shall submit to the Secretary a description, including estimated costs, of each fish habitat conservation project that the Board recommends that the Secretary approve and fund under this subtitle, in order of priority, for the following fiscal year.

(c) CONSIDERATIONS.—The Board shall select each fish habitat conservation project to be recommended to the Secretary under subsection (b)—

(1) based on a recommendation of the Partnership that is, or will be, participating actively in carrying out the fish habitat conservation project; and

(2) after taking into consideration—

(A) the extent to which the fish habitat conservation project fulfills a purpose of this subtitle or a goal of the National Fish Habitat Action Plan;

(B) the extent to which the fish habitat conservation project addresses the national priorities established by the Board;

(C) the availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by subsection (e);

(D) the extent to which the fish habitat conservation project—

(i) increases fishing opportunities for the public;

(ii) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian tribes, and private entities;

(iii) increases public access to land or water;

(iv) advances the conservation of fish and wildlife species that are listed, or are candidates to be listed, as threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(v) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Act (16 U.S.C. 1801 et seq.) and other relevant Federal law and State wildlife action plans; and

(vi) promotes resilience such that desired biological communities are able to persist and adapt to environmental stressors such as climate change; and

(E) the substantiality of the character and design of the fish habitat conservation project.

(d) LIMITATIONS.—

(1) REQUIREMENTS FOR EVALUATION.—No fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this subtitle unless the fish habitat conservation project includes an evaluation plan designed—

(A) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(B) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met; and

(C) to require the submission to the Board of a report describing the findings of the assessment.

(2) ACQUISITION OF REAL PROPERTY INTERESTS.—

(A) IN GENERAL.—No fish habitat conservation project that will result in the acquisition by the State, local government, or other non-Federal entity, in whole or in part, of any real property interest may be recommended by the Board under subsection (b) or provided financial assistance under this

subtitle unless the project meets the requirements of subparagraph (B).

(B) REQUIREMENTS.—

(i) IN GENERAL.—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, public agency, or other non-Federal entity unless the State, agency, or other non-Federal entity is obligated to undertake the management of the property being acquired in accordance with the purposes of this subtitle.

(ii) ADDITIONAL CONDITIONS.—Any real property interest acquired by a State, local government, or other non-Federal entity pursuant to a fish habitat conservation project shall be subject to terms and conditions that ensure that the interest will be administered for the long-term conservation and management of the aquatic ecosystem and the fish and wildlife dependent on that ecosystem.

(e) NON-FEDERAL CONTRIBUTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this subtitle unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(2) PROJECTS ON FEDERAL LAND OR WATER.—Notwithstanding paragraph (1), Federal funds may be used for payment of 100 percent of the costs of a fish habitat conservation project located on Federal land or water.

(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of a fish habitat conservation project—

(A) may not be derived from a Federal grant program; but

(B) may include in-kind contributions and cash.

(4) SPECIAL RULE FOR INDIAN TRIBES.—Notwithstanding paragraph (1) or any other provision of law, any funds made available to an Indian tribe pursuant to this subtitle may be considered to be non-Federal funds for the purpose of paragraph (1).

(f) APPROVAL.—

(1) IN GENERAL.—Not later than 180 days after the date of receipt of the recommendations of the Board for fish habitat conservation projects under subsection (b), and based, to the maximum extent practicable, on the criteria described in subsection (c)—

(A) the Secretary shall approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is not within a marine or estuarine habitat; and

(B) the Secretary and the Secretary of Commerce shall jointly approve, reject, or reorder the priority of any fish habitat conservation project recommended by the Board that is within a marine or estuarine habitat.

(2) FUNDING.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, approves a fish habitat conservation project under paragraph (1), the Secretary, or the Secretary and the Secretary of Commerce jointly, shall use amounts made available to carry out this subtitle to provide funds to carry out the fish habitat conservation project.

(3) NOTIFICATION.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, rejects or reorders the priority of any fish habitat conservation project recommended by the Board under subsection (b), the Secretary, or the Secretary and the Secretary of Commerce jointly, shall provide to the Board and the appropriate Partnership a written statement of the reasons that the Secretary, or the Secretary and the Secretary of Commerce jointly, rejected or modified the priority of the fish habitat conservation project.

(4) LIMITATION.—If the Secretary, or the Secretary and the Secretary of Commerce jointly, has not approved, rejected, or reordered the priority of the recommendations of the Board for fish habitat conservation projects by the date that is 180 days after the date of receipt of the recommendations, the recommendations shall be considered to be approved.

SEC. 205. NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP OFFICE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director shall establish an office, to be known as the ''National Fish Habitat Conservation Partnership Office'', within the United States Fish and Wildlife Service.

(b) FUNCTIONS.—The National Fish Habitat Conservation Partnership Office shall—

(1) provide funding to support the detail of State and tribal fish and wildlife staff to the Office;

(2) facilitate the cooperative development and approval of Partnerships;

(3) assist the Secretary and the Board in carrying out this subtitle;

(4) assist the Secretary in carrying out the requirements of sections 206 and 208;

(5) facilitate communication, cohesiveness, and efficient operations for the benefit of Partnerships and the Board;

(6) facilitate, with assistance from the Director, the Assistant Administrator, and the President of the Association of Fish and Wildlife Agencies, the consideration of fish habitat conservation projects by the Board;

(7) provide support to the Director regarding the development and implementation of the interagency operational plan under subsection (c);

(8) coordinate technical and scientific reporting as required by section 209;

(9) facilitate the efficient use of resources and activities of Federal departments and agencies to carry out this subtitle in an efficient manner; and

(10) provide support to the Board for national communication and outreach efforts that promote public awareness of fish habitat conservation.

(c) INTERAGENCY OPERATIONAL PLAN.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the Assistant Administrator and the heads of other appropriate Federal departments and agencies, shall develop an interagency operational plan for the National Fish Habitat Conservation Partnership Office that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs of the Office; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

(d) STAFF AND SUPPORT.—

(1) DEPARTMENTS OF INTERIOR AND COMMERCE.—The Director and the Assistant Administrator shall each provide appropriate staff to support the National Fish Habitat Conservation Partnership Office, subject to the availability of funds under section 213.

(2) STATES AND INDIAN TRIBES.—Each State and Indian tribe is encouraged to provide staff to support the National Fish Habitat Conservation Partnership Office.

(3) DETAILEES AND CONTRACTORS.—The National Fish Habitat Conservation Partnership Office may accept staff or other administrative support from other entities—

(A) through interagency details; or

(B) as contractors.

(4) QUALIFICATIONS.—The staff of the National Fish Habitat Conservation Partnership Office shall include members with education and experience relating to the principles of fish, wildlife, and aquatic habitat conservation.

(5) WAIVER OF REQUIREMENT.—The Secretary may waive all or part of the non-Federal contribution requirement under section 204(e)(1) if the Secretary determines that—

(A) no reasonable means are available through which the affected applicant can meet the requirement; and

(B) the probable benefit of the relevant fish habitat conservation project outweighs the public interest in meeting the requirement.

(e) REPORTS.—Not less frequently than once each year, the Director shall provide to the Board a report describing the activities of the National Fish Habitat Conservation Partnership Office.

SEC. 206. TECHNICAL AND SCIENTIFIC ASSISTANCE.

(a) IN GENERAL.—The Director, the Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, shall provide scientific and technical assistance to the Partnerships, participants in fish habitat conservation projects, and the Board.

(b) INCLUSIONS.—Scientific and technical assistance provided pursuant to subsection (a) may include—

(1) providing technical and scientific assistance to States, Indian tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(2) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(3) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(4) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(5) supporting and providing recommendations for a national fish habitat assessment; and

(6) ensuring the availability of experts to conduct scientifically based evaluation and reporting of the results of fish habitat conservation projects.

SEC. 207. CONSERVATION OF AQUATIC HABITAT FOR FISH AND OTHER AQUATIC ORGANISMS ON FEDERAL LAND.

To the extent consistent with the mission and authority of the applicable department or agency, the head of each Federal department and agency responsible for acquiring, managing, or disposing of Federal land or water shall cooperate with the Assistant Administrator and the Director to conserve the aquatic habitats for fish and other aquatic organisms within the land and water of the department or agency.

SEC. 208. COORDINATION WITH STATES AND INDIAN TRIBES.

The Secretary shall provide a notice to, and coordinate with, the appropriate State agency or tribal agency, as applicable, of each State and Indian tribe within the boundaries of which an activity is planned to be carried out pursuant to this subtitle by not later than 30 days before the date on which the activity is implemented.

SEC. 209. ACCOUNTABILITY AND REPORTING.

(a) IMPLEMENTATION REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the implementation of—

(A) this subtitle; and

(B) the National Fish Habitat Action Plan.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an estimate of the number of acres, stream miles, or acre-feet (or other suitable measure) of aquatic habitat that was protected, restored, or enhanced under the National Fish Habitat Action Plan by Federal, State, or local governments, Indian tribes, or other entities in the United States during the 2-year period ending on the date of submission of the report;

(B) a description of the public access to aquatic habitats protected, restored, or established under the National Fish Habitat Action Plan during that 2-year period;

(C) a description of the opportunities for public fishing established under the National Fish Habitat Action Plan during that period; and

(D) an assessment of the status of fish habitat conservation projects carried out with funds provided under this subtitle during that period, disaggregated by year, including—

(i) a description of the fish habitat conservation projects recommended by the Board under section 204(b);

(ii) a description of each fish habitat conservation project approved by the Secretary under section 204(f), in order of priority for funding;

(iii) a justification for—

(I) the approval of each fish habitat conservation project; and

(II) the order of priority for funding of each fish habitat conservation project;

(iv) a justification for any rejection or reordering of the priority of each fish habitat conservation project recommended by the Board under section 204(b) that was based on a factor other than the criteria described in section 204(c); and

(v) an accounting of expenditures by Federal, State, or local governments, Indian tribes, or other entities to carry out fish habitat conservation projects.

(b) STATUS AND TRENDS REPORT.—Not later than December 31, 2012, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the status of aquatic habitats in the United States.

(c) REVISIONS.—Not later than December 31, 2013, and every 5 years thereafter, the Board shall revise the goals and other elements of the National Fish Habitat Action Plan, after consideration of each report required by subsection (b).

SEC. 210. REGULATIONS.

The Secretary may promulgate such regulations as the Secretary determines to be necessary to carry out this subtitle.

SEC. 211. EFFECT OF SUBTITLE.

(a) WATER RIGHTS.—Nothing in this subtitle—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of the Act regarding water quality or water quantity.

(b) STATE AUTHORITY.—Nothing in this subtitle—

(1) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(2) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(c) EFFECT ON INDIAN TRIBES.—Nothing in this subtitle abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian tribe recognized by treaty or any other means, including—

(1) an agreement between the Indian tribe and the United States;

(2) Federal law (including regulations);

(3) an Executive order; or

(4) a judicial decree.

(d) ADJUDICATION OF WATER RIGHTS.—Nothing in this subtitle diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666).

(e) EFFECT ON OTHER AUTHORITIES.—

(1) ACQUISITION OF LAND AND WATER.—Nothing in this subtitle alters or otherwise affects the authorities, responsibilities, obligations, or powers of the Secretary to acquire land, water, or an interest in land or water under any other provision of law.

(2) PRIVATE PROPERTY PROTECTION.—Nothing in this subtitle permits the use of funds made available to carry out this subtitle to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest.

(3) MITIGATION.—Nothing in this subtitle permits the use of funds made available to carry out this subtitle for fish and wildlife mitigation purposes under—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(C) the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4082); or

(D) any other Federal law or court settlement.

SEC. 212. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

SEC. 213. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) FISH HABITAT CONSERVATION PROJECTS.—There is authorized to be appropriated to the Secretary $7,200,000 for each of fiscal years 2012 through 2016 to provide funds for—

(A) fish habitat conservation projects approved under section 204(f), of which 5 percent shall be made available for each fiscal year for projects carried out by Indian tribes; and

(B) the operational needs of the Partnerships, including funding for activities such as planning, project development and implementation, coordination, monitoring, evaluation, communication, and outreach.

(2) NATIONAL FISH HABITAT CONSERVATION PARTNERSHIP OFFICE.—

(A) IN GENERAL.—There is authorized to be appropriated to the Secretary for each of fiscal years 2012 through 2016 for the National Fish Habitat Conservation Partnership Office, and to carry out section 209, an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(B) REQUIRED TRANSFERS.—The Secretary shall annually transfer to other Federal departments and agencies such percentage of the amounts made available pursuant to subparagraph (A) as is required to support participation by those departments and agencies in the National Fish Habitat Conservation Partnership Office pursuant to the interagency operational plan under section 205(c).

(3) TECHNICAL AND SCIENTIFIC ASSISTANCE.—There are authorized to be appropriated for each of fiscal years 2012 through 2016 to carry out, and provide technical and scientific assistance under, section 206—

(A) $500,000 to the Secretary for use by the United States Fish and Wildlife Service;

(B) $500,000 to the Assistant Administrator for use by the National Oceanic and Atmospheric Administration; and

(C) $500,000 to the Secretary for use by the United States Geological Survey.

(4) PLANNING AND ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2012 through 2016 for use by the Board, the Director, and the Assistant Administrator for planning and administrative expenses an amount equal to 4 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1).

(b) AGREEMENTS AND GRANTS.—The Secretary may—

(1) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106–107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity for a fish habitat conservation project or restoration or enhancement project;

(2) apply for, accept, and use a grant from any individual or entity to carry out the purposes of this subtitle; and

(3) make funds available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this subtitle.

(c) DONATIONS.—

(1) IN GENERAL.—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this subtitle; and

(B) accept donations of funds, property, and services to carry out the purposes of this subtitle.

(2) TREATMENT.—A donation accepted under this section—

(A) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(B) may be—

(i) used directly by the Secretary; or

(ii) provided to another Federal department or agency through an interagency agreement.

Subtitle B—Duck Stamps

SEC. 221. FINDINGS.

Congress finds that—

(1) Federal Migratory Bird Hunting and Conservation Stamps (commonly known as ''duck stamps'') were created in 1934 as Federal licenses required for hunting migratory waterfowl;

(2)(A) duck stamps are a vital tool for wetland conservation;

(B) 98 percent of the receipts from duck stamp sales are used to acquire important migratory bird breeding, migration, and wintering habitat, which are added to the National Wildlife Refuge System; and

(C) those benefits extend to all wildlife, not just ducks;

(3) since inception, the Federal duck stamp program—

(A) has generated more than $750,000,000;

(B) has preserved more than 5,000,000 acres of wetland and wildlife habitat; and

(C) is considered among the most successful conservation programs ever initiated;

(4)(A) since 1934, when duck stamps cost $1, the price has been increased 7 times to the price in effect on the date of enactment of this Act of $15, which took effect in 1991; and

(B) the price of the duck stamp has not increased since 1991, the longest single period without an increase in program history; and

(5) with the price unchanged during the 20-year period ending on the date of enactment of this Act, duck stamps have lost 40 percent of the value of the duck stamps based on the consumer price index, while the United States Fish and Wildlife Service reports the price of land in targeted wetland areas has tripled from an average of $306 to $1,091 per acre.

SEC. 222. COST OF STAMPS.

Section 2 of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718b) is amended by striking subsection (b) and inserting the following:

''(b) COST OF STAMPS.—

''(1) IN GENERAL.—For the 3-calendar-year period beginning with calendar year 2013, and for each 3-calendar-year period thereafter, the Secretary, in consultation with the Migratory Bird Conservation Commission, shall establish the amount to be collected under paragraph (2) for each stamp sold under this section.

''(2) COLLECTION OF AMOUNTS.—The United States Postal Service, the Department of the Interior, or any other agent approved by the Department of the Interior shall collect the amount established under paragraph (1) for each stamp sold under this section for a hunting year if the Secretary determines, at any time before February 1 of the calendar year during which the hunting year begins, that all amounts described in paragraph (3) have been obligated for expenditure.

''(3) AMOUNTS.—The amounts described in this paragraph are amounts in the Migratory Bird Conservation Fund that are available for obligation and attributable to—

''(A) amounts appropriated pursuant to this Act for the fiscal year ending in the immediately preceding calendar year; and

''(B) the sale of stamps under this section during that fiscal year.''.

SEC. 223. WAIVERS.

Section 1(a) of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a(a)) is amended—

(1) in paragraph (1), by inserting ''and subsection (d)'' after ''paragraph (2)''; and

(2) by adding at the end the following:

''(d) WAIVERS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Migratory Bird Conservation Commission, may waive requirements under this section for such individuals as the Secretary, in consultation with the Migratory Bird Conservation Commission, determines to be appropriate.

''(2) LIMITATION.—In making the determination described in paragraph (1), the Secretary shall grant only those waivers the Secretary determines will have a minimal adverse effect on funds to be deposited in the Migratory Bird Conservation Fund established under section 4(a)(3).''.

SEC. 224. PERMANENT ELECTRONIC DUCK STAMPS.

(a) DEFINITIONS.—In this section:

(1) ACTUAL STAMP.—The term ''actual stamp'' means a Federal migratory-bird hunting and conservation stamp required under the Act of March 16, 1934 (16 U.S.C. 718a et seq.) (popularly known as the ''Duck Stamp Act''), that is printed on paper and sold through the means established by the authority of the Secretary immediately before the date of enactment of this Act.

(2) AUTOMATED LICENSING SYSTEM.—

(A) IN GENERAL.—The term ''automated licensing system'' means an electronic, computerized licensing system used by a State fish and wildlife agency to issue hunting, fishing, and other associated licenses and products.

(B) INCLUSION.—The term ''automated licensing system'' includes a point-of-sale, Internet, telephonic system, or other electronic applications used for a purpose described in subparagraph (A).

(3) ELECTRONIC STAMP.—The term ''electronic stamp'' means an electronic version of an actual stamp that—

(A) is a unique identifier for the individual to whom it is issued;

(B) can be printed on paper or produced through an electronic application with the same indicators as the State endorsement provides;

(C) is issued through a State automated licensing system that is authorized, under State law and by the Secretary under this section, to issue electronic stamps;

(D) is compatible with the hunting licensing system of the State that issues the electronic stamp; and

(E) is described in the State application approved by the Secretary under subsection (c).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) AUTHORITY TO ISSUE ELECTRONIC DUCK STAMPS.—

(1) IN GENERAL.—The Secretary may authorize any State to issue electronic stamps in accordance with this section.

(2) CONSULTATION.—The Secretary shall implement this subsection in consultation with State management agencies.

(c) STATE APPLICATION.—

(1) APPROVAL OF APPLICATION REQUIRED.—The Secretary may not authorize a State to issue electronic stamps under this section unless the Secretary has received and approved an application submitted by the State in accordance with this subsection.

(2) NUMBER OF NEW STATES.—The Secretary may determine the number of new States per year to participate in the electronic stamp program.

(3) CONTENTS OF APPLICATION.—The Secretary may not approve a State application unless the application contains—

(A) a description of the format of the electronic stamp that the State will issue under this section, including identifying features of the licensee that will be specified on the stamp;

(B) a description of any fee the State will charge for issuance of an electronic stamp;

(C) a description of the process the State will use to account for and transfer to the Secretary the amounts collected by the State that are required to be transferred to the Secretary under the program;

(D) the manner by which the State will transmit electronic stamp customer data to the Secretary;

(E) the manner by which actual stamps will be delivered;

(F) the policies and procedures under which the State will issue duplicate electronic stamps; and

(G) such other policies, procedures, and information as may be reasonably required by the Secretary.

(d) PUBLICATION OF DEADLINES, ELIGIBILITY REQUIREMENTS, AND SELECTION CRITERIA.—Not later than 30 days before the date on which the Secretary begins accepting applications under this section, the Secretary shall publish—

(1) deadlines for submission of applications;

(2) eligibility requirements for submitting applications; and

(3) criteria for approving applications.

(e) STATE OBLIGATIONS AND AUTHORITIES.—

(1) DELIVERY OF ACTUAL STAMP.—The Secretary shall require that each individual to whom a State sells an electronic stamp under this section shall receive an actual stamp—

(A) by not later than the date on which the electronic stamp expires under subsection (f)(3); and

(B) in a manner agreed on by the State and Secretary.

(2) COLLECTION AND TRANSFER OF ELECTRONIC STAMP REVENUE AND CUSTOMER INFORMATION.—

(A) REQUIREMENT TO TRANSMIT.—The Secretary shall require each State authorized to issue electronic stamps to collect and submit to the Secretary in accordance with this subsection—

(i) the first name, last name, and complete mailing address of each individual that purchases an electronic stamp from the State;

(ii) the face value amount of each electronic stamp sold by the State; and

(iii) the amount of the Federal portion of any fee required by the agreement for each stamp sold.

(B) TIME OF TRANSMITTAL.—The Secretary shall require the submission under subparagraph (A) to be made with respect to sales of electronic stamps by a State according to the written agreement between the Secretary and the State agency.

(C) ADDITIONAL FEES NOT AFFECTED.—This subsection shall not apply to the State portion of any fee collected by a State under paragraph (3).

(3) ELECTRONIC STAMP ISSUANCE FEE.—A State authorized to issue electronic stamps may charge a reasonable fee to cover costs incurred by the State and the Department of the Interior in issuing electronic stamps under this section, including costs of delivery of actual stamps.

(4) DUPLICATE ELECTRONIC STAMPS.—A State authorized to issue electronic stamps may issue a duplicate electronic stamp to replace an electronic stamp issued by the State that is lost or damaged.

(5) LIMITATION ON AUTHORITY TO REQUIRE PURCHASE OF STATE LICENSE.—A State may not require that an individual purchase a State hunting license as a condition of issuing an electronic stamp under this section.

(f) ELECTRONIC STAMP REQUIREMENTS; RECOGNITION OF ELECTRONIC STAMP.—

(1) STAMP REQUIREMENTS.—The Secretary shall require an electronic stamp issued by a State under this section—

(A) to have the same format as any other license, validation, or privilege the State issues under the automated licensing system of the State; and

(B) to specify identifying features of the licensee that are adequate to enable Federal, State, and other law enforcement officers to identify the holder.

(2) RECOGNITION OF ELECTRONIC STAMP.—Any electronic stamp issued by a State under this section shall, during the effective period of the electronic stamp—

(A) bestow on the licensee the same privileges as are bestowed by an actual stamp;

(B) be recognized nationally as a valid Federal migratory bird hunting and conservation stamp; and

(C) authorize the licensee to hunt migratory waterfowl in any other State, in accordance with the laws of the other State governing that hunting.

(3) DURATION.—An electronic stamp issued by a State shall be valid for a period agreed to by the State and the Secretary, which shall not exceed 45 days.

(g) TERMINATION OF STATE PARTICIPATION.—The authority of a State to issue electronic stamps under this section may be terminated—

(1) by the Secretary, if the Secretary—

(A) finds that the State has violated any of the terms of the application of the State approved by the Secretary under subsection (c); and

(B) provides to the State written notice of the termination by not later than the date that is 30 days before the date of termination; or

(2) by the State, by providing written notice to the Secretary by not later than the date that is 30 days before the termination date.

Subtitle C—Joint Ventures to Protect Migratory Bird Populations

SEC. 231. PURPOSES.

The purpose of this subtitle is to authorize the Secretary of the Interior, acting through the Director, to carry out a partnership program called the ''Joint Ventures Program'', in coordination with other Federal agencies with management authority over fish and wildlife resources and the States, to develop, implement, and support innovative, voluntary, cooperative, and effective conservation strategies and conservation actions—

(1) to promote, primarily, sustainable populations of migratory birds, and, secondarily, the fish and wildlife species associated with their habitats;

(2) to encourage stakeholder and government partnerships consistent with the goals of protecting, improving, and restoring habitat;

(3) to establish, implement, and improve science-based migratory bird conservation plans and promote and facilitate broader landscape-level conservation of fish and wildlife habitat; and

(4) to support the goals and objectives of the North American Waterfowl Management Plan and other relevant national and regional, multipartner conservation initiatives, treaties, conventions, agreements, or strategies entered into by the United States, and implemented by the Secretary, that promote the conservation of migratory birds and the habitats of migratory birds.

SEC. 232. DEFINITIONS.

In this subtitle:

(1) CONSERVATION ACTION.—The term ''conservation action'' means activities that—

(A) support the protection, restoration, adaptive management, conservation, or enhancement of migratory bird populations, their terrestrial, wetland, marine, or other habitats, and other wildlife species supported by those habitats, including—

(i) biological and geospatial planning;

(ii) landscape and conservation design;

(iii) habitat protection, enhancement, and restoration;

(iv) monitoring and tracking;

(v) applied research; and

(vi) public outreach and education; and

(B) incorporate adaptive management and science-based monitoring, where applicable, to improve outcomes and ensure efficient and effective use of Federal funds.

(2) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(3) IMPLEMENTATION PLAN.—The term ''Implementation Plan'' means an Implementation Plan approved by the Director under section 232.

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) JOINT VENTURE.—The term ''Joint Venture'' means a self-directed, voluntary partnership, established and conducted for the purposes described in section 231 and in accordance with section 233.

(6) MANAGEMENT BOARD.—The term ''Management Board'' means a Joint Venture Management Board established in accordance with section 233.

(7) MIGRATORY BIRDS.—The term ''migratory birds'' means those species included in the list of migratory birds that appears in section 10.13 of title 50, Code of Federal Regulations, under the authority of the Migratory Bird Treaty Act.

(8) PROGRAM.—The term ''Program'' means the Joint Ventures Program conducted in accordance with this subtitle.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(10) SERVICE.—The term ''Service'' means the United States Fish and Wildlife Service.

(11) STATE.—The term ''State'' means—

(A) any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands; and

(B) one or more agencies of a State government responsible under State law for managing fish or wildlife resources.

SEC. 233. JOINT VENTURES PROGRAM.

(a) IN GENERAL.—The Secretary, acting through the Director, shall carry out a Joint Ventures Program that—

(1) provides financial and technical assistance to support regional migratory bird conservation partnerships;

(2) develops and implements plans to protect and enhance migratory bird populations throughout their range, that are focused on regional landscapes and habitats that support those populations; and

(3) complements and supports activities by the Secretary and the Director to fulfill obligations under—

(A) the Migratory Bird Treaty Act (16 U.S.C. 701 et seq.);

(B) the Migratory Bird Conservation Act (16 U.S.C. 715 et seq.);

(C) the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.);

(D) the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.);

(E) the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901 et seq.); and

(F) the Partners for Fish and Wildlife Act (16 U.S.C. 3771 et seq.).

(b) COORDINATION WITH STATES.—In the administration of the program authorized under this section, the Director shall coordinate and cooperate with the States to fulfill the purposes of this subtitle.

SEC. 234. ADMINISTRATION.

(a) PARTNERSHIP AGREEMENTS.—

(1) IN GENERAL.—The Director may enter into an agreement with eligible partners to achieve the purposes described in section 231.

(2) ELIGIBLE PARTNERS.—The eligible partners referred to in paragraph (1) are the following:

(A) Federal and State agencies and Indian tribes.

(B) Affected regional and local governments, private landowners, land managers, and other private stakeholders.

(C) Nongovernmental organizations with expertise in bird conservation or fish and wildlife conservation or natural resource and landscape management generally.

(D) Other relevant stakeholders, as determined by the Director.

(b) MANAGEMENT BOARD.—

(1) IN GENERAL.—A partnership agreement for a Joint Venture under this section shall establish a Management Board in accordance with this subsection.

(2) MEMBERSHIP.—The Management Board shall include a diversity of members representing stakeholder interests from the appropriate geographic region, including, as appropriate, representatives from the Service and other Federal agencies that have management authority over fish and wildlife resources on public lands or in the marine environment, or that implement programs that affect migratory bird habitats, and representatives from the States, Indian tribes, and other relevant stakeholders, and may include—

(A) regional governments and Indian tribes;

(B) academia or the scientific community;

(C) nongovernmental landowners or land managers;

(D) nonprofit conservation or other relevant organizations with expertise in migratory bird conservation, or in fish and wildlife conservation generally; and

(E) private organizations with a dedicated interest in conserving migratory birds and their habitats.

(3) FUNCTIONS AND RESPONSIBILITIES.—Subject to applicable Federal and State law, the Management Board shall—

(A) appoint a coordinator for the Joint Venture in consultation with the Director;

(B) identify other full- or part-time administrative and technical non-Federal employees necessary to perform the functions of the Joint Venture and meet objectives specified in the Implementation Plan; and

(C) establish committees or other organizational entities necessary to implement the Implementation Plan in accordance with subsection (c).

(4) USE OF SERVICE AND FEDERAL AGENCY EMPLOYEES.—Subject to the availability of appropriations and upon the request from a Management Board, and after consultation with and approval of the Director, the head of any Federal agency may detail to the Management Board, on a reimbursable or nonreimbursable basis, any agency personnel to assist the Joint Venture in performing its functions under this subtitle.

(c) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Each Joint Venture Management Board shall develop and maintain an Implementation Plan that shall contain, at a minimum, the following elements:

(A) A strategic framework for migratory bird conservation.

(B) Provisions for effective communication among member participants within the Joint Venture.

(C) A long-term strategy to conduct public outreach and education regarding the purposes and activities of the Joint Venture and activities to regularly communicate to the general public information generated by the Joint Venture.

(D) Coordination with laws and conservation plans that are relevant to migratory birds, and other relevant regional, national, or international initiatives identified by the Director to conserve migratory birds, their habitats, ecological functions, and associated populations of fish and wildlife.

(E) An organizational plan that—

(i) identifies the representative membership of the Management Board and includes procedures for updating the membership of the Management Board as appropriate;

(ii) describes the organizational structure of the Joint Venture, including proposed committees and subcommittees, and procedures for revising and updating the structure, as necessary; and

(iii) provides a strategy to increase stakeholder participation or membership in the Joint Venture.

(F) Procedures to coordinate the development, implementation, oversight, monitoring, tracking, and reporting of conservation actions approved by the Management Board and an evaluation process to determine overall effectiveness of activities undertaken by the Joint Venture.

(2) REVIEW.—A Joint Venture Implementation Plan shall be submitted to the Director for approval.

(3) APPROVAL.—The Director shall approve an Implementation Plan submitted by the Management Board for a Joint Venture if the Director finds that—

(A) implementation of the plan would promote the purposes of this subtitle described in section 231;

(B) the members of the Joint Venture have demonstrated the capacity to implement conservation actions identified in the Implementation Plan; and

(C) the plan includes coordination with other relevant and active conservation plans or programs within the geographic scope of the Joint Venture.

SEC. 235. GRANTS AND OTHER ASSISTANCE.

(a) IN GENERAL.—Except as provided in subsection (b), and subject to the availability of appropriations, the Director may award financial assistance to implement a Joint Venture through—

(1) support of the activities of the Management Board of the Joint Venture and to pay for necessary administrative costs and services, personnel, and meetings, travel, and other business activities; and

(2) support for specific conservation actions and other activities necessary to carry out the Implementation Plan.

(b) LIMITATION.—A Joint Venture is not eligible for assistance or support authorized in this section unless the Joint Venture is operating under an Implementation Plan approved by the Director under section 234.

(c) TECHNICAL ASSISTANCE.—The Secretary, through the Director, may provide technical and administrative assistance for implementation of Joint Ventures and the expenditure of financial assistance under this subsection.

(d) ACCEPTANCE AND USE OF DONATIONS.—The Secretary, through the Director, may accept and use donations of funds, gifts, and in-kind contributions to provide assistance under this section.

SEC. 236. REPORTING.

(a) ANNUAL REPORTS BY MANAGEMENT BOARDS.—The Secretary, acting through the Director, shall—

(1) require each Management Board to submit annual reports for all approved Joint Ventures of the Management Board; and

(2) establish guidance for Joint Venture annual reports, including contents and any necessary processes or procedures.

(b) JOINT VENTURE PROGRAM 5-YEAR REVIEWS.—

(1) IN GENERAL.—The Secretary, acting through the Director, shall at 5 years after the date of enactment of this Act and at 5-year intervals thereafter, complete an objective and comprehensive review and evaluation of the Program.

(2) REVIEW CONTENTS.—Each review under this subsection shall include—

(A) an evaluation of the effectiveness of the Program in meeting the purpose of this subtitle specified in section 231;

(B) an evaluation of all approved Implementation Plans, especially the effectiveness of existing conservation strategies, priorities, and methods to meet the objectives of such plans and fulfill the purpose of this subtitle; and

(C) recommendations to revise the Program or to amend or otherwise revise Implementation Plans to ensure that activities undertaken pursuant to this subtitle address the effects of climate change on migratory bird populations and their habitats, and fish and wildlife habitats, in general.

(3) CONSULTATION.—The Secretary, acting through the Director, in the implementation of this subsection—

(A) shall consult with other appropriate Federal agencies with responsibility for the conservation or management of fish and wildlife habitat and appropriate State agencies; and

(B) may consult with appropriate, Indian tribes, Flyway Councils, or regional conservation organizations, public and private landowners, members of academia and the scientific community, and other nonprofit conservation or private stakeholders.

(4) PUBLIC COMMENT.—The Secretary, through the Director, shall provide for adequate opportunities for general public review and comment of the Program as part of the 5-year evaluations conducted pursuant to this subsection.

SEC. 237. RELATIONSHIP TO OTHER AUTHORITIES.

(a) AUTHORITIES, ETC. OF SECRETARY.—Nothing in this subtitle affects authorities, responsibilities, obligations, or powers of the Secretary under any other Act.

(b) STATE AUTHORITY.—Nothing in this subtitle preempts any provision or enforcement of a State statute or regulation relating to the management of fish and wildlife resources within such State.

SEC. 238. FEDERAL ADVISORY COMMITTEE ACT.

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any boards, committees, or other groups established under this subtitle.

Subtitle D—Reauthorizations

SEC. 241. NORTH AMERICAN WETLANDS CONSERVATION ACT.

Section 7(c)(5) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)(5)) is amended by striking ''2012'' and inserting ''2017''.

SEC. 242. PARTNERS FOR FISH AND WILDLIFE ACT.

Section 5 of the Partners for Fish and Wildlife Act (16 U.S.C. 3774) is amended by striking ''2011'' and inserting ''2017''.

SEC. 243. NATIONAL FISH AND WILDLIFE FOUNDATION REAUTHORIZATION.

(a) BOARD OF DIRECTORS OF THE FOUNDATION.—

(1) IN GENERAL.—Section 3 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702) is amended—

(A) in subsection (b)—

(i) by striking paragraph (2) and inserting the following:

''(2) IN GENERAL.—After consulting with the Secretary of Commerce and considering the recommendations submitted by the Board, the Secretary of the Interior shall appoint 28 Directors who, to the maximum extent practicable, shall—

''(A) be knowledgeable and experienced in matters relating to conservation of fish, wildlife, or other natural resources; and

''(B) represent a balance of expertise in ocean, coastal, freshwater, and terrestrial resource conservation.''; and

(ii) by striking paragraph (3) and inserting the following:

''(3) TERMS.—Each Director (other than a Director described in paragraph (1)) shall be appointed for a term of 6 years.''; and

(B) in subsection (g)(2)—

(i) in subparagraph (A), by striking ''(A) Officers and employees may not be appointed until the Foundation has sufficient funds to pay them for their service. Officers'' and inserting the following:

''(A) IN GENERAL.—Officers''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) EXECUTIVE DIRECTOR.—The Foundation shall have an Executive Director who shall be—

''(i) appointed by, and serve at the direction of, the Board as the chief executive officer of the Foundation; and

''(ii) knowledgeable and experienced in matters relating to fish and wildlife conservation.''.

(2) CONFORMING AMENDMENT.—Section 4(a)(1)(B) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(B)) is amended by striking ''Secretary of the Board'' and inserting ''Executive Director of the Board''.

(b) RIGHTS AND OBLIGATIONS OF THE FOUNDATION.—Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) is amended—

(1) in subsection (c)—

(A) by striking ''(c) POWERS.—To carry out its purposes under'' and inserting the following:

''(c) POWERS.—

''(1) IN GENERAL.—To carry out the purposes described in'';

(B) by redesignating paragraphs (1) through (11) as subparagraphs (A) through (K), respectively, and indenting appropriately;

(C) in subparagraph (D) (as redesignated by subparagraph (B)), by striking ''that are insured by an agency or instrumentality of the United States'' and inserting ''at 1 or more financial institutions that are members of the Federal Deposit Insurance Corporation or the Securities Investment Protection Corporation'';

(D) in subparagraph (E) (as redesignated by subparagraph (B)), by striking ''paragraph (3) or (4)'' and inserting ''subparagraph (C) or (D)'';

(E) in subparagraph (J) (as redesignated by subparagraph (B)), by striking ''; and'' and inserting a semicolon;

(F) by striking subparagraph (K) (as redesignated by subparagraph (B)) and inserting the following:

''(K) to receive and administer restitution and community service payments, amounts for mitigation of impacts to natural resources, and other amounts arising from legal, regulatory, or administrative proceedings, subject to the condition that the amounts are received or administered for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources; and

''(L) to do any and all acts necessary and proper to carry out the purposes of the Foundation.''; and

(G) by striking the undesignated matter at the end and inserting the following:

''(2) TREATMENT OF REAL PROPERTY.—

''(A) IN GENERAL.—For purposes of this Act, an interest in real property shall be treated as including easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources.

''(B) ENCUMBERED REAL PROPERTY.—A gift, devise, or bequest may be accepted by the Foundation even though the gift, devise, or bequest is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Foundation.

''(3) SAVINGS CLAUSE.—The acceptance and administration of amounts by the Foundation under paragraph (1)(K) does not alter, supersede, or limit any regulatory or statutory requirement associated with those amounts.'';

(2) by striking subsections (f) and (g); and

(3) by redesignating subsections (h) and (i) as subsections (f) and (g), respectively.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this Act for each of fiscal years 2012 through 2017—

''(A) $20,000,000 to the Secretary of the Interior;

''(B) $5,000,000 to the Secretary of Agriculture; and

''(C) $5,000,000 to the Secretary of Commerce.'';

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

''(1) AMOUNTS FROM FEDERAL AGENCIES.—

''(A) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a), Federal departments, agencies, or instrumentalities may provide funds to the Foundation, subject to the condition that the amounts are used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources in accordance with this Act.

''(B) ADVANCES.—Federal departments, agencies, or instrumentalities may advance amounts described in subparagraph (A) to the Foundation in a lump sum without regard to when the expenses for which the amounts are used are incurred.

''(C) MANAGEMENT FEES.—The Foundation may assess and collect fees for the management of amounts received under this paragraph.'';

(B) in paragraph (2)—

(i) in the paragraph heading, by striking ''FUNDS'' and inserting ''AMOUNTS'';

(ii) by striking ''shall be used'' and inserting ''may be used''; and

(iii) by striking ''and State and local government agencies'' and inserting '', State and local government agencies, and other entities''; and

(C) by adding at the end the following:

''(3) ADMINISTRATION OF AMOUNTS.—

''(A) IN GENERAL.—In entering into contracts, agreements, or other partnerships pursuant to this Act, a Federal department, agency, or instrumentality shall have discretion to waive any competitive process of that department, agency, or instrumentality for entering into contracts, agreements, or partnerships with the Foundation if the purpose of the waiver is—

''(i) to address an environmental emergency resulting from a natural or other disaster; or

''(ii) as determined by the head of the applicable Federal department, agency, or instrumentality, to reduce administrative expenses and expedite the conservation and management of fish, wildlife, plants, and other natural resources.

''(B) REPORTS.—The Foundation shall include in the annual report submitted under section 7(b) a description of any use of the authority under subparagraph (A) by a Federal department, agency, or instrumentality in that fiscal year.''; and

(3) by adding at the end the following:

''(d) USE OF GIFTS, DEVISES, OR BEQUESTS OF MONEY OR OTHER PROPERTY.—Any gifts, devises, or bequests of amounts or other property, or any other amounts or other property, transferred to, deposited with, or otherwise in the possession of the Foundation pursuant to this Act, may be made available by the Foundation to Federal departments, agencies, or instrumentalities and may be accepted and expended (or the disposition of the amounts or property directed), without further appropriation, by those Federal departments, agencies, or instrumentalities, subject to the condition that the amounts or property be used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources.''.

(d) LIMITATION ON AUTHORITY.—Section 11 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3710) is amended by inserting ''exclusive'' before ''authority''.

SEC. 244. MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP.

Section 2(c) of the Multinational Species Conservation Funds Semipostal Stamp Act of 2010 (Public Law 111–241; 39 U.S.C. 416 note) is amended—

(1) in paragraph (2), by striking ''2 years'' and inserting ''6 years''; and

(2) by adding at the end the following:

''(5) STAMP DEPICTIONS.—Members of the public shall be offered a choice of 5 stamps under this Act, depicting an African elephant or an Asian elephant, a rhinoceros, a tiger, a marine turtle, and a great ape, respectively.''.

SEC. 245. MULTINATIONAL SPECIES CONSERVATION FUNDS REAUTHORIZATIONS.

(a) AFRICAN ELEPHANTS.—Section 2306(a) of the African Elephant Conservation Act (16 U.S.C. 4245(a)) is amended by striking ''2007 through 2012'' and inserting ''2012 through 2017''.

(b) ASIAN ELEPHANTS.—Section 8(a) of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4266(a)) is amended by striking ''2007 through 2012'' and inserting ''2012 through 2017''.

(c) RHINOCEROS AND TIGERS.—Section 10(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306(a)) is amended by striking ''2007 through 2012'' and inserting ''2012 through 2017''.

(d) GREAT APES.—Section 6 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6305) is amended by striking ''2006 through 2010'' and inserting ''2012 through 2017''.

(e) MARINE TURTLES.—Section 7 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6606) is amended by striking ''2005 through 2009'' and inserting ''2012 through 2017''.

SEC. 246. NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT.

Section 10 of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6109) is amended to read as follows:

''SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $6,500,000 for each of fiscal years 2012 through 2017.

''(b) USE OF FUNDS.—Of the amounts made available under subsection (a) for each fiscal year, not less than 75 percent shall be expended for projects carried out at a location outside of the United States.''.

SEC. 247. FEDERAL LAND TRANSACTION FACILITATION ACT.

The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(2) (43 U.S.C. 2302(2)), by striking ''on the date of enactment of this Act was'' and inserting ''is'';

(2) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking ''this Act'' and inserting ''the Sportsmen's Act of 2012''; and

(B) in subsection (d), by striking ''11'' and inserting ''22'';

(3) in section 206 (43 U.S.C. 2305), by striking subsection (f); and

(4) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking ''96–568'' and inserting ''96–586''; and

(ii) by striking ''; or'' and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting ''Public Law 105–263;'' before ''112 Stat.''; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109–432; 120 Stat. 3028);

''(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);

''(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111–11);

''(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111–11);

''(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1108); or

''(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1121).''.

SEC. 248. NUTRIA ERADICATION AND CONTROL.

(a) FINDINGS; PURPOSE.—Section 2 of the Nutria Eradication and Control Act of 2003 (Public Law 108–16; 117 Stat. 621) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''and in Louisiana'' and inserting '', the State of Louisiana, and other coastal States'';

(B) in paragraph (2), by striking ''in Maryland and Louisiana on Federal, State, and private land'' and inserting ''on Federal, State, and private land in the States of Maryland and Louisiana and in other coastal States''; and

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) This Act authorizes the Maryland Nutria Project, which has successfully eradicated nutria from more than 130,000 acres of Chesapeake Bay wetlands in the State of Maryland and facilitated the creation of voluntary, public-private partnerships and more than 406 cooperative landowner agreements.

''(4) This Act and the Coastal Wetlands Planning, Protection, and Restoration Act (16 U.S.C. 3951 et seq.) authorize the Coastwide Nutria Control Program, which has reduced nutria-impacted wetland acres in the State of Louisiana from 80,000 acres to 23,141 acres.

''(5) The proven techniques developed under this Act that are eradicating nutria in the State of Maryland and reducing the acres of nutria-impacted wetlands in the State of Louisiana should be applied to nutria eradication or control programs in other nutria-infested coastal States''; and

(2) by striking subsection (b) and inserting the following:

''(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to provide financial assistance to the States of Delaware, Louisiana, Maryland, North Carolina, Oregon, Virginia, and Washington to carry out activities—

''(1) to eradicate or control nutria; and

''(2) to restore nutria damaged wetlands.''.

(b) DEFINITIONS.—The Nutria Eradication and Control Act of 2003 (Public Law 108–16; 117 Stat. 621) is amended—

(1) by redesignating sections 3 and 4 as sections 4 and 5, respectively; and

(2) by inserting after section 2 the following:

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) COASTAL STATE.—The term 'coastal State' means each of the States of Delaware, Oregon, North Carolina, Virginia, and Washington.

''(2) PROGRAM.—The term 'program' means the nutria eradication program established by section 4(a).

''(3) PUBLIC-PRIVATE PARTNERSHIP.—The term 'public-private partnership' means a voluntary, cooperative project undertaken by governmental entities or public officials and affected communities, local citizens, nongovernmental organizations, or other entities or persons in the private sector.

''(4) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.''.

(c) NUTRIA ERADICATION PROGRAM.—Section 4 of the Nutria Eradication and Control Act of 2003 (Public Law 108–16; 117 Stat. 621) (as redesignated by subsection (b)) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary may, subject to the availability of appropriations, provide financial assistance to the States of Maryland and Louisiana and the coastal States to implement measures—

''(1) to eradicate or control nutria; and

''(2) to restore wetlands damaged by nutria.'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''the State of'' before ''Maryland'';

(B) in paragraph (2), by striking ''other States'' and inserting ''the coastal States''; and

(C) in paragraph (3), by striking ''marshland'' and inserting ''wetlands'';

(3) in subsection (c)—

(A) by striking ''(c) ACTIVITIES'' and inserting ''(c) ACTIVITIES IN THE STATE OF MARYLAND''; and

(B) by inserting '', and updated in March 2009'' before the period at the end;

(4) in subsection (e), by striking ''financial assistance provided by the Secretary under this section'' and inserting ''the amounts made available under subsection (f) to carry out the program''; and

(5) by striking subsection (f) and inserting the following:

''(f) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (e), there is authorized to be appropriated to the Secretary to carry out the program $6,000,000 for each of fiscal years 2012 through 2016, of which—

''(1) $2,000,000 shall be used to provide financial assistance to the State of Maryland;

''(2) $2,000,000 shall be used to provide financial assistance to the State of Louisiana; and

''(3) $2,000,000 shall be used to provide financial assistance, on a competitive basis, to other coastal States.''.

(d) REPORT.—Section 5 of the Nutria Eradication and Control Act of 2003 (Public Law 108–16; 117 Stat. 621) (as redesignated by subsection (b)) is amended—

(1) in paragraph (1), by striking ''2002 document entitled 'Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds'; and'' and inserting ''March 2009 update of the document entitled 'Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds' and originally dated March 2002;'';

(2) in paragraph (2)—

(A) by striking ''develop'' and inserting ''continue''; and

(B) by striking the period at the end and inserting ''; and''; and

(3) by adding after paragraph (2) the following:

''(3) develop, in cooperation with the State of Delaware Department of Natural Resources and Environmental Control, the State of Virginia Department of Game and Inland Fisheries, the State of Oregon Department of Fish and Wildlife, the State of North Carolina Department of Environment and Natural Resources, and the State of Washington Department of Fish and Wildlife, long-term nutria control or eradication programs, as appropriate, with the objective of—

''(A) significantly reducing and restoring the damage nutria cause to coastal wetlands in the coastal States; and

''(B) promoting voluntary, public-private partnerships to eradicate or control nutria and restoring nutria-damaged wetlands in the coastal States.''.

SA 2876. Mr. REID proposed an amendment to amendment SA 2875 proposed by Mr. REID (for Mr. TESTER) to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

At the end, add the following new section:

Section _____.

This Act shall become effective 7 days after enactment.

SA 2877. Mr. REID proposed an amendment to amendment SA 2876 proposed by Mr. REID to the amendment SA 2875 proposed by Mr. REID (for Mr. TESTER) to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

In the amendment, strike ''7 days'' and insert ''6 days''.

SA 2878. Mr. REID proposed an amendment to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

At the end, add the following new section:

Section _____.

This title shall become effective 5 days after enactment.

SA 2879. Mr. REID proposed an amendment to amendment SA 2878 proposed by Mr. REID to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

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

SA 2880. Mr. REID proposed an amendment to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

At the end, add the following new section:

Section _____.

This Act shall become effective 3 days after enactment.

SA 2881. Mr. REID proposed an amendment to amendment SA 2880 proposed by Mr. REID to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

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

SA 2882. Mr. REID proposed an amendment to amendment SA 2881 proposed by Mr. REID to the amendment SA 2880 proposed by Mr. REID to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; as follows:

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

SA 2883. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

On page 91, strike line 14 and all that follows through page 92, line 10.

SA 2884. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

On page 92, strike lines 11 through 23.

SA 2885. Mr. LEE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—FEDERAL LAND DESIGNATIONS

SEC. 301. STATE APPROVAL REQUIRED FOR FEDERAL LAND DESIGNATIONS.

(a) DEFINITION OF COVERED UNIT.—In this section, the term ''covered unit'' means—

(1) a unit of the National Forest System, National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, or any other system established by Federal law;

(2) a national monument; or

(3) any national conservation or national recreation area.

(b) PROHIBITION.—A covered unit shall not be established unless the legislature of the State in which the proposed covered unit is located has approved the establishment of the covered unit.

SA 2886. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—FEDERAL LAND DESIGNATIONS

SEC. 301. SALE OF CERTAIN FEDERAL LAND PREVIOUSLY IDENTIFIED AS SUITABLE FOR DISPOSAL.

(a) DEFINITIONS.—In this section:

(1) IDENTIFIED FEDERAL LANDS.—The term ''identified Federal lands'' means the parcels of Federal land under the administrative jurisdiction of the Secretary that were identified as suitable for disposal in the report submitted to Congress by the Secretary on May 27, 1997, pursuant to section 390(g) of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 110 Stat. 1024), except the following:

(A) Lands not identified for disposal in the applicable land use plan.

(B) Lands subject to a Recreation and Public Purpose conveyance application.

(C) Lands identified for State selection.

(D) Lands identified for Indian tribe allotments.

(E) Lands identified for local government use.

(F) Lands that the Secretary chooses to dispose under the Federal Land Transaction Facilitation Act (43 U.S.C. 2301 et seq.).

(G) Lands that are segregated for exchange or under agreements for exchange.

(H) Lands subject to exchange as authorized or directed by Congress.

(I) Lands that the Secretary determines contain significant impediments for disposal including—

(i) high disposal costs;

(ii) the presence of significant natural or cultural resources;

(iii) land survey problems or title conflicts;

(iv) habitat for threatened or endangered species; and

(v) mineral leases and mining claims.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) COMPETITIVE SALE OF LANDS.—The Secretary shall offer the identified Federal lands for disposal by competitive sale for not less than fair market value as determined by an independent appraiser.

(c) EXISTING RIGHTS.—The sale of identified Federal lands under this section shall be subject to valid existing rights.

(d) PROCEEDS OF SALE OF LANDS.—All net proceeds from the sale of identified Federal lands under this section shall be deposited directly into the Treasury for reduction of the public debt.

(e) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

(1) a list of any identified Federal lands that have not been sold under subsection (b) and the reasons such lands were not sold; and

(2) an update of the report submitted to Congress by the Secretary on May 27, 1997, pursuant to section 390(g) of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104–127; 110 Stat. 1024), including a current inventory of the Federal lands under the administrative jurisdiction of the Secretary that are suitable for disposal.

SA 2887. Mr. KOHL (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, insert the following:

SEC. 585. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FIRST LIEUTENANT ALONZO H. CUSHING FOR ACTS OF VALOR DURING THE CIVIL WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President is authorized to award the Medal of Honor under section 3741 of such title to then First Lieutenant Alonzo H. Cushing for conspicuous acts of gallantry and intrepidity at the risk of life and beyond the call of duty in the Civil War, as described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then First Lieutenant Alonzo H. Cushing while in command of Battery A, 4th United States Artillery, Army of the Potomac, at Gettysburg, Pennsylvania, on July 3, 1863, during the American Civil War.

SA 2888. Mr. KOHL (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, insert the following:

SEC. 602. PAYMENT OF BENEFIT FOR NONPARTICIPATION OF ELIGIBLE MEMBERS IN POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE PROGRAM DUE TO GOVERNMENT ERROR.

(a) PAYMENT OF BENEFIT.—

(1) IN GENERAL.—Subject to subsection (e), the Secretary concerned shall, upon application therefor, make a payment to each individual described in paragraph (2) of $200 for each day of nonparticipation of such individual in the Post-Deployment/Mobilization Respite Absence program as described in that paragraph.

(2) COVERED INDIVIDUALS.—An individual described in this paragraph is an individual who—

(A) was eligible for participation as a member of the Armed Forces in the Post-Deployment/Mobilization Respite Absence program; but

(B) as determined by the Secretary concerned pursuant to an application for the correction of the military records of such individual pursuant to section 1552 of title 10, United States Code, did not participate in one or more days in the program for which the individual was so eligible due to Government error.

(b) DECEASED INDIVIDUALS.—

(1) APPLICATIONS.—If an individual otherwise covered by subsection (a) is deceased, the application required by that subsection shall be made by the individual's legal representative.

(2) PAYMENT.—If an individual to whom payment would be made under subsection (a) is deceased at time of payment, payment shall be made in the manner specified in section 1552(c)(2) of title 10, United States Code.

(c) PAYMENT IN LIEU OF ADMINISTRATIVE ABSENCE.—Payment under subsection (a) with respect to a day described in that subsection shall be in lieu of any entitlement of the individual concerned to a day of administrative absence for such day.

(d) CONSTRUCTION.—

(1) CONSTRUCTION WITH OTHER PAY.—Any payment with respect to an individual under subsection (a) is in addition to any other pay provided by law.

(2) CONSTRUCTION OF AUTHORITY.—It is the sense of Congress that—

(A) the sole purpose of the authority in this section is to remedy administrative errors; and

(B) the authority in this section is not intended to establish any entitlement in connection with the Post-Deployment/Mobilization Respite Absence program.

(e) OFFSET.—The Secretary of Defense shall transfer $2,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

(f) DEFINITIONS.—In this section, the terms ''Post-Deployment/Mobilization Respite Absence program'' and ''Secretary concerned'' have the meaning given such terms in section 604(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2350).

SA 2889. Mr. PRYOR (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. CERTAIN EXEMPTIONS RELATING TO THE TAKING OF MIGRATORY GAME BIRDS.

(a) SHORT TITLE.—This section may be cited as the ''Farmer's Protection Act of 2012''.

(b) EXEMPTIONS ON CERTAIN LAND.—Section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) is amended by adding at the end the following:

''(c) EXEMPTIONS ON CERTAIN LAND.—

''(1) IN GENERAL.—Nothing in this section prohibits the taking of any migratory game bird, including waterfowl, coots, and cranes, on or over land that—

''(A) is not a baited area; and

''(B) contains—

''(i) a standing crop or flooded standing crop, including an aquatic crop;

''(ii) standing, flooded, or manipulated natural vegetation;

''(iii) flooded harvested cropland; or

''(iv) according to a report submitted under paragraph (2) by the applicable State office of the Cooperative Extension System of the Department of Agriculture, an area on which seed or grain has been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation, or normal soil stabilization practice.

''(2) REPORTS.—

''(A) IN GENERAL.—For purposes of making a determination under paragraph (1)(B)(iv), each State office of the Cooperative Extension System of the Department of Agriculture shall submit to the Secretary of the Interior a report on the activities in that State that the State office considers to be a normal agricultural practice in the State, such as mowing, shredding, discing, rolling, chopping, trampling, flattening, burning, or carrying out herbicide treatment.

''(B) REVISIONS.—A State office may revise a report described in subparagraph (A) as the State office determines to be necessary to reflect changing agricultural practices.''.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Commitee on Health, Education, Labor, and Pensions will meet in open session on Thursday, November 15, 2012, at 9:45 a.m. in room SD–106 of the Dirksen Senate Office Building to conduct a hearing entitled ''Pharmacy Compounding: Implications of the 2012 Meningitis Outbreak.''

For further information regarding this meeting, please contact Elizabeth Jungman of the committee staff on (202) 224–6859.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on November 13, 2012, at 3 p.m., to hold a hearing entitled, ''National Security Brief on Attacks in Benghazi''.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, on behalf of Senator LEAHY, I ask unanimous consent that Michelle Lacko, a fellow on the Senate Judiciary Committee, be granted privileges of the floor.

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

WHISTLEBLOWER PROTECTION ENHANCEMENT ACT OF 2012

Mr. UDALL of Colorado. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 743.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate, S. 743, entitled ''An Act to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections; to provide certain authority for the Special Counsel; and for other purposes,'' do pass with an amendment.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate concur in the House amendment, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the matter be printed in the RECORD.

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

REGARDING THE EFFORTS OF RAYMOND WEEKS IN THE ESTABLISHMENT OF VETERANS DAY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 591, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 591) expressing the sense of the Senate regarding Raymond Weeks and his efforts in the establishment of Veterans Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 591) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 591

(Expressing the sense of the Senate regarding Raymond Weeks and his efforts in the establishment of Veterans Day)

Whereas November 11, 2012, is the 65th anniversary of National Veterans Day in Birmingham, Alabama;

Whereas the National Veterans Day in Birmingham is the longest running celebration of Veterans Day in the Nation;

Whereas, on November 11, 1946, World War II veteran Raymond Weeks presented General Eisenhower a program design proposing to replace Armistice Day with a National Veterans Day in 1947;

Whereas the very first Veterans Day celebration was held in Birmingham by the National Veterans Day Organization in 1947;

Whereas President Eisenhower signed into law on June 1, 1954, the Act proclaiming November 11 as Veterans Day (Public Law 380; 83rd Congress);

Whereas in 1954, the National Veterans Day Volunteer Organization, started by Raymond Weeks, expanded to organize a multi-day celebration including, but not limited to, a Veterans Day Parade, a World Peace Luncheon, and presentation during the National Veterans Award Dinner of the National Veterans Award;

Whereas these three events have been held every year since 1954;

Whereas the briefing for President Reagan by Elizabeth Dole for the Presidential Citizens Medals cited Raymond Weeks as the ''Father of Veterans Day'';

Whereas President Reagan recognized Raymond Weeks as the driving force behind Veterans Day while presenting Raymond Weeks with the Presidential Citizens Medal on November 11, 1982;

Whereas Raymond Weeks should be recognized for his push to honor the great men and women who have served their country with a special day of recognition; and

Whereas Birmingham, Alabama, should be recognized for its contributions to the institution of Veterans Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes Birmingham, Alabama, as the home to the first and longest running celebration of Veterans Day;

(2) recognizes Raymond Weeks for his pioneering efforts in the establishment of Veterans Day; and

(3) honors the sacrifices of, and pays tribute to, the men and women of the United States in uniform who risk life and limb for their country at home and overseas.

ORDERS FOR WEDNESDAY, NOVEMBER 14, 2012

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2:30 p.m. on Wednesday, November 14, 2012; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the majority leader be recognized, and that the first hour be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; and the filing deadline for first-degree amendments to S. 3525 be 4 p.m. Wednesday.

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

PROGRAM

Mr. UDALL of Colorado. Mr. President, earlier today, cloture was filed on S. 3525, the Sportsmen's Act. Under the rule, the cloture vote will occur on Thursday morning.

ADJOURNMENT UNTIL 2:30 P.M. TOMORROW

Mr. UDALL of Colorado. 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 6:55 p.m., adjourned until Wednesday, November 14, 2012, at 2:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

PHILIP S. GOLDBERG, OF THE DISTRICT OF COLUMBIA
WANDA L. NESBITT, OF PENNSYLVANIA
VICTORIA NULAND, OF CONNECTICUT
MICHELE JEANNE SISON, OF MARYLAND
DANIEL BENNETT SMITH, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

KARL PHILIP ALBRECHT, OF VIRGINIA
THEODORE ALLEGRA, OF COLORADO
BRUCE ARMSTRONG, OF FLORIDA
CLARE A. BARKLEY, OF MARYLAND
ROBERT I. BLAU, OF VIRGINIA
ROBERTO GONZALES BRADY, OF CALIFORNIA
JOHN BRIEN BRENNAN, OF VIRGINIA
PIPER ANNE WIND CAMPBELL, OF THE DISTRICT OF COLUMBIA
JONATHAN RAPHAEL COHEN, OF CALIFORNIA
MARK J. COHEN, OF TEXAS
MAUREEN E. CORMACK, OF ILLINOIS
JOHN S. CREAMER, OF VIRGINIA
JEFFREY DELAURENTIS, OF NEW YORK
LAURA FARNSWORTH DOGU, OF TEXAS
WALTER DOUGLAS, OF NEVADA
CATHERINE I. EBERT-GRAY, OF COLORADO
SUSAN MARSH ELLIOTT, OF FLORIDA
THOMAS SCOTT ENGLE, OF THE DISTRICT OF COLUMBIA
MARILYN CLAIRE FERDINAND, OF VIRGINIA
VALERIE C. FOWLER, OF WASHINGTON
DANIEL EDWARD GOODSPEED, OF VIRGINIA
WILLIAM S. GREEN, OF OHIO
JERI S. GUTHRIE-CORN, OF CALIFORNIA
MICHAEL A. HAMMER, OF MARYLAND
D. BRENT HARDT, OF FLORIDA
ROBERT A. HARTUNG, OF VIRGINIA
WILLIAM A. HEIDT, OF CALIFORNIA
JAMES WILLIAM HERMAN, OF WASHINGTON
THOMAS MARK HODGES, OF TENNESSEE
MARTIN P. HOHE, OF FLORIDA
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RUSSELL G. LE CLAIR, JR., OF ILLINOIS
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LEWIS ALAN LUKENS, OF VIRGINIA
DEBORAH RUTH MALAC, OF VIRGINIA
WILLIAM JOHN MARTIN, OF CALIFORNIA
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ELIZABETH KAY WEBB MAYFIELD, OF TEXAS
JAMES P. MCANULTY, OF VIRGINIA
THOMAS S. MILLER, OF MINNESOTA
BARRY M. MOORE, OF TEXAS
MICHAEL CHASE MULLINS, OF NEW HAMPSHIRE
JOHN OLSON, OF CALIFORNIA
THEODORE G. OSIUS, OF THE DISTRICT OF COLUMBIA
ROBERT GLENN RAPSON, OF NEW HAMPSHIRE

ROBERT A. RILEY, OF FLORIDA
GARY D. ROBBINS, OF WASHINGTON
TODD DAVID ROBINSON, OF NEW JERSEY
MATTHEW M. ROONEY, OF TEXAS
DANA SHELL SMITH, OF CALIFORNIA
DEAN L. SMITH, OF TEXAS
PAMELA L. SPRATLEN, OF CALIFORNIA
STEPHANIE SANDERS SULLIVAN, OF MARYLAND
SUSAN M. SUTTON, OF VIRGINIA
MICHAEL EMBACH THURSTON, OF WASHINGTON
PAUL ALLEN WEDDERIEN, OF CALIFORNIA
ALICE G. WELLS, OF VIRGINIA
THOMAS E. WILLIAMS, JR., OF VIRGINIA
ROBERT A. WOOD, OF NEW YORK
UZRA S. ZEYA, OF FLORIDA
BENJAMIN G. ZIFF, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED: CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DAVID W. ABELL, OF ARKANSAS
ARUNA S. G. AMIRTHANAYAGAM, OF NEW YORK
TANYA CECELIA ANDERSON, OF PENNSYLVANIA
MICHAEL ADAM BARKIN, OF FLORIDA
PETER HENRY BARLERIN, OF MARYLAND
SUSAN TEBEAU BELL, OF SOUTH CAROLINA
VIRGINIA LYNN BENNETT, OF GEORGIA
RANDY W. BERRY, OF COLORADO
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JOHN WALTER DINKELMAN, OF WYOMING
BRIAN P. DOHERTY, OF FLORIDA
CHRISTINE ANN ELDER, OF VIRGINIA
NINA MARIA FITE, OF PENNSYLVANIA
ERIC ALAN FLOHR, OF MARYLAND
DANIEL L. FOOTE, OF VIRGINIA
KENNETH LEE FOSTER, OF VIRGINIA
ROBERT ARTHUR FRAZIER, OF TEXAS
THOMAS G. GALLO, OF NEW JERSEY
REBECCA ELIZA GONZALES, OF TEXAS
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SARAH COOPER HALL, OF NEW YORK
SCOTT IAN HAMILTON, OF ILLINOIS
TODD PHILIP HASKELL, OF FLORIDA
ANDREW B. HAVILAND, OF IOWA
PETER MARK HAYMOND, OF VIRGINIA
DENNIS WALTER HEARNE, OF NORTH CAROLINA
BRIAN GEORGE HEATH, OF NEW JERSEY
JONATHAN HENICK, OF CALIFORNIA
G. KATHLEEN HILL, OF TEXAS
NICHOLAS MANNING HILL, OF RHODE ISLAND
JEFFREY M. HOVENIER, OF MARYLAND
GEORGE W. INDYKE, JR., OF NEW JERSEY
ERIC A. JOHNSON, OF THE DISTRICT OF COLUMBIA
GARY P. KEITH, OF OHIO
ERIC KHANT, OF FLORIDA
YURI KIM, OF GUAM
KARIN MARGARET KING, OF OHIO
DANIEL JOSEPH KRITENBRINK, OF VIRGINIA
YAEL LEMPERT, OF NEW YORK
JAMES MARX LEVY, OF WASHINGTON
JOHN M. LIPINSKI, OF PENNSYLVANIA
PATRICIA ALICE MAHONEY, OF TEXAS
JEANNE M. MALONEY, OF TENNESSEE
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CARYN R. MCCLELLAND, OF CALIFORNIA
BRIAN DAVID MCFEETERS, OF NEW MEXICO
JACQUELINE K. MCKENNAN, OF WYOMING
MARTHA L. MELZOW, OF CALIFORNIA
PHILLIP ANDREW MIN, OF NEW JERSEY
WILLIAM JAMES MOZDZIERZ, OF NEW YORK
KATHERINE ANNE MUNCHMEYER, OF TEXAS
MICHAEL J. MURPHY, OF VIRGINIA
ROBERT BARRY MURPHY, OF NEW HAMPSHIRE
ROBERT WILLIAM OGBURN, OF MARYLAND
SHEILA R. PASKMAN, OF PENNSYLVANIA
LISA J. PETERSON, OF NEW YORK
ROBERT A. PITRE, OF WASHINGTON
BETH L. POISSON, OF MARYLAND
ELIZABETH MABEL WHALEN PRATT, OF THE DISTRICT OF COLUMBIA
DAVID HUGH RANK, OF ILLINOIS
JOEL RICHARD REIFMAN, OF TEXAS
DAVID M. REINERT, OF NEW MEXICO
JOAN MARIE RICHARDS, OF CALIFORNIA
RAYMOND D. RICHHART, JR., OF CALIFORNIA
WILLIAM VERNON ROEBUCK, JR., OF NORTH CAROLINA
MICHAEL D. SCANLAN, OF PENNSYLVANIA
STEPHEN M. SCHWARTZ, OF NEW YORK
JUSTIN H. SIBERELL, OF CALIFORNIA
GEORGE NEIL SIBLEY, OF CONNECTICUT
ADAM H. STERLING, OF NEW YORK
JOHN C. SULLIVAN, OF CALIFORNIA
MELINDA TABLER-STONE, OF VIRGINIA
JOHN STEPHEN TAVENNER, OF TEXAS
DEAN RICHARD THOMPSON, OF MARYLAND
SUSAN ASHTON THORNTON, OF THE DISTRICT OF COLUMBIA
LAIRD D. TREIBER, OF THE DISTRICT OF COLUMBIA
JEFFREY A. VANDREAL, OF TEXAS
LISA ANNETTE VICKERS, OF CALIFORNIA
SAMUEL ROBERT WATSON III, OF VIRGINIA
DONNA ANN WELTON, OF THE DISTRICT OF COLUMBIA
TERRY JOHN WHITE, OF OREGON
STEPHANIE TURCO WILLIAMS, OF TEXAS
EUGENE STEWART YOUNG, OF THE DISTRICT OF COLUMBIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ROBERT L. ADAMS, OF VIRGINIA
THOMAS A. BARNARD, OF VIRGINIA
FRANCIS JOHN BRAY, JR., OF CALIFORNIA
CARMEN MARGARITA CASTRO, OF VIRGINIA
RONNIE S. CATIPON, OF VIRGINIA
DAVID F. COOPER, OF FLORIDA
EDWIN W. DALY, OF VIRGINIA
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WAYNE F. QUILLIN, OF NEW YORK
JOHN H. RENNICK, OF TEXAS
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IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DAVID M. RODRIGUEZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JOHN F. CAMPBELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. PETER A. BOSSE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JOSEPH E. WHITLOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. KAREN E. LEDOUX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DAVID G. CLARKSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK A. MILLEY

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT COMMANDANT OF THE MARINE CORPS, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 5044 AND 601:

To be general

LT. GEN. JOHN M. PAXTON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. JOSEPH F. DUNFORD, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KENNETH E. FLOYD

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DEMEA A. ALDERMAN
ELBERT R. ALFORD IV
GREGORY T. BALDWIN
ANGELA M. BLACKWELL
PAMALA L. BROWN-GRAYSON
FELICIA L. BURKS
PEDRO BURTON-TAYLOR
LYNNE M. BUSSIE
LAUREN HUDSON BYRD
MARK S. CHOJNACKI
TIMOTHY J. CHRISTISON
MARK E. CLEVELAND
MARK E. CRUISE
NATHANIEL R. DECKER
TROY M. T. DILLON
MICHAEL D. DINKINS
THOMAS S. FARMER
DEAN K. FARREY
DOLPHIS Z. HALL
JOAN L. HOYTE
KIRK T. JENKINS
DONALD E. KOTULAN
CHARLES E. MAREK, JR.
MARYANN I. MARQUEZ
CHESTER L. MARTIN
TERESA M. MIRWALD
LEE M. NENORTAS
LAURIE V. PETERS
MARK D. REYNOLDS
STEPHANIE K. RYDER
KEVIN M. SCHULTZ
VIRGIL L. SCOTT
ALTAN A. SHAFFER
TIMOTHY W. SMITH
DANIEL T. STERNEMANN
TRACIE L. SWINGLE
JENNIFER M. THERIAULT
PAMELA D. TOWNSEND-ATKINS

To be major

BRIAN R. ALLEN
BRIAN M. BOGUMIL
KIMBERLY A. BOGUMIL
SARAH E. BYRON-SMITH
MICHAEL J. CALLOWAY
ERIC D. DEAN
JENNIFER M. DEVENERE
JEFFREY W. DRAKE
AMY E. DWYER
AMY M. FISHER
LISA FLORES
JULIE C. GARRETT
RYAN M. GASSMAN
AARON H. GRUCHOW
MARCY S. HAYWOOD
JOHN ERICH HEIN
THEODOSIA FLORIA HILL
SHAWN L. HORGES
JOSEPH ALAN HUDSON
KERRY ELIZABETH HUTCHINGS
JENNIFER LEE IDELL
VANESSA A. JOHNSON
MICHAEL TODD KEELEY
CRISTY A. LONG
DOREEN M. LONG
TARA E. LOVELL
NICOLE A. LUCAS
TIFFANY D. MADISON
EZEKIEL S. MALONE
BRETT J. MAZEY
CYNTHIA K. MCGEE
RAYMOND A. MILLER, JR.
ANDRES MUNERA
CHARLOTTE E. MURPHY
PAWEL NOWACKI
MARLO P. OBCEMEA
CHRISTOPHER D. OHLEMACHER
RORY A. PETERSON
NOAH H. PLAISANCE
PHILLIP K. POPE
JOSEPH DANYLE POPHAM, JR.
MARC A. RITTBERG
MARK A. SABROSKI
BRANDI L. SELLERS
RANDALL C. SHIFLETT
SAMUEL A. SPRALLS IV
DONALD A. STEEL
STEPHANIE A. STEMEN
ILISA S. STILLMAN
GARY N. SUTTLES
DANIEL T. TOWNSEND
JACK VILARDI
MATTHEW J. WEBER
SPENCER D. WIGHT
FELISA L. WILSON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ALAN F. POMAVILLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JAMES BENTLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

VINCENT D. THOMPSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

LUIS F. DIAZ

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

DAVID C. BUCKHANNON

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

ANTHONY CASCARANO

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RENA L. P. HOPE

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DEREK D. HYUN

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MICHAEL T. SIMPSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL D. PIERCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

TAMMIE E. CREWS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

KENNETH M. JORDAN
SUZANNE MCNELLIS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

MADLENE M. ESKAROSE
JON D. WAGNER

To be major

ALEXANDER K. JHANG

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

MILTON J. FOUST
SANDEEP R. RAHANGDALE
BALDEV S. SEKHON

To be major

CHARLES E. LERNER

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

WILLIAM T. MONACCI

To be lieutenant colonel

ROBERT W. DESVERREAUX

To be major

FRITZJOSE E. CHANDLER
IAN M. HEGER
LAWRENCE W. REINISH
HUA C. YANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

STEPHEN J. DALAL
DAVID J. FLETCHER
TIMOTHY L. SETTLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JESSE J. ABBOTT
KEVIN J. CRAMM
WILLIAM C. PREWITT
RONALD A. SPITLER
RHETT M. STARNES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JOHN E. BALSER
SONYA J. CABLE
LESLEE K. FUNDERBURK
MATTHEW B. GARBER
SCOTT W. SHAFFER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

FRANCISCO DIAZGONZALEZ
JOHN P. DROBNICA, JR.
GREGORY A. DURKAC
LARRY A. GRAHAM
ROBERT D. JONES
WILLIAM L. KORSEN
ROBERT S. LANGOL
JOHN W. NOLAN
CLIFTON L. PIPPEN
JOSEPH J. SCHWEICKERT
DAVID B. WEBB

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GREGORY M. BARROW
LAURA L. CLELLAN
CHARLES G. CODY
STANLEY E. GOLABOFF
JOHN D. HAAS
MICHAEL K. HOUSTON
JOSEPH M. LYLES, JR.
JOHN K. MULLER
BRIAN C. PIERCE
ADAM L. ROBINSON
VERNON H. SIMPSON, JR.
TROY J. SOUKUP
STEVE G. STEVENS
JAMES E. VALLEE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

GREGORY L. BOWMAN
KAREN H. CARLISLE
GARY P. M. CORN
WENDY P. DAKNIS
JEFFREY C. HAGLER
RICK S. LEAR
JAMES R. MCKEE, JR.
CRAIG E. MERUTKA
JOHN N. OHLWEILER
ROBERT T. PENLAND, JR.
PAUL J. PERRONE, JR.
JUAN A. PYFROM
PAULA I. SCHASBERGER
FRANCISCO A. VILA
D011022

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

TRACY L. BAKER
JEAN M. BARIDO
ANTHONY J. BOHLIN
ANNE C. BROWN
LAURA L. FEIDER
LOZAY FOOTS III
PABLITO R. GAHOL
HEATHER B. GUESS
JUDITH M. HAWKINS
TIMOTHY L. HUDSON
NICOLE L. KERKENBUSH
JANET R. KROPF
MARC A. LEWIS
SANDRA L. MCNAUGHTONNELSON
JENIFER A. MENO
JAMES L. PERRINE
JENNIFER D. PETERSBUTLER
RICHARD M. PRIOR
DAVID C. RINALDI
KATHERINE E. TAYLOR
LINDA A. VALDIRI
CATHY M. WALTER
KENDRA P. WHYATT
GAYLA W. WILSONDUNN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

BRIAN ALMQUIST
BEVERLY A. BEAVERS
CHADWICK A. BOWERS
TODD J. BRIERE
CARLTON C. BRINKLEY
DAVID J. BROYHILL
JENNIFER B. CACI
REAGON P. CARR
PEDRO A. CASAS
DEREK C. COOPER
ROBERT S. CORNES
JOHN P. CUELLAR
ELLEN S. DALY
PAUL J. DEAN
MARK J. DOLE
MARSHA M. DOROUGH
PETER N. EBERHARDT
AUSTIN W. ELLIOTT
LAURA M. ELLIOTT
DERRICK W. FLOWERS
LISA A. FORSYTH
DAVID R. GIBSON
MARJORIE A. GRANTHAMMOLNAR
CHRISTOPHER A. GRUBER
WILLIAM G. HOWARD
MARK A. IRELAND
BRADLEY J. KAMROWSKIPOPPEN
GREGORY L. KIMM
STEVE J. LEWIS
ANTHONY L. MCQUEEN
ERIK G. RUDE
CLINTON W. SCHRECKHISE
ERIC B. SONES
KEVIN R. STEVENSON
BRUCE C. SYVINSKI
LAURA R. TRINKLE
ALAN K. UEOKA
RICHARD M. WEBB
D011046

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

TERRY N. TRAWEEK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEFANIE M. WHEELBARGER

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CARL A. RIDDICK

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KEVIN S. HART
MICHAEL J. JACQUES

IN THE COAST GUARD

PURSUANT TO TITLE 14, U. S. CODE, SECTIONS 189 AND 276, THE FOLLOWING NAMED OFFICERS OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES COAST GUARD:

To be captain

BRIGID M. PAVILONIS

To be lieutenant commander

VICTORIA C. FUTCH

PURSUANT TO TITLE 10, U.S. CODE, SECTION 12203, THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD RESERVE:

To be captain

BARBARA A. ANDERSON
ELIZABETH S. BECKER
JAMES M. BRADSHAW
STEPHEN K. BROWNING
ANDREW T. GRENIER
CRAIG R. HENZEL
PAUL J. KOSIBA
RICHARD P. MCLOUGHLIN
MARY A. MERLIN
DARREN M. MOORE
MARK M. MURAKAMI
RAYMOND A. MURRAY
RICHARD K. NELSON
JOHN P. NOLAN
SEAN K. O'BRIEN

JEFFREY K. PASHAI
RONALD C. RICHARD
CHARLES T. SCHEEL
PAUL J. SMITH
KENNETH G. STEFANISIN

PURSUANT TO TITLE 14, U.S. CODE, SECTION 271, THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD:

To be captain

CHARLES G. ALCOCK
MICHAEL S. ANTONELLIS
MICHAEL A. BAROODY
KEVIN F. BRUEN
MARK J. BRUYERE
JOSEPH R. BUZZELLA
PETER J. CLEMENS
AMY B. COCANOUR
BENJAMIN A. COOPER
DEAN J. DARDIS
BENJAMIN L. DAVIS
ANDRES V. DELGADO
TIMOTHY D. DENBY
DENNIS C. EVANS
KENT W. EVERINGHAM
CHARLES E. FOSSE
CLAUDIA C. GELZER
THOMAS W. GESELE
SHANNON N. GILREATH
JASON R. HAMILTON
LONNIE P. HARRISON
ROBERT T. HENDRICKSON
GLENN C. HERNANDEZ
PEDRO L. JIMENEZ
ERIC G. JOHNSON
KEVIN A. JONES
SAMUEL R. JORDAN
TERI L. JORDAN
LAWRENCE A. KILEY
NATHAN E. KNAPP
WILLIAM J. LANE
CAROLA J.G. LIST
THOMAS S. MACDONALD
SEAN C. MACKENZIE
EDWARD J. MAROHN
DAVID G. MCCLELLAN
PATRICK S. MCELLIGATT
KEITH P. MCTIGUE
MATTHEW T. MEILSTRUP
MARK J. MORIN
MITCHELL A. MORRISON
ANDREW D. MYERS
LEE B. MYNATT
JASON D. NEUBAUER
JAMES A. PASSARELLI
STEPHEN E. RANEY
JOHN D. REEVES
SEAN P. REGAN
BRIAN W. ROCHE
PATRICK A. ROPP
AARON E. ROTH
JOSE A. SALICETI
EDWARD W. SANDLIN
TIMOTHY J. SCHANG
RONALD K. SCHUSTER
ROBERT L. SMITH
JOSEPH H. SNOWDEN
JONATHAN S. SPANER
JAMES P. SPOTTS
MIKEAL S. STAIER
TODD R. STYRWOLD
ERICH M. TELFER
JEFFERY W. THOMAS
RICHARD V. TIMME
WILLIAM R. TIMMONS
GARY L. TOMASULO
JONATHAN W. TOTTE
JOHN C. VANN
ROBERT W. WARREN
TIMOTHY J. WENDT
EDWARD A. WESTFALL
JEFFREY C. WESTLING
GREGORY D. WISENER
STEVEN P. WITTROCK

PURSUANT TO TITLE 14, U.S. CODE, SECTION 271(E), THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD:

To be commander

MATTHEW P. BARKER
MICHAEL W. BATCHELDER
JOSHUA D. BAUMAN
ADAM G. BENTLEY
DAMON L. BENTLEY
KENNETH E. BLAIR
KENNETH J. BODA
CAMILLA B. BOSANQUET
ROY R. BRUBAKER
JOANN F. BURDIAN
ANDREW T. CAMPEN
SCOTT S. CASAD
CHRISTOPHER R. CEDERHOLM
JOHN R. COLE
ROBERT C. COMPHER
CHAD W. COOPER
NATHAN E. COULTER
JOANDREW D. COUSINS
CHARLES C. CULOTTA
CORNELIUS E. CUMMINGS
SHAWN E. DECKER
MICHAEL E. DELURY
STEPHEN A. DEVEREUX
JOHN T. DEWEY
JOSE E. DIAZ
JOHN R. DITTMAR
KEITH M. DONOHUE
ERIC D. DREY
JEROME E. DUBAY
MIA P. DUTCHER
TIMOTHY W. EASON
DAMON C. EDWARDS
JEFFREY T. ELDRIDGE
JANET D. ESPINOYOUNG
MATTHEW R. FARNEN
SARAH K. FELGER
KEVIN B. FERRIE
TODD A. FISHER
TED R. FOWLES
MICHAEL E. FRAWLEY
TANYA L. GILES
MICHAEL J. GOLDSCHMIDT
MICHAEL D. GOOD
HANS C. GOVERTSEN
CHARLES M. GUERRERO
TIM A. GUNTER
THOMAS T. HARRISON
ROBERT E. HART
HEATH A. HARTLEY
CASEY J. HEHR
JONATHAN N. HELLBERG
SCOTT C. HERMAN
ANNA W. HICKEY
NAKEISHA B. HILLS
CHRISTOPHER M. HUBERTY
CHRISTOPHER J. HULSER
AUSTIN R. IVES
THOMAS A. JACOBSON
JEFFREY H. JAGER
DAVID M. JOHNSTON
DANIEL C. JONES
WARREN D. JUDGE
SEAN R. KATZ
RICHARD J. KAVANAUGH
BRIAN R. KHEY
MICHAEL L. KILMER
JARED E. KING
BRADLEY J. KLIMEK
PERRY J. KREMER
CHARLES F. KUEBLER
JOSEPH T. LALLY
DANIEL F. LEARY
ERIN M. LEDFORD
JACQUELINE M. LEVERICH
ANDREW H. LIGHT
LEXIA M. LITTLEJOHN
CHAD A. LONG
KEVIN P. LYNN
SUSAN M. MAITRE
ERIC D. MASSON
HARRY D. MAUTTE
JOHN F. MCCARTHY
RANDY F. MEADOR
MICHAEL L. MEDICA
TIMOTHY G. MEYERS
ALAN H. MOORE
ELLIS H. MOOSE
ANNE M. MORRISSEY
ULYSSES S. MULLINS
KENNETH T. NAGIE
RAYMOND NEGRON
DAVID J. OBERMEIER
SEAN J. OBRIEN
THOMAS A. OLENCHOCK
REBECCA E. ORE
LUIS C. PARRALES
SCOTT W. PEABODY
LUKE A. PERCIAK
PATRICK F. PESCHKA
JUSTIN D. PETERS
HARPER L. PHILLIPS
TRACY O. PHILLIPS
SCOTT S. PHY
FRANK A. PIERCE
KEITH J. PIERRE
SHANNON M. PITTS
ALISA L. PRASKOVICH
STEVEN E. RAMASSINI
JACOB J. RAMOS
RODRIGO G. ROJAS
MATTHEW A. RUDICK
ROSARIO M. RUSSO
BELINDA C. SAVAGE
CLINT B. SCHLEGEL
ANITA M. SCOTT
ARTHUR R. SHUMAN
DAVID M. SHERRY
MICHAEL J. SIMBULAN
JENNIFER L. SINCLAIR
LORING A. SMALL
DEREK L. SMITH
ERIC A. SMITH
SHAD S. SOLDANO
JAMES W. SPITLER
DOUGLAS K. STARK
JOHN M. STONE
VASILIOS TASIKAS
ROMUALDUS M. TENBERGE
MICHAEL D. THOMAS
MATTHEW A. THOMPSON
SOLOMON C. THOMPSON
RUSSELL R. TORGERSON
GREGORY M. TOZZI
CHRISTOPHER A. TRIBOLET
CLINTON A. TROCCHIO
BRYAN J. ULLMER
JAMES A. VALENTINE
EVA J. VANCAMP
PAUL G. VOGEL
DAVID M. WEBB
TYSON S. WEINERT
MOLLY A. WIKE
TERENCE J. WILLIAMS
KEVIN M. WILSON
NICHOLAS L. WONG
ANDREW J. WRIGHT

EXTENSIONS OF REMARKS

HONORING SHIRLEE AND TAYLOR GANDY

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. GRANGER. Mr. Speaker, for the last three years Shirlee and Taylor Gandy of Fort Worth, Texas, have dedicated themselves to preserving an important piece of both Fort Worth and American history.

On November 22, 1963, President John F. Kennedy awoke in Fort Worth to find thousands of people standing in the cold rain outside his hotel.

The President was in Texas to unify his party leading up to the 1964 election. That rainy day in Fort Worth, he delivered two speeches. The first was delivered to the crowd waiting for him outside the Hotel Texas, and the second to the Chamber of Commerce.

The President greeted the crowd outside, shook hands, and gave a short but rousing speech received with excitement by those in attendance. He spoke of the progress our nation was making, as well as the challenges we faced. He in turn famously challenged the American people to bear the burdens of leadership.

Inside the hotel's ballroom, the President addressed the Chamber gathering, speaking of national defense and Fort Worth's historic role in the effort.

He left Fort Worth to a tickertape parade and the words of his final two speeches faded quickly in the wake of the tragic events that followed. The citizens of Fort Worth, the nation, and the world had just heard the final public thoughts of President John F. Kennedy. His visit was a triumph and his remarks, as much then as now, bear remembering.

Nearly 50 years after the President's death, Shirlee and Taylor Gandy have championed the effort to pay tribute to John Fitzgerald Kennedy, his Presidency, and his historic Fort Worth visit.

The Gandys led the cause, making a generous personal commitment to start the project, which includes a completed 8' bronze sculpture of the President by Texas artist Lawrence Ludtke.

They assembled a committee of friends and members of Downtown Fort Worth, Inc. to guide the process. But perhaps their most impressive contribution to the cause was their time.

They personally labored over all the painstaking details necessary to the project. Their labors were rewarded with a beautiful sculpture, handsome tribute design and a successful fundraising campaign. On February 27th of this year, the Gandy's were joined by Fort Worth and Tarrant County dignitaries, including former Speaker of the U.S. House of Representatives, Jim Wright, to turn the first shovels of ground on this project. The JFK Tribute in Fort Worth will be complete in the fall of 2012.

When the Tribute opens in General Worth Square on Main Street, the themes of the Kennedy Presidency will find a new public outlet for expression. His last public address and his Fort Worth visit will be remembered in bronze and granite.

And perhaps just as importantly, the warm, genuine, enthusiastic reception President Kennedy received in Texas that has been so long overshadowed by an act of atrocity, will also be remembered.

On behalf of the people of Fort Worth, Texas and the United States of America, I wish to formally thank Shirlee J. and Taylor Gandy for their leadership in the creation of the JFK Tribute in Fort Worth.

IN RECOGNITION OF ROBERT LOUIS LOTTI, II

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Chief Robert Louis Lotti, II for his 30 years of service at the Belmont and Colma Police Departments.

Robert Lotti started his law enforcement career in 1984 as an officer with the Belmont Police Department. Three years later he was assigned to the traffic division as a motorcycle officer. In 1990, he was promoted to sergeant and served as a SWAT team member, team leader, and tactical commander. In 1997 and 2000 he completed two assignments as acting commander. In 2000, he was assigned as detective sergeant to the investigations bureau.

After protecting the residents of Belmont for 18 years, Sergeant Lotti moved to the Colma Police Department where he was hired as first commander. Within less than a year, he was promoted to chief in May of 2003.

Chief Lotti's dedication, commitment and professionalism are reflected in his many accomplishments, and awards. He is a founding member and architect of the San Mateo County Sheriff's Office regional SWAT Team, a weaponless defense instructor, Academy instructor, and inner perspectives facilitator. From 2003–2012 he served on the San Mateo County Police Chief's and Sheriff Association—in 2009 as president. Since 2005 he has been on the Board of Directors of the North Peninsula Food Pantry. He also served the San Mateo County Gang Task Force, the Academy Advisory Board, and the Realignment Committee. In 1987, the Peninsula Council of Lions honored him with the Police Heroism Award and in 1996, he received a commendation from the Belmont Police Department.

During his tenure, Chief Lotti has worked on many homicide investigations, fatal accidents, even a pipe bombing case, but he says the most rewarding part of the job is helping people in need and giving back to the community—both out in the field and at the station. He has been a mentor to his fellow officers who appreciate his optimism and great sense of humor.

He has volunteered as a little league umpire and sits on the board of directors for the North County Food Pantry and Dining Center of Daly City.

Chief Lotti, a lifetime resident of San Mateo County, was born in San Mateo, grew up in San Bruno, attended Terra Nova High School in Pacifica, and received his AA from Skyline College in 1982. He earned his BS in Human Services Administration and MPA in Public Administration from the College of Notre Dame in 1992 and 1997 respectively.

In his well deserved retirement, Chief Lotti is looking forward to spending more time with his wife of 26 years, Karen, and their four children.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Chief Robert Louis Lotti, II on the occasion of his retirement after making our Peninsula communities and residents safer for three decades.

IN RECOGNITION OF SGT. STEVEN B. DAVIDSON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. BURGESS. Mr. Speaker, I rise today to honor SGT Steven B. Davidson. He is the human resource specialist with the U.S. Army Reserve's 490th Civil Affairs Battalion and currently attends the University of North Texas. Sergeant Davidson was honored earlier this year for his exemplary service to his country and his community as the 2012 Army Times Soldier of the Year.

Sergeant Davidson, along with several others from his unit, was given the opportunity to participate in a French Desert Warfare Course in Djibouti, Africa. Having endured days of food, water, and sleep deprivation, the soldiers embarked on the final march of the rigorous ten-day course. After marching for nine hours in 120 degree debilitating temperatures, one man collapsed and began seizing due to heat stroke. Sergeant Davidson went to his aid, cutting off the man's boots and uniform; he utilized the cut-up uniform pieces as bandages and applied the remaining scarce water to the fallen soldier. He was able to revive and stabilize his condition and saved the master sergeant's life.

Sergeant Davidson graduated with honors from the course in Djibouti and received an Army Achievement Medal for his life saving action and a Military Volunteer Medal for his service while deployed abroad. The Soldier of the Year honor highlights his ongoing military service as well as his sustained commitment to others. Sergeant Davidson volunteers with Big Brothers Big Sisters, mentors at-risk youth, and gives motivational speeches to elementary, middle and high school students.

Perhaps his most profound gesture was presenting his Air Achievement Medal to the man who taught him life saving techniques and served as a mentor, his Northwest High School athletic trainer.

Sergeant Davidson has demonstrated a deep passion for his country and his community. I want to express my appreciation for his commendable efforts on behalf of his fellow citizens within the 26th District and for his valuable service to the State of Texas and our great Nation.

IN RECOGNITION OF WARREN HECKMAN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor Warren Heckman who has spent his life serving our community and sharing his passion for music with those around him.

As a teacher and band instructor, Mr. Heckman brought the joy of music to hundreds of students for more than thirty years. He started teaching at South San Francisco High School in 1950, and created the Blue Knights, a jazz ensemble that won countless awards and put South San Francisco High School's music program on the map. The Blue Knights were one of the first high school jazz ensembles and paved the way for similar programs around the country. This jazz group is still part of South San Francisco High School's music program today.

Mr. Heckman's passion for music spread to his students, many of whom have remained in touch with him. In 2006, 180 former Blue Knights from around the country gathered together for a reunion. Many of them continue to play music, both recreationally and professionally, a testament to Mr. Heckman's influence on his pupils at such a transformative age.

In 1958, Mr. Heckman received his Master's degree from San Francisco State University. He also earned a Bachelor of Arts Degree in Music in 1949 and a teaching credential in 1950 from the University of California-Berkeley where he met his wife, Marie, who has since passed away.

During World War II, Mr. Heckman served his country in the United States Navy. He entered the Navy in 1943 one month after graduating from high school. He attended college in Missouri for 18 months, then transferred to midshipman school at Cornell University where he received his commission in May 1945. He attended Fire Control School in Fort Lauderdale, Florida and was stationed aboard the aircraft carrier USS *Midway* CV–41. As a Fire Control Officer he spent one year on board the *Midway* until he was honorably discharged in July of 1946.

For many years, Mr. Heckman participated in community organizations, including a long tenure as a member of the South San Francisco Elks Lodge. In addition, he helped create the School Personnel Credit Union and led that organization for 17 years, contributing as a board member, secretary and president.

After retiring, Mr. Heckman began a successful business tuning pianos. At 87, Mr. Heckman continues to play the trombone with a group of local musicians. Mr. Heckman believes that music is a lifetime adventure, and he's been playing the trombone since he was 7 or 8 years old.

Family has always been an important part of Mr. Heckman's life. He enjoys spending time with his son, Mark, and his daughter-in-law, Kathy, who live locally. His twin daughters, Patty and Tina, both live in Gridley, California. Mr. Heckman is also the proud grandfather of David, Sean, Kelly and JW, and the great-grandfather of James.

Mr. Speaker, I ask this body to rise with me to honor the outstanding service of Warren Heckman to the city of South San Francisco and the whole of San Mateo County. He was a role model for other teachers, a beacon for his students, and he will be remembered as an exceptional human being for many years to come.

COMMEMORATING THE 40TH ANNIVERSARY OF THE DON EDWARDS SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. STARK. Mr. Speaker, I rise today to pay tribute to the 40th anniversary of the creation of the Don Edwards San Francisco Bay National Wildlife Refuge, the first urban national Wildlife Refuge established in the United States. The Refuge is dedicated to preserving and enhancing wildlife habitat, protecting migratory birds, protecting threatened and endangered species, and providing opportunities for wildlife-oriented recreation and nature study for the surrounding communities of the south San Francisco Bay area.

As of 2004, the Refuge spans 30,000 acres of diverse habitats throughout South San Francisco Bay, including open bay, salt ponds, salt marshes, mudflats, upland areas and vernal pools. Located along the Pacific Flyway, the Refuge hosts over 280 species of birds each year. Millions of shorebirds and waterfowl stop to refuel at the Refuge during the spring and fall migration. In addition to its seasonal visitors, the Refuge provides critical habitat to resident species like the endangered California clapper rail and salt marsh harvest mouse. Today, hundreds of thousands of people visit the Refuge each year to enjoy its diverse wildlife and habitats.

The Don Edwards San Francisco Bay National Wildlife Refuge is part of a complex of six other wildlife refuges in the San Francisco Bay Area. Created by legislation signed by President Richard Nixon in 1972 as the San Francisco Bay National Wildlife Refuge, and administered since then by the U.S. Fish and Wildlife Service, it was renamed the Don Edwards San Francisco Bay National Wildlife Refuge in 1995 in recognition of Congressman Don Edwards' efforts to protect sensitive wetlands in the South San Francisco Bay.

I join in congratulating the Don Edwards San Francisco Bay National Wildlife Refuge on its 40th anniversary and I applaud the commitment of all who have contributed over these many years to preserving and protecting our precious San Francisco Bay.

IN RECOGNITION OF THE HOLY ANGELS CLASS OF 1969

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. SPEIER. Mr. Speaker, I rise to honor a rare and special occasion for 45 individuals who went to grammar school together 43 years ago. It is nothing short of remarkable that two thirds of the Holy Angels Class of 1969 will gather on this day of November 10, 2012 to reminisce and exaggerate old stories.

The Sisters of the Holy Infant Jesus taught at Holy Angels, a Catholic school founded in 1952.

The Class of 1969 consisted of 45 students: Donna Abrahamsohn, Charlene Behnke, Robert Bernie, Kevin Chapot (deceased 2010), Raymond Ciardella, Shirley Conti, Richard Delgado, Mary Dillon, John Gallagher, Robert Gerughty, Randy Golobic, Susan Gomez, Joseph Gordon, Kathleen Griffin, Dennis Harvey, Stephen Haught, Loretta Kelly, Patricia Kerns, Catherine Lapachet, Carole Lindsey, Patrick McLoughlin, James McCarthy, Maura Moran, Paul Nannini, Bruce Olmanson, Thomas O'Shea, Mary Pinelli, George Putkey, Elizabeth Randall, Timothy Rea, Marie Antoinette Rodriguez, Mary Rushka, Kimberly Seitz, Debra Sola, Terrie Sottile, Marialena Spadaro, George Tinetti, Barbara Trapp, Robert Trapp, Linda Tricerri, Peter Woolery, Nina Varni, Thomas York, David Zanini, and Loretta Zolezzi.

By today's standards, a class of 45 is unheard of, but the Holy Angels students assert that it didn't harm any of them in their later lives. They moved on to careers in teaching, public safety, law enforcement, the military, the medical field, and more. Many of them stayed right here in the Colma and Daly City area, home to Holy Angels.

The class of 1969 was the first second grade class to celebrate their First Holy Communion in 1963, a year after Holy Angels church was built. All of the teachers at the school were nuns, except for Miss Sandy Sheffield—unanimously voted everyone's favorite teacher in the 4th grade for her innovative and fun teaching style. Until Miss Sheffield brought in a piñata, most students had never seen one.

Another teacher bringing fond memories to the students is Miss Whitney who taught all the dance routines for the annual May Day festivities. Each class performed a variety of folk dances on this popular day of games and raffles.

Back in the day, the TV show "The Man From U.N.C.L.E." brought out the best in a group of Holy Angel girls portraying themselves as secret agents. They would pass around secret messages in an empty Chapstick container and they would reveal the locations of dangerous enemy agents via walkie talkies. The Class of 1969 refuses to disclose whether one of the class members later joined the CIA.

Life at Holy Angels wasn't all fun and games. In 1963, televisions were not part of the regular classroom, but when President Kennedy was assassinated, the nuns brought in TVs so that the students could witness the funeral.

Mr. Speaker, I ask the House of Representatives to rise with me to honor the Holy Angels Class of 1969 which reminds all of us of

the ties that hold us together as members of our community and country.

IN RECOGNITION OF THE NEW BEDFORD AREA CHAMBER OF COMMERCE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize the New Bedford Area Chamber of Commerce as the organization celebrates its 126th Annual Meeting this year.

Founded in 1885, the New Bedford Area Chamber of Commerce today serves ten communities situated along the South Coast of Massachusetts. Those ten communities, in addition to the city of New Bedford, include Acushnet, Dartmouth, Fairhaven, Freetown, Mattapoisett, Marion, Rochester, Wareham, and Westport. Over 210,000 Massachusetts residents are served by this Chamber as the organization guides local economic development, and encourages professional development among its members. The positive impact that the New Bedford Area Chamber of Commerce has had on Massachusetts' South Coast region over the course of its 126-year lifetime cannot be overstated, and I look forward to seeing the Chamber's continued success in the future.

Mr. Speaker, I ask that my colleagues join me in congratulating the New Bedford Area Chamber of Commerce upon its 126th Annual Meeting and in thanking this organization for its years of service to the South Coast community. I am certain that the Chamber's and its member organizations' future will be bright.

REMEMBERING KEMAL ATATURK

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. COHEN. Mr. Speaker, as countries in the Middle East undergo drastic change, they are redefining their political systems, looking to other countries in the region, like Turkey, to serve as examples of positive transition. In Turkey, November 10th is a date remembered for the premature death of Kemal Ataturk, the leader of modern Turkey who transformed that country from an agrarian society caught in the past to a modern, secular and forward looking western model. While the changes were recognized at the time as stunning, given recent developments in the region, Turkey's transformation is even more relevant and noteworthy today.

President John F. Kennedy noted:

> The name of Ataturk reminds people of the historical successes of one of the great individuals of this century, the leadership that gave inspiration to the Turkish nation, farsightedness in the understanding of the modern world and courage and power as a military leader. It is without a doubt that another example can't be shown indicating greater successes than the birth of the Turkish Republic and ever since then Ataturk's and Turkey's broad and deep reforms undertaken as well as the confidence of a nation in itself.

His leadership contributions were noted internationally. Prime Minister of the United Kingdom, Winston Churchill, also wrote:

> Ataturk's death is not only a loss for the country, but for Europe is the greatest loss, he who saved Turkey in the war and who revived a new the Turkish nation after the war. The sincere tears shed after him by all classes of people is nothing other than an appropriate manifestation to this great hero and modern Turkey's Ata.

As Co-chair of the Congressional Turkey Caucus and on behalf of Turkish Americans, I join my friends in paying tribute to a great man and a great leader. I congratulate the people of Turkey, and continue to work to remember Ataturk's legacy and his contributions to world peace and to the region.

IN RECOGNITION OF THE REOPENING OF ST. EMERIC CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of St. Emeric Church, one of the 11 Cleveland Catholic Diocese parishes that will be reopening this year.

In 2009 it was announced that several of the Cleveland Catholic Diocese's area churches, including St. Emeric, were to close. However, just months ago, the Vatican overruled this decision and St. Emeric reopening its doors on and celebrated its first mass on Sunday, November 4, 2012. St. Emeric was the last of the 50 churches closed and was be the last of the eleven to reopen.

St. Emeric Church was founded in 1904 and has been home to many of the Cleveland area's Hungarian-American Catholic community. Prior to its closing on June 30, 2010, St. Emeric Church was home to nearly 650 parishioners.

The celebratory mass that ushered in the reopening of St. Emeric Church was held on November 4th, which is especially significant for the parish because it is also the feast day of St. Emeric. The mass was led by the parish's former pastor, Reverend Sandor Siklodi, who was transferred to Chicago's St. Stephen King of Hungary parish in 2010. Siklodi had served as St. Emeric's pastor for 24 years after being sent to the church by a Hungarian bishop in Romania. The parishioners of St. Emeric appealed for the return of Rev. Siklodi because he performs mass in their native Hungarian language.

Mr. Speaker and colleagues, please join me in recognizing the reopening of St. Emeric Church, a beloved parish that has returned to Cleveland's near West Side neighborhood.

LEXINGTON MEDICAL CENTER WINS ''PINK GLOVE DANCE'' VIDEO COMPETITION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. WILSON of South Carolina. Mr. Speaker, congratulations to Lexington Medical Center in West Columbia, South Carolina, for winning the 2012 ''Pink Glove Dance'' video competition. Designed by Medline Industries, Inc., the Pink Glove Dance contest is designed to raise awareness about breast cancer and show support for cancer survivors.

Lexington Medical Center's video featured nearly 1,000 hospital employees dancing to the Katy Perry song ''Part of Me'' while wearing pink gloves. Lexington Medical Center beat 260 other health organizations. And, it was the second year in a row they won this contest.

We are fortunate to have the leadership of Lexington Medical Center President and CEO Mike Biediger, Board Chairman Dan Jones, and Director of Marketing Mark Shelley. Thank you to Lexington Medical Center for everything they do to treat cancer patients and educate our community about cancer prevention.

HONORING WORLD WAR II VETERAN, AVIATOR AND PATRIOT LT. VICTOR B. SCHOON

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. CHU. Mr. Speaker, I rise today to recognize a great loss to our community, Lt. Victor B. Schoon, who passed away on September 25, 2012 at the age of 93. My heart goes out to his loving children, Andra Lew, Jo-Anna Schoon-Kormo, and Marcus Victor Schoon; his grandchildren, Michael Lew, Kenneth Schoon, Juliarma Marie Schoon, Eric Konno and Allison Konno; and the rest of his family, friends and loved ones. He now goes to join his loving wife, Dora Song, who passed away in 1999.

When Lt. Schoon enlisted in the Army Air Corps in 1943, he did so during a time when Chinese Americans could not vote, could not immigrate to the United States, and could not even become citizens. But he enlisted anyway, regardless of the prejudice and discrimination he faced. Such was his patriotism to his country.

Within two short years of his enlistment, Lt. Schoon had become a First Lieutenant piloting his own B–17 over the European Theatre during World War II. He served with distinction, stationed with the 340th Bomb Squadron, 97th Bomb Group based in Foggia, Italy between 1944 and 1945.

During that time he saw air combat over the Balkans, Southern France, Germany, Rome, Arno and the North Appennines. And thanks to his bravery, skill and flying prowess, he flew 50 successful missions, bringing all of his 9 crew members home safely, and contributing to the Allies' defeat of the Axis powers and the end of the war.

For his efforts he was rewarded with the European, African and Middle Eastern Theater Service Medal; an Air Medal with 2-Oak Leaf Cluster; and a Distinguished Unit Badge.

He went on to receive an honorable discharge, enrolled at the University of California, Berkeley and earn a bachelor's degree in architecture. He became a successful architect, drawing custom office buildings for various prestigious firms and opened his own architectural firm in Hollywood.

But this selfless patriot, who dropped out of high school to help provide for his nine siblings after his parents' death, who enlisted in

the military despite the prejudice of the times and great personal danger to himself, and who went on to serve his community so admirably, died before receiving the Distinguished Flying Cross Medal he so deserved.

I urge my House colleagues to join me in honoring Lt. Schoon for his record of bravery, indomitable spirit and remarkable service to his community and to our nation.

IN REMEMBRANCE OF JERRY A. VITTARDI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Jerry A Vittardi.

Jerry was born on January 18, 1925 to Matio and Anna Vittardi. He was a World War II veteran who served in the U.S. Army Air Corps. Jerry was married to his wife, Marianne, for 60 years and they had six children together: Richard, Renee, Gerianne, Marty, Mickey and Ed. Jerry and Marianne raised their family in Parma, a city in which they would remain and where he began a lifetime of public service.

In 1960, he was elected to the Parma City Council to represent Ward 2, serving as a councilman for 5 years. While serving the City of Parma, he gained a reputation as a trustworthy partner for others who were running for seats within the Democratic Party. He campaigned for Governor Richard Celeste, Senator Howard Metenzbaum, Congressman Ron Mottl, Attorney General Lee Fisher, Parma Mayor Michael Ries, for his son Councilman Martin Vittardi and for myself.

Jerry's dedication to public service continued throughout his life. In addition to serving as a Democratic Ward leader and Democratic Precinct Committeeman, he served as an electrical inspector for the City of Parma for 2 years from 1958–1960, and later served as a building inspector for the city from 1967–1980. From 1980 through the late 1990s, he worked for the State of Ohio, Ohio Lottery as a field representative. Heavily involved in the community, Jerry was also a member of the Fraternal Order of Eagles in Cleveland and coached local baseball and softball teams. He strongly supported the local sports teams and loved watching the Cleveland Indians and the Cleveland Browns.

Jerry is survived by his children and 13 grandchildren: Joy, Greg, Amy, Vincent, Kristen, Jamie, Allison, Jessica, Mark, Leah, Michael, Holly and Eric. In addition, he was a beloved great-grandfather to 17. He had a very special place in his heart for his great-grandchildren baby Jack and baby Blake.

Mr. Speaker and colleagues, please join me in remembrance of Jerry A. Vittardi. May his life of public service and his role as a loving husband, father, grandfather, and great-grandfather serve as an example to us all.

HONORING GIL WATERS

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. BUCHANAN. Mr. Speaker, I rise today to honor Gil Waters of Sarasota FL, born in 1927 and raised in Pennsylvania, Connecticut, and New York. By 1955, Gil graduated from Yale University, moved to Sarasota, married Elizabeth Boylston, served in the Navy during the Korean War, and started a family. Over the next 58 years, Gil left an indelible mark on Sarasota/Manatee County and the State of Florida. All while being a loving father to three children, Christopher, Robin, and Michael.

Gil founded the FCCI Fund in 1959. Upon his retirement in 1985, Florida Trend ranked FCCI as one of Florida's largest private companies. It was Florida's largest self-funded workers-compensation companies and one of the largest in the nation. Gil created WIMCO (Waters Insurance Management Company) in 1979 and FEISCO a, NASDAQ-listed, captive ''reinsurance'' company in 1980. In 1982, he founded Keep-Well Health Insurance. Gil, is an entrepreneurial visionary who revolutionized the workers-compensation insurance industry.

From 1956 to 1970, Gil served as Executive Secretary for Sarasota/Manatee County Gulf Coast Builders Exchange; Executive Secretary for Consulting Engineers Counsel of Florida; Public Relations Counsel for New College; and served as a Sarasota City Commissioner.

In 1970, Gil ran a successful State Constitutional Amendment regarding mobile home taxation. From 1977 to 1984 he became a statewide lobbyist for workers compensation in Tallahassee. Gil organized and served as first president of Florida Self Insurance Association, producing a wide ranging bill that passed the Florida State Legislature, providing wage-loss protection for injured workers.

Between 1987 and 2003, Gil spearheaded grassroots efforts to replace the Ringling Bridge. The Florida State Legislature honored him by renaming the bridge, ''Gil Waters Bridge'' on the Ringling Causeway. He was honored and humbled, and instead, requested a plaque be placed at the bridge paying tribute to every citizen who supported the construction of the fixed-span bridge.

In addition, he dedicated 40 years to developing condominium, single family, retirement and nursing communities. He also impacted municipal planning and growth, served his community and state as a philanthropist through public and private schools, Florida State's Asolo Repertory Theater, Florida West Coast Symphony Association, New College Music Festival, Sarasota Opera, Hermitage Artist Retreat, Sarasota Memorial Hospital, and others. He received environmental awards from the Audubon Society, Save Our Bays, and Sarasota Garden Club.

At 85, Gil enjoys traveling with his second wife, Elisabeth; however, he is never far from his 55-year vision to complete Sarasota's 1959 Architectural Plan—connecting Island Park/Marina Jacks to Main Street over U.S. 41, with a safe-walkable overpass; and, Main Street becoming a walkable city-center, daily attracting 1000's of visitors and residents. Gil likes to say, ''Come for an hour, stay for the day!''

One of Gil's greatest honors occurred on December 27, 1999, when The Sarasota Herald Tribune named Gil one of ''The 10 Most Influential Businesspeople of the 20th Century.''

TRIBUTE TO RIVERSIDE COUNTY'S RECIPIENTS OF OPERATION RECOGNITION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a group of individuals—heroes—who are receiving the recognition and honor they deserve for their service to our country. Operation Recognition is operated by the Riverside County Office of Education with assistance from the Riverside County Department of Veterans' Services. The program awards high school diplomas to veterans who missed completing high school due to military service in World War II, the Korean War, or the Vietnam War, or due to internment in WWII Japanese-American relocation camps.

A recognition ceremony was held on November 7, 2012, for the following individuals who received their high school diplomas through Operation Recognition:

Edward A. Alfaro; Anthony John Amoroso; Edward Barr; Leroy Burbidge; Justino Castillo; Harry J. Dillon; James N. Ellis; James Albert Finch; Irving G. Fowler; Robert Ray Gooch, Jr.; Herb Levine; Donald George Marion; Marvin Odell Pace; Anastacia P. Panarites; Thomas James Plouffe; Michael Loren Rittenhouse; Robert Rodriguez; Edward L. Ryan; Robert Irwin Stover; Glenn C. Waggoner Jr.; Robert Lee Williamson; James Verne Olson; and Thomas Eugene Butler.

Our country owes a debt of gratitude to all the above recipients for their service and sacrifice. I salute all the above individuals and congratulate them on receiving their high school diploma.

IN HONOR OF MR. RICHARD GRIMMETT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Richard Grimmett, who is retiring after 38 years of dedicated service with the Congressional Research Service (CRS).

An Ohio native, Mr. Grimmett attended Kent State University, where he earned a Ph.D. in American history and focused on U.S. national security policy. Since joining CRS in 1974, Mr. Grimmett has been a specialist on defense and foreign policy issues. Specifically, his expertise lies in international arms trade, overseas U.S. military bases, war powers and intelligence. Throughout his time with CRS, Mr. Grimmett has worked intimately with Senate and House Select Intelligence Committees and the Senate Foreign Relations Committee.

Mr. Grimmett has proven time and again that he is a vital asset to the U.S. Congress. His support and intelligence are evident in the

Arms Export Control Act, and the handling of the Iran-Contra Affair and aftermath of the attacks on September 11, 2001. Personally, Mr. Grimmett's vast knowledge of the War Powers Resolution has been of immeasurable value to me throughout my tenure in Congress.

Mr. Speaker and colleagues, please join me in honoring the distinguished career of Mr. Richard Grimmett. His support has been unparalleled and his absence will be felt by every Hill staffer and member of Congress.

IN MEMORY OF JOSEPH PAUL BROWN

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in memory of my good friend, Joseph Paul Brown, who passed away earlier this year at 86 years young.

Joe Brown was a devoted family man, a realtor and business leader, an avid sportsman, a philanthropist, a mentor, and a role model. A native Southern Californian, Joe traced his roots on his mother's side to the first citizens of California, who arrived in 1775 by crossing the Sonoran Desert with Captain Juan Bautista De Anza.

At age 17, Joe joined the U.S. Coast Guard to serve his country during World War II. After his discharge, he attended Loyola University and graduated in 1950 with a degree in engineering. That same year he married his childhood sweetheart, Lydia T. Brucklemeir. They were married for 57 years until her death in 2004.

In the mid-1950s, Joe began his career as a developer and builder with the Janss Corporation. Through the years he served as president of the Janss Realty Co., which he later purchased, and as a vice president of the Janss Corporation. As such, he assisted in the development of more than 10,000 acres in the Conejo Valley area. One of his first projects was to join in the efforts to bring outside water to the valley, which enabled the area's growth.

As a leader in the Conejo Valley community, Joe helped bring numerous businesses to the area, including the development of the Oaks Mall Shopping Center and the sale of 2,000 acres from the Janss Family to MGM Studios, which had planned to move its operations to the area. While at Janss, he was intimately involved in the planning, development, and marketing of Sun Valley, Idaho, Snowmass-at-Aspen, and Northstar at Tahoe.

But Joe was most proud of his efforts to make the Conejo Valley a great place to live, work, and play. In addition to his successes in business, Joe, a devout Catholic, devoted himself to those in need. He founded the Men's Advisory Board to Mary Health of the Sick and helped form Many Mansions. He was a founding member of the board of Ventura County Community Foundation and volunteered on numerous advisory boards and committees for the City of Thousand Oaks and La Reina High School. He also was a member of the Board of Regents, California Lutheran University.

In recognition of his many successes, Joe was bestowed an Honorary Doctor of Laws Degree from California Lutheran University. For his devotion and assistance to the Archdiocese, Joe was knighted into the Order of St. Gregory, the Order of Malta, and the Order of the Holy Sepulcher.

In 2005, Joseph found love for the second time with Dolly Principe. Dolly and Joe had known each other since the 1970s through their competing real estate firms, and over the years had remained friends. Fate brought them together again, and they fell in love and married later that year.

Joe is survived by Dolly; his three children, Joseph A. Brown, Madeleine P. Brown and Mark J. Brown; 12 grandchildren and 13 great-grandchildren; and many loving friends.

Mr. Speaker, Joseph Paul Brown was a longtime special friend and a talented businessman who was equally successful as a family man and philanthropist. I know my colleagues join me in remembering his great contributions to his community, and in extending our condolences to his family and many friends.

IN RECOGNITION OF THE 45TH ANNIVERSARY OF NORTHEAST OHIO NEIGHBORHOOD HEALTH SERVICES, INC.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Northeast Ohio Neighborhood Health Services, Inc. NEON, as it celebrates its 45th anniversary.

NEON was established in 1967 as a network of community health centers to provide medical and dental services to the uninsured and underinsured in the Greater Cleveland area. Since its founding, NEON has strived to create healthy neighborhoods through accessible community-based health care. In 2001, NEON was selected as a National Community Center of Excellence in Women's Health.

NEON currently operates six health centers in the Greater Cleveland area; the East Cleveland, Norwood, Hough, Collinwood, Southeast and Superior Health Centers. The centers employ 35 physicians, 10 dentists and a staff of Certified Nurse-Midwives and other support personnel.

The health centers offer accessible, comprehensive primary care services, including adult medicine, pediatrics, family practice, OB/GYN, behavioral health, dental, optometry, podiatry services, x-ray, mammography, laboratory and pharmacy. Additionally, NEON provides patients access to social work, health education, family planning and nutritional counseling.

Mr. Speaker and colleagues, please join me in recognizing the 45th anniversary of Northeast Ohio Neighborhood Health Services, Inc.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,244,708,707,467.25. We've added $5,617,831,658,554.17 to our debt in 3 1/2 years. This is $5.6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN RECOGNITION OF SGT STEVEN B. DAVIDSON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. BURGESS. Mr. Speaker, I rise today to recognize the 50th anniversary of the Lewisville Area Chamber of Commerce. Through fostering job creation, encouraging education, and promoting strong business foundations, the Lewisville Area Chamber of Commerce has contributed to the success of small businesses in Lewisville since 1962. Its members, dedicated entrepreneurs and business owners, strive to improve our economy by following their mission of promoting economic growth for the local business community.

As a former small business owner, I know firsthand the importance of business expansion in the community, and this exceptional group has proven to be a driving force for local businesses. Their mission of promoting economic growth of the local business community through "Leading Business, Leading Lewisville," is a true testament to their sustainability over the past 50 years. It is an honor to celebrate this important anniversary with the Lewisville Area Chamber of Commerce, and I am privileged to represent the Lewisville Area Chamber of Commerce and Lewisville, Texas in the U.S. House of Representatives.

IN RECOGNITION OF MRS. MARY P. DENIHAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Mrs. Mary P. Denihan, who is retiring after a long career of dedicated public service to the residents of Northeast Ohio.

Mary Denihan is currently the Senior Administrative Officer for the Cuyahoga Support Enforcement Agency (CSEA). She has previously held a number of roles assisting the public. Early in her career, she worked as the assault prevention coordinator with the Lake County Sexual Assault Center. She later joined Mothers Against Drunk Driving where she served as their state administrator.

Mrs. Denihan initially joined the Cuyahoga Support Enforcement Agency on January 28, 1991 as a support officer in the Establishment Unit. She was instrumental in the success of the Teen Paternity Project. She worked as a public information officer and senior public information officer before becoming a senior administrative officer. Throughout her tenure with CSEA, Mrs. Denihan has been an invaluable resource to my office in assisting our efforts to

fulfill the needs of the residents of my district. Her dedication and intellect will be missed throughout the entire community.

Following her retirement, Mary plans on spending more time with her family. She has been married to her husband, Bill, who currently serves as the Chief Executive Officer for the Alcohol, Drug Addiction, and Mental Health Services Board of Cuyahoga County for 23 years. She is the proud parent of 4 children, 7 step children and 34 grandchildren.

Mr. Speaker and colleagues, please join me in recognizing the storied career of Mrs. Mary P. Denihan and congratulating her on her retirement.

IN RECOGNITION OF DR. ROBERT M. FRANKLIN

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to Dr. Robert M. Franklin, the tenth president of Morehouse College in Atlanta, Georgia, in honor of his retirement after 5 years as head of the school. He will be honored at a reception on Friday, November 9, 2012, in Atlanta.

A native of Chicago, Dr. Franklin is an alumnus of Morehouse College. He also received a Master of Divinity degree from Harvard Divinity School in 1978 and a Ph.D. from the University of Chicago Divinity School in 1985. In 1973, he received an English Speaking Union scholarship to attend the University of Durham in England. Dr. Franklin is also the recipient of honorary degrees from Bethune Cookman University, Bates College, and Swarthmore College.

Before he was the President of Morehouse College, Dr. Franklin served as the Presidential Distinguished Professor of Social Ethics at Candler School of Theology at Emory University in Atlanta, Georgia. He was also President of the Interdenominational Theological Center in Atlanta. In addition, he served as a program officer in the Human Rights and Social Justice Program at the Ford Foundation in New York.

Dr. Franklin is the author of three books: Crisis in the Village: Restoring Hope in African American Communities (2007), Another Day's Journey: Black Churches Confronting the American Crisis (1997), and Liberating Visions: Human Fulfillment and Social Justice in African American Thought (1989).

Mr. Speaker, Dr. Franklin has revolutionized Morehouse College in many ways during his five-year tenure as President. His vision for Morehouse College is that the institution will shape its students into Renaissance men who are well-educated and ethical leaders with a social conscience and committed to championing the causes of equality, justice and peace. During Dr. Franklin's tenure as President, Morehouse has continued to develop future leaders who are disciplined, altruistic, and wise.

Under Dr. Franklin's administration, Morehouse College has been recognized as the Nation's best liberal arts college by Washington Monthly and has been a recipient of more than $60 million in federal grants as well as a number of gifts from prestigious organizations and donors. Dr. Franklin has been instrumental in the school's plan for the internationalization of its campus, with a special emphasis on curriculum and study abroad experiences. Moreover, significant updates and renovations have been made to Graves Hall, the oldest building on campus, as well as many other structures. In 2010, the Ray Charles Performing Arts Center was dedicated and this state of the art facility now serves as the practice and performance space for the College's world renowned Glee Club; the Morehouse Jazz Band; Morehouse College Jazz Ensemble; and "House of Funk" Marching Band.

One of the many things I admire most about Dr. Franklin is his unfailing dedication to Morehouse College. After graduating from the school in 1975, he came back years later to lead Morehouse in its mission to develop men with disciplined minds who will lead lives of leadership, service and self-realization. And he is still not gone for good! After a sabbatical as a Scholar in Residence at Stanford University's Martin Luther King, Jr. Institute, Dr. Franklin will return to Morehouse College as President Emeritus and Distinguished Professor, the college's highest honor.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Dr. Robert M. Franklin for his 5 outstanding years as President of Morehouse College, my beloved Alma Mater. He has transformed the lives of countless young men and inspired them to become our future leaders.

HONORING COUNCIL MEMBER LARRY VAN NOSTRAN

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, it is with great sorrow that I announce the passing of Larry Van Nostran, who served the city of Lakewood for 37 years.

Larry was first elected to the Lakewood City Council in 1975. He is the longest serving council member in the city's history, and was serving his tenth term as a council member when he passed away Friday, November 9. During his 37 years on the council, he served as the Mayor of the city nine times.

Among Larry's most notable achievements was the founding of the Lakewood Youth Sports Hall of Fame in 1981 and its continued success for the past 30 years. The Hall of Fame has honored thousands of Lakewood youth during that time, and has helped promote a vigorous sports and recreational culture in the city. This strong tradition was nationally recognized by Sports Illustrated magazine, who named Lakewood "Sportstown USA" in 2004.

Larry was instrumental in helping create a high quality of life in Lakewood's neighborhoods and finding solutions to keep Lakewood's crime rate low. Larry began his service in Lakewood city government as a member of the Traffic and Safety Commission, and was a longtime member of the Public Safety Committee as a member of the city council. He firmly believed that there's not a more important value than keeping a community safe. He was a strong supporter of the Lakewood Award of Valor event, where public safety personnel, volunteers and residents are honored annually for their dedication, hard work and courage.

Larry was prominent in the development and expansion of senior services, which were scant before he was elected to the city council. Larry saw the initiation of Lakewood's DASH senior transit system and exercise and fitness programs at the city's two senior centers. He was also a champion of growing Lakewood's business and commercial base, which included modernizing the second largest shopping center in Los Angeles County, Lakewood Center Mall.

Larry was born in Seville, Ohio in 1933 and moved to Lakewood in 1958, just four years after the city was incorporated. He was active in Lakewood civic life for over 40 years, including membership in the Elks Club, Jaycees, Kiwanis Club, Lakewood Pan American Association, and Masonic Lodge & Scottish Rite.

As you are aware Mr. Speaker, many of our colleagues in city government have a fundamental impact on the lives of our constituents and they rarely get the recognition that they deserve. The city of Lakewood will miss Larry, and I stand with many in our community in sending my thoughts and prayers to his family. Thank you Mr. Speaker, I ask for a moment of silence for Larry Van Nostran, a true public servant, and I yield back the balance of my time.

IN HONOR OF ENDA KENNY, PRIME MINISTER OF THE REPUBLIC OF IRELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Enda Kenny, the Prime Minister of the Republic of Ireland, on the occasion of the 2012 Mayo Society Banquet and Ball taking place on October 13, 2012.

Prime Minister Kenny was born in Islandeady, County Mayo on April 24, 1951 and obtained degrees from St. Patrick's College of Education and University College of Galway. Mr. Kenny boasts a long career in public service. Following a brief stint as a public school teacher, he began his public service career in 1975 when he was elected to the Dáil Éireann to fill his late father's seat.

Throughout his long career, Prime Minister Kenny served as the Minister of State for Education and Labour between 1986 and 1987. Additionally, between 1994 and 1977 he was the Minister of Tourism and Trade for Ireland. In 2002, he became the leader of his political party, the Fine Gael.

On March 9, 2011, Mr. Kenny was elected as the Prime Minister of the Republic of Ireland. He is married to Fionnuala O'Kelly, and has three children, Naoise, Ferdia and Aoibhinn. The Mayo Society Banquet and Ball will also honor Mr. James Boland as the 2012 Mayo Person the Year.

Mr. Speaker and colleagues, please join me in honor of Prime Minister Enda Kenny and in recognition of his visit to Cleveland, Ohio on the occasion of the Mayo Society of Greater Cleveland's Banquet and Ball.

IN HONOR OF THE WINNERS OF THE HISTORICAL SOCIETY OF WINSLOW TOWNSHIP'S VETERANS DAY 2012 STUDENT ESSAY CONTEST

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. ANDREWS. Mr. Speaker, I rise today to honor the winners of the Historical Society of Winslow Township's Veterans Day 2012 Student Essay Contest.

These nine students, in the 7th and 8th grades at Winslow Township Middle School and 12th grade at Winslow Township High School, wrote on what the word "freedom" means to them in their hearts. The moving prose of these young men and women is a testament to the patriotic spirit of the citizens of South Jersey and an inspiration to all Americans. For that reason, Mr. Speaker, I submit the following for the CONGRESSIONAL RECORD:

KELLI O'NEIL, 7TH GRADE, 1ST PLACE WINNER

By definition freedom is; the power to determine action without restraint. But freedom means monumentally more than that to me. Speech, expression, faith these are only a few of the stripes on the beautiful rainbow that is freedom. Freedom is what sets America so high above the rest, what makes it such a beautiful place to live.

Every Sunday, millions of Americans go to church. Imagine if these millions of people were in a different country. Practicing their own religion may not be legal. Whilst this goes on for myself and to most Americans going to church feels like such a simple liberty.

As an adolescent female I am still in school getting an education and plan to continue through college. Now let's pretend I am in some other country for example. I would not be in school, I would be home doing housework caring for my siblings. Back in America I am permitted to wear whatever clothing I wish to wear; however, in some countries I shouldn't even show my own hair. All of these wonderful rights that I do have are given to me simply because America values freedom. Our flag flying through the air sings of freedom. And the graceful eagle soaring through the heavens screams freedom. Every day, I look at the things I do and wear and I am truly grateful for America and all of its freedoms.

I have the privilege of being in an honors writing class, and in this class I write exactly what I think and feel about any and every thing without fear of punishment by law. I cannot say the same for many other children in foreign countries. In these countries writing the way they feel about things like laws, politics, and leaders can result in great punishment. Without the freedom to express how I feel I don't know how I would survive. My opinions are who I am, and they are a piece of me.

Lee Greenwood once said, "proud to be an American Where at least I know I'm free, and I won't forget the men who died who gave that right to me." This is so incredibly true, and I would like to take this moment in time to put the spotlight on the soldiers who have passed away, our veterans, and our soldiers who are currently serving because they are the sole reason for all of these fantastic freedoms that me and my fellow Americans have today.

So, in conclusion, freedom is the biggest blessing ever bestowed upon the American people, and it is not to be taken for granted.

DEANNA PAUL, 7TH GRADE, 2ND PLACE WINNER

The first 10 amendments of the Constitution, or the Bill of Rights, set priceless rights and freedoms that Americans may enjoy. There is a rather large variety of them, ranging from the freedom of speech to just the right of traveling anywhere you want in the nation.

If you were to look in the dictionary for the word "freedom", you'd probably find that it means "free to do something or free of something", or anything within those lines. That'd be correct. The many freedoms that we as Americans have should be treated like gifts, as they are. However, our freedoms are often misused now, in a way our forefathers didn't intend them to be. For example, the freedom of speech, which is the freedom to say our opinions as long as they don't cause any harm to others, is now being used to bully and cause mental pain to citizens by Americans who want to cause trouble.

Nevertheless, our freedoms are still gifts and worth protecting. The many veterans who have fought for our country by sacrificing themselves, whether they were killed or wounded physically or mentally in battle or returned home intact, should and are respected by our nation. They fought or are fighting at the moment to keep things the way that they should be, to protect the millions of Americans who have the access to the freedoms in the Bill of Rights. Without those brave men and woman, we might not be the way we are today, as we would be vulnerable to other countries who mean harm to Americans because of our freedoms and policies.

Personally, I'm so used to these freedoms that they seem ordinary and unimportant, but after reading so many articles about the lifestyles and other events occurring in other parts of the world, I feel extremely lucky—and proud. I've learned that not all countries are lucky enough to have the same rights and freedoms that we are able to have, and that's worth protecting.

While practicing these freedoms throughout your ordinary lives, remember: They're special. People are out there fighting; just for us to feel safe while exercising those rights we were given. Be grateful. Use them the way they were intended to be used. And most importantly, respect our veterans.

SARAH MARSHALL, 7TH GRADE, 3RD PLACE WINNER

Freedom is a lot of things. To an American citizen it is a privilege. To a mother in a dictated country it's a hope. Or to a government figure it is a law. But no matter what it means to different people, the definition of freedom will always be the same to me; a right.

Freedom can come in all different forms. For example; you could have freedom of speech, freedom of expression or freedom of religion. With freedom, I can speak out against almost anything (including our political and government system); I can choose and practice my own religion without fear of being abused or jailed, and so much more. Freedom is an important part to a great country.

In my opinion, everyone should be allowed to have freedom. It's not right to be killed or abused because of what you believe in or say. Some people take things like freedom, life and rights for granted. Not me. I will always remember that it is a huge privilege that a lot of people don't receive. I will also keep in mind not to abuse my rights and freedom because people died for it. They died for you and me, and everyone else in America to be able to express ourselves without risk. To have my rights taken away would be a dishonor. And I really hope that everyone who does have freedom realizes that.

In some countries, you can actually be shot at just for speaking your mind. A real life example of that is of a young female citizen from Pakistan. In Pakistan, they are currently fighting for women's rights. A young lady spoke her opinion on women having education and she was shot. This reminds us that we are lucky, Those of us in America wouldn't have been shot; we probably would've been rewarded. If the young women had been from the United States that tragic situation would never have happened due to the fact that women already have the right to education.

If you asked a professor what freedom means to them, the answer would be a thousand miles long. The answer is so long I couldn't fit it in this essay. But if it somehow wasn't clear how thankful I am for it, going to put it like this; Freedom is something to be thankful for. You should pray to your (a) god for it, discuss it at thanksgiving dinner, and visit the graves of those who died for it. You never know, thousands of miles away someone might be praying for the freedom you already have.

AKAASH PATEL, 8TH GRADE, 1ST PLACE WINNER

Freedom . . . Such a small word for a very meaningful definition. Every day of our lives we are presented with this right. However, what exactly does freedom mean to you? To me, freedom means the moral principle of being able to choose how you live your life. Before freedom we were told what to believe in. We had no say so on what our lives would be like. However, we, as a united nation celebrate and declare freedom; not as a privilege but as a right.

Our forefathers fought for the right of freedom. They put their lives on the line for the sake of other people's rights. We should always be grateful that our founding fathers gave us freedom. Moreover, we should constantly honor America's veterans and active military. They have and are putting their feelings for this country into actions, not words. A picture paints a thousand words.

USA has many veterans coming back from Afghanistan. Some have come back from Vietnam. Some are even coming back from top priority missions that they enlisted in. However, all of these men and woman have one definite thing in common, their reason. All war veterans' reason for fighting always traces back to freedom. They believe in freedom and know deep in their heart what it means to them. America's veterans were, are, and forever will be dedicated to freedom.

I think that freedom is a very unappreciated right. As a kid I woke up every day able to believe in what I wanted to. I was born into my religion. However I was not necessarily forced to accepting it. This was the perfect world our country's founders, veterans, and active military had created for me and everyone else to share. In spite of this, we truly do not honor this right enough despite the immense value it holds. You never miss something until you lose it.

In conclusion, freedom is essential in people's lives. We are free to choose any religion, believe in what we want, and do what we want. This entitlement to every US citizen keeps this country intact. In contrast, we would have never had this right unless our veterans and active military had not protected this sacred allotment. To sum it up, thanks to our brave and bold veterans and our courageous active military we live our lives and cherish freedom.

HARLEIGH MAE BURKE, 8TH GRADE, 2ND PLACE WINNER

In the 1700's, when our founding fathers began sculpting the Constitution of our nation, there was one thing they all agreed on: Freedom is a right all people should be given

from birth, and the work they do under this liberty is how they earn their fortunes. To earn a fortune and be successful under this freedom is what is known as the American Dream. What few know, however, is that freedom is not a gift to all humanity, but an exclusive to only some.

It is thanks to the forethought of the founding fathers, the continued cooperation of the United States Military, and above all the passion of the people which keeps our freedom alive today. However, this begs the question, what is freedom, and what precisely does it mean?

Freedom, to me, is not merely the ability to do as you please, when you please, as long as it does not impose upon others. Freedom is the lifeblood of humanity, what enables man to live and prosper and change the World for the better. Not everyone is gifted with such a thing, and some of the idealists and geniuses and potential reformers of our generation will not get a chance at this, and will live their lives in oppression, cast aside by their governments as another mere pawn in their machine of simple parts.

Freedom manifests itself in every aspect of American life, from the business you built up yourself, to the house you own, to the education your children earn. Freedom is business, the arts, what has allowed the United States to develop a culture unlike any other. To such aforementioned countries who lack the glorious endowment of liberty, our United States, with its military towering high in our defense, and fame, and above all, the ability for any mere man to forge a life of empire-like status, is not only a desirable place to be, but a utopia Where anything can happen.

And so, I ask of you, look at yourself, what you have, and what you've done. Think for a moment of where you would be if you were assigned to a life, told what to think, what to feel, what to do. Would you be where you are? Would you have what you've achieved? This distinction is freedom, and freedom is the United States, its military, and its people.

ELENI FINKELSTEIN, 8TH GRADE, 3RD PLACE WINNER

Imagine coming to America from another country. You see a flag billowing with pride in the front yard of a happy family's house. The whole family was unique. Different clothes, different hobbies, but they were all having a good time. You begin to wonder why your family could not be happy back home or have those smiles on their faces. Your life was bland; a dry piece of toast, just like everyone else's. Then you realized it was because you weren't given individuality. To me, freedom means having the right to be an individual.

In other countries, you don't always have the freedom that we have in America. Often, you cannot dress how you'd like, say what you'd like, or do what you'd like. There was no uniqueness at all. Here in America though, we have that ability to be me. I can proudly say that in America, I can be me.

Have you ever wanted to pursue an interest but you weren't allowed? Your whole future could've been already planned if you found a job using that special hobby! This situation may happen continuously in other countries, but not in America! America has the freedom to let you do what you want. There is such a vast field of occupations you can work in here. You don't have to be just a factory worker, or forced to go into war. I could grow up and make a living out of the weirdest job in the world, only because I have the freedom to do so.

Now switch places for a moment. Instead of picturing you coming to America, picture yourself leaving America to go to war. Veterans are extremely grateful for the freedom we have in our country because they know what it's like in other countries. When they go to war in another country, they are sometimes adapting to that country's life style for a small amount of time. They turn into them. They may be forced to act like everyone else in that country. They are simply a replica of the person standing next to them, across from them, all around them. Then, when they return back to America, they get to experience the excitement all over again. All of the freedom comes back to them. Once again, they can say what they please, do what they please, and be who they please. It is clearly shown that America has the freedom that other countries don't because they can be who they are.

''Individuals, with liberty and justice for all.'' These are the words that ring on my head when I think of our country. We really are the land of the free, because we can be individuals.

EMILY OSTRANDER, 12TH GRADE, 1ST PLACE WINNER

I have always been a fan of Veterans Day. Of course, this is mostly because November eleventh happens to be my birthday as well as a national holiday. But, I have continually enjoyed and respected it for the appreciation and recognition it bestows upon those who have made it their duty to protect and serve this noble country. Freedom, to me, is the ability to live peacefully, and be who you want to be, in a world that is not very accepting.

Without our armed forces, the idea of freedom would be impossible. With no one to serve our country, fight our battles, where would we be? I cannot imagine what life in America would resemble if it were absent of freedom. It would not be the America we know and care for if it were devoid of liberty, justice, and independence. Both of my parents' fathers served in the armed forces at some point in their lives. My maternal grandfather served in the Korean War and came back home with a bullet in his leg. Every year when he calls me to wish me a happy birthday, I make sure to thank him for that service and tell him that I am proud of him for it. Thus, I am exceptionally grateful to the active military and the veterans who have risked their lives for the sake of freedom at this very moment, and in the past.

Furthermore, serving in the military is the most significant occupation in the world, yet it is also the toughest. Copious amounts of U.S. citizens spend or have spent massive amounts of time away from their families and loved ones to carry out their obligations to this country. I know I could by no means ever accomplish or begin to go through what veterans and the active military have had to undergo. I have enormous respect for those with the strength and courage to join the armed forces, and they will forever have my support and admiration for their achievements. Because of these achievements, I am able to live freely and peaceably whereas citizens in other countries may not be able to live this way.

Hence, I believe freedom is the idea that you have the power to choose what and who you desire to be: you can decide what to strive for and what to accomplish in life. However, this free will is only achievable because of the work of the active military and veterans. This immense, courageous, life-risking group of people deserve, have earned, this national holiday to commemorate their successes and brave service to the United States of America.

HOPE BARNSTEAD, 12TH GRADE, 2ND PLACE WINNER

Freedom. Only seven letters, but together they create a word with more power than any other found in the English language. But how can such a commanding word be defined? The beauty of this word is that it has countless definitions. Freedom is the courage found in every active service member as they start every day not knowing what is in store for them. Freedom is seeing our American flag waving steadily in the night, surrounded by a sky full of bombs. Freedom is bowing your head in prayer at the park without fear of being reprimanded. Freedom is the last pen to leave a trail of ink for the final signature on the Declaration of Independence. Freedom is living in America, the land of opportunity, where we have the right to choose our own president amongst a world full of tyrants. Throughout history freedom has always come at a great price, starting in 1776, when the founding fathers declared our independence from Great Britain. These men laid their lives on the line to defend the belief that all men are endowed with certain definitive and undeniable rights that cannot be taken from them. From that time on, Americans have stood united behind the idea that we are a nation of individuals who are free to live in the absence of fear. Since we value individuality and illuminate it through self expression and self-government, we need not fear forced conformity, and that is what makes America great. Freedom to me is waking up every morning without apprehension. I don't have to worry about being a woman and wanting an education. I don't need to hide my religion from those around me because I know I am free to worship as I please. I don't have to be afraid of who will lead our country because we have a say in who runs the United States of America. Without the dedication, bravery, hard work, courage, strength, and leadership of our nation's military and other service members, this freedom may not have been sustained. It's hard to imagine the feeling the soldiers felt as they walked into concentration camps to liberate the living skeletons as the stench of burning flesh filled the air around them. Who can picture what is what like weaving through the jungles of Vietnam as the soldiers were constantly on guard for any Vietcong looking to take their lives? How can one come close to feeling the absolute terror of the US army as they traveled to Pakistan to take down the terrorizing Osama Bin Laden? Our troops are willing to sacrifice their lives so we can stay in a nation that lets us live ours. Franklin D. Roosevelt once said, ''We, and all others who believe in freedom as deeply as we do, would rather die on our feet than live on our knees,'' and we are blessed enough to live in a country that gives us that freedom.

ADAM WHITE 12TH GRADE, 3RD PLACE WINNER

When you hear the word ''freedom,'' you might not have the same definition of the word as the person right next to you. All definitions of the word are similar in meaning, but all are influenced by each of our own past history and ways of thinking. I have thought extensively on this word's definition, pondering on what ''freedom'' means to me, and I now believe that freedom is the ability to live life normally and enjoy it without the fear of oppression or harm.

Many of us take this for granted. In other countries, their citizens might not have this same luxury. We, as a nation, are very lucky to live life like this. Unfortunately, it can come with a heavy price. We have been able to live this way only because we know that we are being protected by hard-working men and women who wish only to serve our nation. These men and women are the members of the Armed Forces. Each and every day, they risk their lives to protect ours no matter where they are, whether they're in a small town in the U.S. or a small town in the

Middle East. They make sure that nothing happens to us so that we can continue living the way we do.

However, as mentioned before, such a luxury comes with a price. Some members of our active military are lucky enough to return home with their lives, but some aren't. Yet this has not stopped people from joining the military in the past before. In World War II, when the world was threatened by one of the most infamous leaders in history, did we surrender? We did not, and hundreds of thousands of people were ready to defend our country and what we believed in, even if it meant traveling overseas, or being haunted by the gruesome memories of war for the rest of their lives, or to die trying. Our veterans faced these same consequences and have to hurdle over the same obstacles, and that didn't stop them from doing their duty. They protected us to make sure that we could forever keep our freedom and our rights from the hands of our enemies.

We have much to thank of our veterans and of our active military for their services to this country and for their services to us. Without them, we would not have the same freedoms as we do now. Our world would be completely different without them. But thankfully they are here to save us when we need them most. Thankfully, with these men and women as our guardians, we can continue to live life normally and enjoy it without the fear of oppression or harm.

IN RECOGNITION OF THE REOPENING OF ST. JAMES CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in honor of St. James' Church, one of the 11 Cleveland Catholic Diocese parishes that will be reopening this year.

In 2009 it was announced that several of the Cleveland Catholic Diocese's area churches, including St. Barbara's, were to close. However, just months ago, the Vatican overruled this decision and St. James' will be reopening its doors on Wednesday, July 25, 2012.

St. James Church was founded in 1908 as the founding parish for the cities of Lakewood and Rocky River. For more than a century, St. James has been a house of worship and gathering for the Catholic residents of Lakewood, Ohio.

After Bishop Lennon's 2009 announcement parishioners gathered together and formed Friends of Saint James/Save Saint James in an effort to stop the closing of their church. The members of Friends of Saint James/Save Saint James are committed to the preservation of Saint James as a parish and an architecturally significant structure in the City of Lakewood. They have dedicated themselves to the development of a long range financial plan for capital improvements and maintenance of the church and its programs.

Mr. Speaker and colleagues, please join me in recognizing the reopening of St. James' Church, a beloved parish that has returned to the City of Lakewood.

TRIBUTE TO ROSEMARY BOURNS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to Rosemary Bourns, who passed away on Wednesday, September 26, 2012. Rosemary was a pillar of the community in Riverside, California and she will be deeply missed.

In 1947, Rosemary and her newlywed husband Marlan moved to California from Michigan, and they began their electronics components manufacturing company in humble settings—the garage of their new home in Pasadena. While Marlan took care of the engineering side of the business, Rosemary oversaw the books and made sure that their house could accommodate the seven engineers working with her husband. The couple eventually moved the company, now renamed Bourns, Inc., to Riverside in 1950 to boost manufacturing operations in order to keep up with rising demand.

In her free time, Rosemary loved telling stories and arranging flowers. She and her husband always accomplished things as a team, from starting their business to moving it to Riverside. They also selflessly gave back to their community. In 1992, the Bourns family gave the University of California, Riverside (UCR) the single-largest donation it had received to that date, a $6 million gift for its new College of Engineering, eventually named Bourns College in the family's honor. In the years that followed, they continued to support the College, and the west engineering building was named Bourns Hall.

The way in which Rosemary lived her life should serve as reminder to others that an individual with drive, perseverance and a stellar work ethic can do great things. In 2000, Rosemary and her husband were recognized as UCR Laureates, and in 2010 the family was honored by the Inland Empire Center for Entrepreneurship with its Lifetime Award. University of California, Riverside Chancellor Timothy P. White said of Rosemary, "On the UCR campus, Rosemary Bourns' name has been synonymous with the accomplishments of strong, hardworking women . . . She will always be honored through the accomplishments of the faculty and students in the Bourns College of Engineering."

In addition to her husband, Rosemary is survived by her son Gordon; daughters Linda Hill, Anita Macbeth and Denise Moyles; 14 grandchildren and three great-grandchildren.

Rosemary will always be remembered for her incredible contributions to business, her work ethic, generosity, and love of family. Her dedication to her work, family and community is a testament to a life lived well and a legacy that will continue. I extend my condolences to Rosemary's family and friends; although Rosemary may be gone, the light and goodness she brought to the world remain and will never be forgotten.

IN HONOR OF CZECHOSLOVAK INDEPENDENCE DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Czechoslovak Independence Day, which is being celebrated at Cleveland's National Bohemian Hall on October 26 through 28, 2012.

Czechoslovak independence was declared on Wenceslas Square on October 28, 1918 and the Czechoslovak Republic was established. Thomas Masaryk was both the founder and the first president of the Czechoslovak Republic, often referred to as the "First Republic." Although Czechoslovakia only lasted two decades because of Nazi Germany's occupation of the Czech Lands in 1938, Czechs continue to view October 28 as the day of their national founding.

Bohemian National Hall was built in Cleveland, Ohio, in 1897 to cultivate friendships, charity and benevolence among the Bohemian nationalities. Included in their priorities were gymnastics, education and the advancement of their culture. Thomas Masaryk made two visits to Cleveland in his lifetime, one in 1902 and another in 1918 where he spoke at the National Bohemian Hall. Located in Cleveland's Slavic Village neighbor, today Bohemian National Hall serves as the home to the Czech Cultural Center.

This year's celebration of Czechoslovak Independence Day will be celebrated by Cleveland's Czech community and Sokol Greater Cleveland at Bohemian National Hall between October 26 and 28.

Mr. Speaker and colleagues, please join me in honoring the anniversary of Czechoslovak Independence Day, October 28, 2012.

LEXINGTON COUNTY IS FIRST

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. WILSON of South Carolina. Mr. Speaker, the following article was published recognizing the leadership of Lexington County, South Carolina, as a Purple Heart County in the Lexington County Chronicle on September 20, 2012:

LEXINGTON IS THE FIRST PURPLE HEART COUNTY

Lexington County became the first in the state to be designated as a Purple Heart County.

A resolution was read before Lexington County Council, Sept. 11, that named Lexington a Purple Heart County.

"It's a recognition and a show of support for not only Purple Heart recipients, but for veterans and all of those who served," said Stan Thornburgh.

Thornburgh, of Lexington, is a past commander of the Col. Charles Murray Memorial Chapter of the Military Order of the Purple Heart. The chapter is based in Columbia, but many of its members live in Lexington County.

Thornburgh received the Purple Heart after being wounded in Vietnam in 1969.

Purple Heart recipients are military personnel wounded as a direct result of enemy action.

Councilman Bobby ''Gravedigger'' Keisler sponsored the resolution to designate Lexington County as a Purple Heart county.

''It is important to support veterans and the people who served our country,'' Keisler said. He said James Miller asked him to sponsor the Purple Heart designation. Miller, of South Congaree, is the state commander of the Military Order of the Purple Heart. Miller lives in Keisler's district.

''It's an honor to do it,'' said Keisler, who served a six-year stint in the U.S. Army during the Vietnam era.

John B. Testruth is the Adjutant of Chapter 402. The chapter is the largest of the 13 in South Carolina. It has 298 members. Testruth said the Purple Heart Chapter also raises funds to donate to causes for veterans. He also said the county is supportive of veterans in general.

''Lexington is a very patriotic county,'' Thornburgh said. ''People are supportive and appreciate those who served.''

IN RECOGNITION OF PULASKI DAY 2012

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Polonia Foundation of Ohio as they unite the Polish community in remembrance and celebration of General Casimir Pulaski, for his legacy and dedication to the people of Poland and United States of America.

Born on March 4, 1747 in Warzka, Poland, General Pulaski achieved great military success in Poland with his focused leadership and strategies in fighting the Russian forces in Poland. By 1777, General Pulaski had become one of the most renowned cavalrymen in Europe and was actively recruited by Benjamin Franklin to assist in the American quest for liberation.

Sympathetic to the American cause, General Pulaski sailed to America and was made head of the newly formed American cavalry during the Revolutionary War. General Pulaski had a deep level of commitment to the American cause, spending his own money to feed and equip his troops. General Pulaski was involved in many significant battles during the Revolution. His ultimate stand took place in Savannah, Georgia on October 1779, where he led a valiant charge against British artillery. General Pulaski was shot and died a few days later.

This year's celebration will be held on October 20 at Cleveland's City Hall Rotunda and will feature Dr. Marek Dollar, Ohio's Honorary Consul of the Republic of Poland. Dr. Dollar is also the Dean of the Engineering College at Miami University.

Mr. Speaker and colleagues, please join me in honor and remembrance of General Casimir Pulaski, who made the ultimate sacrifice in his fight to secure the ideals of the American Revolution. An American hero, General Pulaski's life and legacy serves as a reminder of the vital contributions and great achievements by Polish immigrants within our Cleveland community, and throughout America.

IN HONOR OF JUDGE COLLEEN TOY WHITE

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. GALLEGLY. Mr. Speaker, I rise in honor of my good friend Judge Colleen Toy White, who was recently honored by the Gold Coast Veterans Foundation with its General Roger L. Brautigan Excellence in Leadership Award.

I have known Judge White since she served as Chief Deputy in the Ventura County District Attorney's Office. We both trace our roots to Oklahoma, and share and respect the values of family, and of upholding the Constitution and the rule of law.

Judge White combined those values with drive, talent, and intelligence and rose from a law clerk in the prosecutor's office to become the chief assistant district attorney, the number two position. She also brought those values and qualities to the bench when she was appointed to the Ventura County Superior Court by Governor Pete Wilson.

Mr. Speaker, the General Roger L. Brautigan Excellence in Leadership Award is presented to an individual who has demonstrated outstanding leadership in the cause of veterans.

Judge White knows of veterans' needs directly. Her husband, Art Bliss, is a retired naval officer and several of her nephews are active military.

Her knowledge of veterans' needs led her to provide the ground work and to advocate for a veterans court. Judge White now presides over the veterans court, in addition to presiding over the domestic violence court, elder abuse court, and mental health court.

In addition, Judge White has been instrumental in assisting other courts to develop veterans programs.

Outside of the courtroom, Judge White is active in community organizations involving our youth and education. She served on the Board of Trustees of the Ventura/Santa Barbara College of Law and is a former member of the Board of Directors of the Ventura College Foundation. She served as president of the Board of Directors of Interface Children Family Services of Ventura County and was a past president and member of the Board of Directors of the Child Abuse and Neglect, an organization dedicated to the protection of children.

She was appointed Chairperson of President Reagan's Council on the Peace Corps and was appointed to a second term by President George H.W. Bush.

Not surprisingly, Judge White has won numerous awards for her service to the law and her community.

Mr. Speaker, Judge Colleen Toy White is a deserving recipient of the General Roger L. Brautigan Excellence in Leadership Award. It has been an honor for me to call Toy White my personal friend for a long time. She is someone for whom I have the highest respect, and I know my colleagues join my wife, Janice, and me in congratulating Toy for this great honor.

IN HONOR OF CHRIS TREPAL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. KUCINICH. Mr. Speaker, I rise to honor Chris Trepal, who is retiring from the Earth Day Coalition, one of the major forces in Northeast Ohio to promote environmental education, protection, and advocacy.

In the late 1980s, as the nation coalesced around how to best acknowledge the 20th anniversary of the first Earth Day of 1970, Chris was a parent, educator, and volunteer for the Sierra Club. Called by Governor Richard Celeste, Chris attended an organizing meeting at Cleveland State University and was moved to action to fight for the environment. Along with Scott Sanders, Chris co-founded the Earth Day Coalition in 1990 and until her retirement was co-director with Sanders.

In the last 23 years, Chris has been a visionary who organized the ''Annual EarthFest'' and ''Walk or Bike for the Earth.'' Every spring at the Cleveland Metroparks Zoo, the EarthFest has been the largest and longest-running environmental education event in the State of Ohio. It is widely attended and is the place-to-be for non-profits and leaders who want to promote their causes.

For more than 10 years, Chris worked with the region's best environmental education experts, naturalists, and interpreters to establish the Cleveland Lakefront Nature Preserve, formerly Dike 14. Officially opened in February 2012, the Preserve is 88 acres of wild lands along Lake Erie in the heart of Cleveland with almost 300 species of birds who live and migrate on the site along with butterflies and mammals such as the red fox, mink, coyote, deer and others. Chris led the Earth Day Coalition's efforts to convene and be the fiscal agent for the collaborative effort to establish the Preserve.

Chris is a founding member of the City of Cleveland's Air Pollution Advisory Committee, created by city ordinance. She has worked on clean air issues such as Diesel Hot Spots, idle reduction, and reining in mercury emissions from coal-fired power plants and the proposed City of Cleveland waste incinerator (which was stopped, based in part on the Earth Day Coalition's advocacy).

Chris Trepal is the recipient of numerous awards for the work she has done over the years, including: Conservationist of the Year by the Cuyahoga Soil and Water Conservation District; Outstanding Conservationist Award by the Cleveland Metroparks Zoo; Award for Outstanding Service by the Lee-Seville-Miles Citizens; Greater Cleveland Woman of Achievement Award from the YWCA of Cleveland; Certificate of Environmental Achievement from the National Awards Council for Environmental Sustainability; Golden Spruce Award from the Cuyahoga County Planning Commission; and the Excellence in Education Award from the Better Business Bureau.

Mr. Speaker and colleagues, please join me in celebrating the many achievements of Chris Trepal as she makes the transition from her successful career as co-director of the Earth Day Coalition to the next phases of her life in retirement and wishing her much success in her next endeavors.

IN RECOGNITION OF THE RETIREMENT OF CARROLL L. ''LEW'' WATSON

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Lew Watson who is retiring as Mayor of the City of Lincoln, Alabama, on the 40th anniversary of the day he first took the oath of office.

Carroll L. ''Lew'' Watson was born in Norfolk, Virginia, to Carroll and Ruth Watson on May 9, 1943. He graduated from Lincoln High School in 1961 and graduated from the University of Alabama with a Bachelor's of Art degree in 1965.

After graduation from college, he joined the United States Army where he served until September of 1969 when he retired at the rank of Captain. He later attended Birmingham School of Law and received his Juris Doctor degree on May 23, 1982.

Watson was first elected mayor in 1972 at the age of 29 when Lincoln's population was a little over 1,100. Over the years, Lew was able to help build local infrastructure and help recruit industries like Honda Manufacturing of Alabama, LLC which helped the city grow and prosper to what it is today. During his time in office the city's population grew by over 450 percent.

Watson's children include Carroll Lewis Watson and his wife Alyson, Samantha Bluhm and her husband Patrick, David G. Watson and his wife Azumi, and Jessica Laffosse and her husband Michael.

Mr. Speaker, we join his friends and family in this surprise celebration in his honor. We will miss Lew's leadership in Lincoln, and wish him the very best.

HONORING FORMER FIRST LADY MRS. CLAUDIA ALTA ''LADY BIRD'' JOHNSON

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the life of former First Lady, Mrs. Claudia Alta ''Lady Bird'' Johnson. Mrs. Johnson, wife of President Lyndon Baines Johnson, was known for her prominent role in public service, and for her lifelong efforts to beautify public places across the country.

As First Lady, Mrs. Johnson promoted the conservation and beautification of our public lands. She believed that by making these civic improvements, we could help pay tribute to our great country. One of Mrs. Johnson's greatest rehabilitation efforts took place right here in Washington, DC, where she oversaw the planting of thousands of flowers throughout our Nation's capital.

Driving from her home in Texas to Washington, DC, Mrs. Johnson expressed concern with the uninviting appearance of our Nation's Interstate highways. Ultimately, President Johnson signed the ''Highway Beautification Act'' into law in 1965, enhancing the scenic views of our highways and byways. In 1999, when Secretary of the Interior Bruce Babbitt presented Mrs. Johnson with the Native Plant Conservation Initiative Lifetime Achievement Award, he noted that the First Lady had been a shadow Secretary of the Interior for much of her life. Today, we continue to enjoy the benefits of the First Lady's efforts to beautify our roads and highways.

Mr. Speaker, as we celebrate the centennial of Mrs. Johnson's birth, we hold in great regard the value of these national improvements by preserving the beauty of our lands—through constant revitalization and conservation. We have Mrs. Johnson's unifying grace to thank for her contributions to the American landscape, and I am pleased to recognize these lasting contributions by the former First Lady from Texas.

HONORING MR. CABLE TELEVISION IN NORTH CAROLINA—JACK W. STANLEY

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. COBLE. Mr. Speaker, on behalf of the citizens of the Sixth District of North Carolina, I take this occasion to honor Jack W. Stanley—a great personal friend for many years—as he retires from 45 years of service in the cable television industry. Jack has been a true pioneer in the industry, helping to lead its growth from a service designed merely to extend over-the-air broadcast signals into hard to reach areas to what it is today—an industry that makes available to homes across the nation hundreds of linear video channels, on-demand programming, high-speed broadband services, digital telephone services, home networking and home security services. It is an industry that is driven by innovation and private investment. And Jack has seen it all and helped make it happen.

In any conversation with Jack, it doesn't take long to find out about his roots—rural Georgia. He is proud to be a country boy. His professional life to this day remains grounded in the clay of Dodge County, Georgia, where he grew up in modest circumstances on his family's farm and learned the lessons of hard work and respect for others that he has carried with him throughout his carrier. Jack graduated from South Georgia Technical College where he studied Electronics Technology and completed an Executive Management Development Program at Denver University.

Most recently, Jack has served as the Regional Vice President for Government Relations for Time Warner Cable with responsibility for North Carolina, South Carolina, Virginia and Alabama. In this role, he has represented his company before various governmental bodies and coordinated its advocacy on important issues affecting the cable industry. Jack enjoyed many successes in this challenging role, including developing positive relationships with federal, state and local governmental leaders and helping to ensure consistent and fair regulatory treatment for cable operators.

For the bulk of his working career, Jack served in a variety of operational roles in the cable television industry, including successfully leading cable systems in Georgia, Texas and North Carolina. He served as Division President of Time Warner Cable's Greensboro Division, where he managed a staff of some 700 employees. Under his leadership the Division was top-ranked in customer satisfaction and consistently exceeded the established business metrics.

He is known among his peers as an innovative leader who is committed to exceptional customer service and who has the ability to forge positive relationships with consumers, employees and public officials. In 1988, Jack developed the first set of service standards for Time Warner Cable, which quickly became the basis for national industry standards and are still in use today. This commitment to customer service was recognized with a Chairman's Award and the National Public Affairs Award of the Maryland and Delaware Cable Association. As anyone who has worked with him will tell you, Jack always has the customers' interests foremost in his mind in any decision impacting the business.

Jack carried this customer commitment over to his service to the industry. He served four separate terms as President of the North Carolina Cable Telecommunications Association where, in addition to being a terrific leader and gracious colleague, he was instrumental in establishing a college scholarship program to help provide higher education opportunities for children of members of the cable industry. Providing opportunities for others has always been a driving focus of Jack's career.

Jack has also been an active leader in the community. He was appointed by former Governor Jim Hunt to represent the cable industry on a task force where he was instrumental in establishing a partnership between the Association of Public Telecommunications and the cable industry in OPEN/Net, a virtual ''town hall'' that provided citizens direct access to state and local leaders via cable technology. He eventually served on the APT Board for two terms. He also served on numerous other boards, including the North Carolina Chamber of Commerce, the North Carolina Center for Public Policy Research, and the Greensboro Partnership.

Jack enjoys golf—and he's really good at it. You want to be on Jack's team in business and golf—especially golf! He has a passion for history, and realizes his most important accomplishment is his family, which includes twelve grandchildren.

The depth of his experience and knowledge about the cable industry is matched by the depth of his character and judgment. When you shake hands in an agreement with Jack Stanley, you do not have to wonder whether you have a deal.

A modest man, who came from modest means, he doesn't seek attention—but he deserves it. Jack is a true Southern gentleman in the best sense of that term.

I join with all of the residents of the Sixth District of North Carolina in honoring Jack for his fine career and to wish him all the best as he enters, what I am sure will be, a very active and productive retirement.

TRIBUTE TO THOMAS SZASZ

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. PAUL. Mr. Speaker, I ask unanimous consent to insert into the CONGRESSIONAL RECORD "The Man versus the Therapeutic State," by Jacob Sullivan of Reason magazine. This piece pays tribute to Dr. Thomas Szasz, who passed away on September 8th of this year.

Dr. Szasz, a trained psychiatrist, was the leading opponent of what he labeled the "therapeutic state." For over fifty years, in 35 books, and hundreds of articles, Dr. Szasz defended human liberty and dignity against modern psychiatry. Modern psychiatry, of course, insists that behaviors which deviate from some arbitrary norm serve as signs or symptoms of organic "mental illnesses" (although the physiological mechanisms never seem to be clearly identified, much less explained). Since "sick people" are incapable of controlling themselves, it is the responsibility of government to protect them by constraining their ability to make harmful choices.

This is the mentality that Dr. Szasz fought against so valiantly. By applying the philosophy of liberty to psychiatry, Dr. Szasz undermined the "individual as helpless victim" mentality that helps justify restrictors on personal liberty when it comes to drugs, fatty foods, sodas, pornography, gambling, etc. Dr. Szasz clearly understood, and predicated, the rise of the therapeutic nanny state.

No doubt Dr. Szasz could have enjoyed a successful career had he moderated his views or kept quiet instead of presenting a principled challenge to the psychiatric-government complex. But Dr. Szasz was one of those rare individuals who could not be silent when liberty was threatened. For his courage in speaking truth to power, Dr. Szasz was rewarded with ridicule and scorn from the gatekeepers of "respectable" opinion. However, Dr. Szasz did find a receptive audience among the ranks of the liberty movement, where he quickly earned a place as one of the movement's most distinguished thinkers. With the recent growth of the liberty movement, I would not be surprised if Dr. Szasz's influence becomes greater in the next several years. Certainly, all of us who work for individual liberty should be grateful for Dr. Thomas Szasz's contributions to the cause of freedom.

[From Reason.com, Sept. 19, 2012]

THE MAN VERSUS THE THERAPEUTIC STATE

(By Jacob Sullum)

The New York Times obituary for Thomas Szasz, who died this month at the age of 92, says his critique of psychiatry "had some merit in the 1950s . . . but not later on, when the field began developing more scientific approaches." That's a paraphrase of historian Edward Shorter, whose judgment reflects the conventional wisdom: Szasz called much-needed attention to psychiatric abuses early in his career but went too far by insisting on a fundamental distinction between actual, biological diseases and metaphorical diseases of the mind.

In fact, however, Szasz's radicalism, which he combined with a sharp wit, a keen eye for obfuscating rhetoric, and an uncompromising dedication to individual freedom and responsibility, was one of his greatest strengths. Beginning with The Myth of Mental Illness in 1961 and continuing through 35 more books and hundreds of articles, the maverick psychiatrist, driven by a "passion against coercion," zeroed in on the foundational fallacies underlying all manner of medicalized tyranny.

The idea that psychiatry became scientifically rigorous soon after Szasz first likened it to alchemy and astrology is hard to take seriously. After all, it was not until 1973 that the American Psychiatric Association (APA) stopped calling homosexuality a mental disorder.

More often, psychiatry has expanded its domain. Today it encompasses myriad sins and foibles, including smoking, overeating, gambling, shoplifting, sexual promiscuity, pederasty, rambunctiousness, inattentiveness, social awkwardness, anxiety, sadness, and political extremism. If it can be described, it can be diagnosed, but only if the APA says so. Asperger's, for instance, will cease to exist when the fifth edition of the APA's Diagnostic and Statistical Manual of Mental Disorders (DSM) comes out next year.

As Marcia Angell, former editor of The New England Journal of Medicine, observed last year in The New York Review of Books, "there are no objective signs or tests for mental illness—no lab data or MRI findings—and the boundaries between normal and abnormal are often unclear. That makes it possible to expand diagnostic boundaries or even create new diagnoses in ways that would be impossible, say, in a field like cardiology." In other words, mental illnesses are whatever psychiatrists say they are.

How "scientific" is that? Not very. In a 2010 Wired interview, Allen Frances, lead editor of the current DSM, despaired that defining mental disorders is "bullshit." In an online debate last month, he declared that "mental disorders most certainly are not diseases."

Then what exactly are they? For more than half a century, Szasz stubbornly highlighted the hazards of joining such a fuzzy, subjective concept with the force of law through involuntary treatment, the insanity defense, and other psychiatrically informed policies.

Consider "sexually violent predators," who are convicted and imprisoned based on the premise that they could have restrained themselves but failed to do so, then committed to mental hospitals after completing their sentences based on the premise that they suffer from irresistible urges and therefore pose an intolerable threat to public safety. From a Szaszian perspective, this incoherent theory is a cover for what is really going on: the retroactive enhancement of duly imposed sentences by politicians who decided certain criminals were getting off too lightly—a policy so plainly contrary to due process and the rule of law that it had to be dressed up in quasi-medical, pseudoscientific justifications.

Szasz specialized in puncturing such pretensions. He relentlessly attacked the "therapeutic state," the unhealthy alliance of medicine and government that blesses all sorts of unjustified limits on liberty, ranging from the mandatory prescription system to laws against suicide. My own work has been powerfully influenced by Szasz's arguments against drug prohibition, especially his discussion of its symbolism and its reliance on a mistaken understanding of addiction, and his criticism of paternalistic interventions, such as New York Mayor Michael Bloomberg's recently approved soda serving ceiling, that conflate private and public health.

I will always be grateful for Szasz's courage and insight, and so should anyone who shares his passion against coercion.

SUPPORT CLEAN ENERGY VICTORY BONDS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Mr. FILNER. Mr. Speaker, I rise today to draw attention to an important piece of legislation that I and more than a dozen co-sponsors support—the Clean Energy Victory Bonds Act of 2012, H.R. 6275. I urge my colleagues to co-sponsor this bill to help create our Nation's clean energy economy.

The Clean Energy Victory Bonds Act would create a new U.S. Treasury savings bond that would support the development of our domestic renewable energy and energy efficiency sectors. The bond would support programs with a proven, successful track record in areas such as wind, solar, geothermal technology, fuel cell development, closed loop biomass and other renewable technologies. The bond would also support home efficiency measures, hybrid electric vehicles and charging stations.

The Clean Energy Victory Bond would be available for as little as $25, allowing most Americans access to this investment opportunity that can play a key role in generating the energy we need as a world leader. Just as the WW II Victory Bond helped our Nation make the profound economic shift that the war effort required, the Clean Energy Victory Bond can help shift today's economy to the renewable energy foundation that our times now require.

Once enacted, the Clean Energy Victory Bond will leverage $50 billion in investment to provide up to $150 billion in both public and private financing for clean energy technologies. This investment would create at least 1.7 million good jobs across the country. It is crucial that the United States increase investment in renewable energy if we are to compete globally as other nations surge forward with their own clean energy infrastructure and technology.

Now more than ever, we must take bold steps to address our energy security needs for the long term, and by allowing Americans to invest safely in renewable energy we can make significant progress toward that goal. Mr. Speaker, I ask all my distinguished colleagues to join me in cosponsoring the Clean Energy Victory Bonds Act of 2012, H.R. 6275, to build America's clean energy future. The well-being of our grandchildren and of our Nation as a whole depends on our ability to meet our energy needs through cleaner, renewable sources.

ON THE RETIREMENT OF MASTER SERGEANT MAVIN D. TASBY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. PELOSI. Mr. Speaker, I rise today to honor the service and sacrifice of MSG Marvin Tasby on the occasion of his retirement from the United States Air Force. For the last 4 years, Master Sergeant Tasby has served the Air Force and our Nation as a legislative liaison here in Congress.

Master Sergeant Tasby is affectionately known to many of us in Congress as ''Taz.'' For 26 years, the United States Air Force, and indeed the entire Nation, has benefitted from Taz's talents, experience, and devotion.

As we honor Taz, we also honor all of those who wear our Nation's uniform.

When our airmen and airwomen serve, their families serve as well. Today in paying tribute to Master Sergeant Tasby we also express our gratitude to his wife Katrina, his sons Jordan and Justin, and his mother Jessie.

After enlisting in the Air Force in 1986 in Shreveport, Louisiana, Taz served across the United States and around the world. He has worked in the Office of the Air Force Reserve and served as a member of the 93rd Bomb Squadron and the 140th Fighter Wing.

A key part of Taz's latest posting, as a legislative liaison, has been escorting Members of Congress around the world. Indeed, Taz has served as part of 50 fact-finding missions to 62 countries around the globe. In doing so, he has earned the respect of Members and staff. He is known around the world by State Department officials and foreign nationals.

Personally, I've been proud to have Taz by my side in 16 countries—from Afghanistan to the United Kingdom, many of them more than once. We've been together in Europe, the Middle East, Asia and North America. We've gone into war zones in Afghanistan and Iraq and we've travelled to meet with the heads of parliaments from around the world.

Taz spends countless hours planning every detail of a trip and ensuring logistics are executed perfectly. I've seen firsthand Taz's resourcefulness, attention to detail, and overall commitment to excellence.

Taz has been rightly honored with a number of medals throughout his 26 year career. These include the Defense Meritorious Service Medal, Air Force Meritorious Service Medal, Army Commendation Medal, National Defense Service Medal, Kosovo Campaign Medal and the Global War on Terrorism Service Medal.

The Air Force song is a tribute to those, as it says, ''who love the vastness of the sky.'' When we sing that song, four times we proclaim, ''Nothing will stop the Air Force!''

Those words are true about the Air Force because of our airmen and airwomen. They are true because of people like MSG Marvin Tasby.

RECOGNIZING MR. CRAIG ANTHONY WASHINGTON

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 13, 2012

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize Mr. Craig Anthony Washington, an accomplished attorney and elected official from Houston, Texas. Mr. Washington is being inducted into the State Bar of Texas Legal Legends Project this month for his exemplary contributions to the legal profession and the pursuit of equal justice under the law.

The Texas Legal Legends Project recognizes exceptional lawyers who have worked to uphold the integrity of the courts, and to honor those who have exceeded their professional obligations to ensure fair and thorough advocacy. Mr. Washington has been tireless in his efforts to defend those without a voice in our legal system by challenging discriminatory practices.

Craig Washington was born in Longview, Texas. He grew up in Houston and, after high school, enrolled in Prairie View A&M University at the age of 16 with the high hopes of becoming a dentist. Mr. Washington had charisma and determination even at a young age, and he managed to convince the dean into accepting him into the law school program with future plans to transfer into dentistry. Instead, his passion for law dominated his academic career. Four years later, he would graduate with honors and become the assistant dean and an assistant professor of law at his alma mater.

Mr. Washington's tenure as a legislator, first in the Texas House, the Texas Senate, and then in the U.S. House of Representatives, was distinguished by this same unwavering devotion to the underserved and his constituents. He was known and respected for his expert knowledge of criminal law throughout his public service in the Texas House, Texas Senate and in the U.S. Congress. As a lawmaker, he proved to be a commanding orator and political strategist, and no legislation regarding the criminal justice system was passed without his review and expert analysis.

Mr. Speaker, it is rare to find an individual who is both passionate about affecting positive social change and improving the lives of so many. He is a tremendous criminal defense lawyer as well as an American analytical genius, and I stand today on this floor where he stood many years ago to salute Mr. Washington. I am proud to call him my friend.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S6715–S6764

Measures Introduced: One bill and two resolutions were introduced, as follows: S. 3626, and S. Res. 590–591. **Page S6744**

Measures Reported:

Reported on Friday, November 2, 2012:

S. 1998, to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security, with an amendment in the nature of a substitute. (S. Rept. No. 112–230)

Reported on Tuesday, November 13, 2012:

S. 2215, to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, with an amendment in the nature of a substitute. (S. Rept. No. 112–231)

S. 2318, to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, with an amendment in the nature of a substitute. (S. Rept. No. 112–232)

S. 3310, to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, with an amendment in the nature of a substitute. (S. Rept. No. 112–233)

S. 3331, to provide for universal intercountry adoption accreditation standards. (S. Rept. No. 112–234)

S. 1268, to increase the efficiency and effectiveness of the Government by providing for greater interagency experience among national security and homeland security personnel through the development of a national security and homeland security human capital strategy and interagency rotational service by employees, with an amendment in the nature of a substitute. (S. Rept. No. 112–235)

S. 1953, to reauthorize the Research and Innovative Technology Administration, to improve transportation research and development. (S. Rept. No. 112–236)

S. 1701, to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, with an amendment in the nature of a substitute. (S. Rept. No. 112–237)

S. 1950, to amend title 49, United States Code, to improve commercial motor vehicle safety and reduce commercial motor vehicle-related accidents and fatalities, to authorize the Federal Motor Carrier Safety Administration, with an amendment in the nature of a substitute. (S. Rept. No. 112–238) **Page S6744**

Measures Passed:

Veterans' Compensation Cost-of-Living Adjustment Act: Committee on Veterans' Affairs was discharged from further consideration of H.R. 4114, to increase, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and the bill was then passed. **Page S6721**

Recognizing Raymond Weeks: Senate agreed to S. Res. 591, expressing the sense of the Senate regarding Raymond Weeks and his efforts in the establishment of Veterans Day. **Page S6761**

Measures Considered:

Sportsmen's Act—Agreement: Senate began consideration of S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting, after agreeing to the motion to proceed, and taking action on the following motions and amendments proposed thereto: **Page S6721**

Pending:

Reid (for Tester) Amendment No. 2875, in the nature of a substitute. **Page S6727**

Reid Amendment No. 2876 (to Amendment No. 2875), to change the enactment date. **Page S6727**

Reid Amendment No. 2877 (to Amendment No. 2876), of a perfecting nature. **Page S6727**

Reid Amendment No. 2878 (to the language proposed to be stricken by Amendment No. 2875), to change the enactment date. **Page S6727**

Reid Amendment No. 2879 (to Amendment No. 2878), of a perfecting nature. **Page S6727**

Reid Motion to commit the bill to the Committee on Energy and Natural Resources, with instructions, Reid Amendment No. 2880, to change the enactment date. **Page S6727**

Reid Amendment No. 2881 (to (the instructions) Amendment No. 2880), of a perfecting nature. **Page S6727**

Reid Amendment No. 2882 (to Amendment No. 2881), of a perfecting nature. **Pages S6727–28**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, November 15, 2012. **Pages S6728, S6761**

During consideration of this measure today, Senate also took the following action:

By 92 yeas to 5 nays (Vote No. 201), Senate agreed to the motion to proceed to consideration of the bill. **Pages S6721–27**

A unanimous-consent agreement was reached providing that the filing deadline for first-degree amendments to the bill be at 4:00 p.m., on Wednesday, November 14, 2012. **Page S6761**

National Defense Authorization Act: Senate began consideration of the motion to proceed to consideration of S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Pages S6728–29**

House Messages:

Whistleblower Protection Enhancement Act: Senate concurred in the amendment of the House of Representatives to S. 743, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel. **Page S6761**

Nominations Received: Senate received the following nominations:

7 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Foreign Service, and Navy. **Pages S6761–64**

Messages from the House: **Pages S6736, S6737**

Measures Referred: **Page S6737**

Enrolled Bills Presented: **Page S6737**

Executive Communications: **Pages S6737–44**

Additional Cosponsors: **Pages S6744–47**

Statements on Introduced Bills/Resolutions: **Page S6747**

Additional Statements: **Pages S6734–36**

Amendments Submitted: **Pages S6747–60**

Notices of Hearings/Meetings: **Page S6760**

Authorities for Committees to Meet: **Pages S6760–61**

Privileges of the Floor: **Page S6761**

Record Votes: One record vote was taken today. (Total—201) **Page S6727**

Adjournment: Senate convened at 2 p.m. and adjourned at 6:55 p.m., until 2:30 p.m. on Wednesday, November 14, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6761.)

Committee Meetings

(Committees not listed did not meet)

ATTACKS IN BENGHAZI

Committee on Foreign Relations: Committee received a closed briefing on attacks in Benghazi from national security briefers.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 2 public bills, H.R. 6587–6588; were introduced. **Page H6343**

Additional Cosponsors: **Page H6344**

Report Filed: A report was filed today as follows:

H. Res. 808, providing for consideration of the bill (H.R. 6156) to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to products of the Russian Federation and Moldova and to require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization, and for other purposes (H. Rept. 112–693). **Page H6343**

United States-China Economic and Security Review Commission—Reappointment: Read a letter from Representative Pelosi, Minority Leader, in which she reappointed Mr. Michael Wessel of Falls Church, Virginia to the United States-China Economic and Security Review Commission. **Page H6330**

Recess: The House recessed at 2:12 p.m. and reconvened at 5:02 p.m. **Page H6330**

Suspensions: The House agreed to suspend the rules and pass the following measures:

European Union Emissions Trading Scheme Prohibition Act: S. 1956, to prohibit operators of civil aircraft of the United States from participating in the European Union's emissions trading scheme; **Pages H6330–34**

Streamlining Claims Processing for Federal Contractor Employees Act: H.R. 6371, to amend title 40, United States Code, to transfer certain functions from the General Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title, by a 2/3 yea-and-nay vote of 361 yeas to 3 nays, Roll No. 604; and **Pages H6334–35, H6338**

Extending the application of certain space launch liability provisions through 2014: H.R. 6586, to extend the application of certain space launch liability provisions through 2014. **Pages H6335–37**

Recess: The House recessed at 6:07 p.m. and reconvened at 6:30 p.m. **Page H6337**

Oath of Office—Eleventh Congressional District of Michigan: Representative-elect David Alan Curson presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a scanned copy of a letter from Mr. Christopher M. Thomas, Director of Elections, Department of State, State of Michigan, indicating that, according to the unofficial returns of the Special Election held November 6, 2012, the Honorable David Alan Curson was elected Representative to Congress for the Eleventh Congressional District, State of Michigan. **Pages H6338–39, H6342**

Oath of Office—First Congressional District of Washington: Representative-elect Suzan K. DelBene presented herself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a facsimile copy of a letter from the Honorable Sam Reed, Washington Secretary of State, indicating that, according to the unofficial returns of the Special Election held November 6, 2012, the Honorable Suzan K. DelBene was elected Representative to Congress for the First Congressional District, State of Washington. **Pages H6339, H6342**

Oath of Office—Fourth Congressional District of Kentucky: Representative-elect Thomas Massie presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a facsimile copy of a letter from Ms. Mary Sue Helm, Director of Elections and Administration, Office of the Secretary of State, State of Kentucky, indicating that, according to the unofficial returns of the Special Election held November 6, 2012, the Honorable Thomas Massie was elected Representative to Congress for the Fourth Congressional District, State of Kentucky. **PageS H6339, H6342**

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath to the gentlewoman from Washington and the gentlemen from Kentucky and Michigan, the whole number of the House is 433. **Page H6341**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6337.

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on page H6338. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 7:34 p.m.

Committee Meeting

Committee on Rules: Full Committee held a hearing on H.R. 6156, the "Russia and Moldova Jackson-Vanik

Repeal Act of 2012''. The Committee granted a closed rule for H.R. 6156. The rule provides 90 minutes of debate, with 60 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–33 shall be considered as adopted, and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. Section 2 provides that on any legislative day during the period from November 19, 2012, through November 23, 2012, the Journal of the proceedings of the previous day shall be considered as approved, the Chair may adjourn the House to meet at a date and time within the limits of clause 4, section 5, article I of the Constitution, and bills and resolutions introduced shall be numbered, listed in the Congressional Record, and when printed shall bear the date of introduction, but may be referred at a later time. Section 3 authorizes the Speaker to appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2. Testimony was heard from Representatives Brady (TX) and Levin.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D909)*

H.J. Res. 117, making continuing appropriations for fiscal year 2013. Signed on September 28, 2012. (Public Law 112–175)

S. 3245, to extend by 3 years the authorization of the EB–5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J–1 Visa Waiver Program. Signed on September 28, 2012. (Public Law 112–176)

S. 3552, to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act. Signed on September 28, 2012. (Public Law 112–177)

S. 3625, to change the effective date for the internet publication of certain information to prevent harm to the national security or endangering the military officers and civilian employees to whom the publication requirement applies. Signed on September 28, 2012. (Public Law 112–178)

H.R. 1272, to provide for the use and distribution of the funds awarded to the Minnesota Chippewa Tribe, et al, by the United States Court of Federal Claims in Docket Numbers 19 and 188. Signed on October 5, 2012. (Public Law 112–179)

H.R. 1791, to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the ''Alto Lee Adams, Sr., United States Courthouse''. Signed on October 5, 2012. (Public Law 112–180)

H.R. 2139, to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International. Signed on October 5, 2012. (Public Law 112–181)

H.R. 2240, to authorize the exchange of land or interest in land between Lowell National Historical Park and the city of Lowell in the Commonwealth of Massachusetts. Signed on October 5, 2012. (Public Law 112–182)

H.R. 2706, to prohibit the sale of billfish. Signed on October 5, 2012. (Public Law 112–183)

H.R. 3556, to designate the new United States courthouse in Buffalo, New York, as the ''Robert H. Jackson United States Courthouse''. Signed on October 5, 2012. (Public Law 112–184)

H.R. 4158, to confirm full ownership rights for certain United States astronauts to artifacts from the astronauts' space missions. Signed on October 5, 2012. (Public Law 112–185)

H.R. 4223, to amend title 18, United States Code, to prohibit theft of medical products. Signed on October 5, 2012. (Public Law 112–186)

H.R. 4347, to designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the ''Robert Boochever United States Courthouse''. Signed on October 5, 2012. (Public Law 112–187)

H.R. 5512, to amend title 28, United States Code, to realign divisions within two judicial districts. Signed on October 5, 2012. (Public Law 112–188)

H.R. 6189, to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs. Signed on October 5, 2012. (Public Law 112–189)

H.R. 6215, to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution. Signed on October 5, 2012. (Public Law 112–190)

H.R. 6375, to authorize certain Department of Veterans Affairs major medical facility projects, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs. Signed on October 5, 2012. (Public Law 112–191)

H.R. 6431, to provide flexibility with respect to United States support for assistance provided by international financial institutions for Burma. Signed on October 5, 2012. (Public Law 112–192)

H.R. 6433, to make corrections with respect to Food and Drug Administration user fees. Signed on October 5, 2012. (Public Law 112–193)

S. 300, to prevent abuse of Government charge cards. Signed on October 5, 2012. (Public Law 112–194)

S. 710, to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system. Signed on October 5, 2012. (Public Law 112–195)

S. 3624, to amend section 31311 of title 49, United States Code, to permit States to issue commercial driver's licenses to members of the Armed Forces whose duty station is located in the State. Signed on October 19, 2012. (Public Law 112–196)

COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 14, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold an oversight hearing to examine Basel III, focusing on the impact of proposed capital rules, 2:30 p.m., SD–538.

Committee on Homeland Security and Governmental Affairs: to receive a closed briefing on the attack on the United States mission in Benghazi, 11 a.m., SVC–217.

House Committees

Committee on Energy and Commerce, November 14, Subcommittee on Oversight and Investigation, hearing entitled ''The Fungal Meningitis Outbreak: Could It Have Been Prevented?'', 10 a.m., 2123 Rayburn.

Committee on Foreign Affairs, November 15, Full Committee, hearing entitled ''Benghazi and Beyond: What Went Wrong on September 11, 2012 and How To Prevent It From Happening at other Frontline Posts'', 10 a.m., 2172 Rayburn.

Committee on Homeland Security, November 16, Subcommittee on Oversight, Investigations, and Management, hearing entitled ''A Line in the Sand: Assessing Dangerous Threats to Our Nation's Borders'', 9 a.m., 311 Cannon.

November 15, Subcommittee on Counterterrorism and Intelligence, hearing entitled ''WMD Terrorism: Assessing the Continued Homeland Threat'', 10 a.m., 210 Cannon.

November 15, Subcommittee on Transportation Security, hearing entitled ''TSA's Recent Scanner Shuffle: Real Strategy or Wasteful Smokescreen?'', 10 a.m., 311 Cannon.

Committee on Oversight and Government Reform, November 14, Subcommittee on Efficiency and Financial Management, hearing entitled ''Trade Adjustment Assistance for U.S. Firms: Evaluating Program Effectiveness and Recommendations'', 10 a.m., 2247 Rayburn.

Committee on Science, Space, and Technology, November 14, Subcommittee on Technology and Innovation, hearing entitled ''Is 'Meaningful Use' Delivering Meaningful Results?: An Examination of Health Information Technology Standards and Interoperability'', 10 a.m., 2318 Rayburn.

November 15, Full Committee, hearing entitled ''The U.S. Antarctic Program: Achieving Fiscal and Logistical Efficiency While Supporting Sound Science'', 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, November 16, Full Committee, hearing entitled ''Metropolitan Washington Airports Authority (MWAA): A Review of the Department of Transportation Inspector General's Findings and Recommendations'', 9 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, November 15, Subcommittee on Economic Opportunity, hearing entitled ''Review of Veterans Employment Challenges and Initiatives of the 112th Congress'', 10 a.m., 334 Cannon.

House Permanent Select Committee on Intelligence, November 15, Full Committee, hearing on ongoing intelligence activities, 10 a.m., HVC–304. This is a closed hearing.

Joint Meetings

Commission on Security and Cooperation in Europe: November 16, to receive a briefing on assessing Ukraine's parliamentary elections, focusing on the lack of a level playing field, 10 a.m., B318, Rayburn Building.

CONGRESSIONAL PROGRAM AHEAD

Week of November 14 through November 16, 2012

Senate Chamber

Senate will continue consideration of S. 3525, Sportsmen's Act, and vote on the motion to invoke cloture on the bill.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: November 15, to hold hearings to examine the nomination of General Joseph F. Dunford, Jr., USMC for reappointment to the grade of general and to be Commander, International Security Assistance Force, and to be Commander, U.S. Forces, Afghanistan, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: November 14, to hold an oversight hearing to examine Basel III, focusing on the impact of proposed capital rules, 2:30 p.m., SD–538.

Committee on Environment and Public Works: November 15, to hold hearings to examine an original bill entitled,

''Water Resources Development Act of 2012'', 10:30 a.m., SD–406.

Committee on Health, Education, Labor, and Pensions: November 15, to hold hearings to examine pharmacy compounding, focusing on implications of the 2012 meningitis outbreak, 9:45 a.m., SD–106.

Committee on Homeland Security and Governmental Affairs: November 14, to receive a closed briefing on the attack on the United States mission in Benghazi, 11 a.m., SVC–217.

Select Committee on Intelligence: November 15, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: November 15, to hold hearings to examine preventing elder financial abuse, 2 p.m., SD–562.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED TWELFTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through September 30, 2012

	Senate	*House*	*Total*
Days in session	112	114	..
Time in session	729 hrs., 8′	624 hrs., 53′	..
Congressional Record:			
Pages of proceedings	S6689	H6298	..
Extensions of Remarks	..	E1672	..
Public bills enacted into law	25	63	88
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Measures passed, total	337	365	702
Senate bills	46	29	..
House bills	81	241	..
Senate joint resolutions	3	..	..
House joint resolutions	1	3	..
Senate concurrent resolutions	12	9	..
House concurrent resolutions	12	15	..
Simple resolutions	182	68	..
Measures reported, total	182	300	482
Senate bills	132	11	..
House bills	29	242	..
Senate joint resolutions	1	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	2	..
Simple resolutions	19	44	..
Special reports	5	28	..
Conference reports	3	3	..
Measures pending on calendar	377	96	..
Measures introduced, total	1,875	3,165	5,044
Bills	1,594	2,804	..
Joint resolutions	17	23	..
Concurrent resolutions	26	45	..
Simple resolutions	238	297	..
Quorum calls	..	1	..
Yea-and-nay votes	200	194	..
Recorded votes	..	407**	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 127 written reports have been filed in the Senate, 331 reports have been filed in the House.

** Proceedings on Roll Call No. 327 were vacated by unanimous consent.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through September 30, 2012

Civilian nominations, totaling 408 (including 188 nominations carried over from the First Session), disposed of as follows:	
Confirmed	225
Unconfirmed	166
Withdrawn	16
Returned to White House	1
Other Civilian nominations, totaling 3,899 (including 167 nominations carried over from the First Session), disposed of as follows:	
Confirmed	3,893
Unconfirmed	3
Withdrawn	3
Air Force nominations, totaling 5,812 (including 295 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,769
Unconfirmed	42
Withdrawn	1
Army nominations, totaling 6,057 (including 16 nominations carried over from the First Session), disposed of as follows:	
Confirmed	6,042
Unconfirmed	14
Withdrawn	1
Navy nominations, totaling 3,824 (including 1 nominations carried over from the First Session), disposed of as follows:	
Confirmed	3,822
Unconfirmed	2
Marine Corps nominations, totaling 1,310, disposed of as follows:	
Confirmed	1,310

Summary

Total nominations carried over from the First Session	657
Total Nominations received this Session	20,643
Total confirmed	21,061
Total unconfirmed	227
Total withdrawn	21
Total Returned to the White House	1

Next Meeting of the SENATE

2:30 p.m., Wednesday, November 14

Senate Chamber

Program for Wednesday: The Majority Leader will be recognized. The filing deadline for first-degree amendments to S. 3525, Sportsmen's Act, will be at 4 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, November 14

House Chamber

Program for Wednesday: Consideration of the following measures under suspension of the rules: (1) Concur in the Senate Amendment to H.R. 2606—New York City Natural Gas Supply Enhancement Act; (2) H.R. 6570—To amend the American Recovery and Reinvestment Act of 2009 and the Emergency Economic Stabilization Act of 2008 to consolidate certain CBO reporting requirements; (3) Concur in the Senate Amendment to H.R. 2453—Mark Twain Commemorative Coin Act; (4) H.R. 6116—To amend the Revised Organic Act of the Virgin Islands to provide for direct appeals to the United States Supreme Court of decisions of the Virgin Islands Supreme Court, as amended; and (5) H.R. 5934—Stop Tobacco Smuggling in the Territories Act of 2012.

Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E1745
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