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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GRAVES of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 12, 2011.

I hereby appoint the Honorable TOM GRAVES to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE COLOMBIA TRADE AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. This Congress is entering its fifth month without bringing a single jobs bill to the House floor, and there are no jobs bills in sight. But we do hear calls for a series of trade agreements, including ones with Colombia and Korea.

At a time when millions of Americans are still looking for work, the House will be spending time protecting corporate investments in foreign countries and not jobs here at home. At a time when multinational corporations have fired 2.9 million American workers, they will be hiring 2.4 million workers overseas. The House will be spending time shoring up corporate overseas investments rather than encouraging investments here at home. And at a time when so many in the Middle East are rising up for democracy and human rights and are receiving support from the United States for those efforts, the House is taking up trade agreements with Colombia that fails to live up to those very values.

One of our most important responsibilities as elected officials is to promote and to protect American jobs. We do this by trying to ensure that American workers do not face unfair competition with countries that keep wages low by repressing essential democratic rights. These are important rights, the right to speak out, the right to protest, the right to organize unions, the right to bargain collectively and directly with their employers, and to support political efforts to improve their economic conditions without reprisals.

But reprisals are what you get in China. Thousands of strikes last year were met not by their employers but by the police and the army, beating up on the workers who were seeking better wages and better working conditions in plants all across China.

What do you get when you protest your rights in Colombia? You get assassinations. You get death squads against union members, union leaders, members of union families all across the country. The American worker can compete; but you can't compete against the Colombian Army, the Colombian death squads, the Chinese Army. That's not fair competition. But that's what's protected in these trade agreements.

Tragically, Colombia stands out as a country where wages are kept low and workers are repressed through widespread violence and other human rights violations. Colombia has earned the reputation as the most dangerous country on Earth for workers trying to build a better life. During the last Colombian President's 8 years in office, 570 union members were assassinated—149 in the last 3 years—and the violence hasn't stopped with the election of the new President.

Reports of assassinations against union members and leaders keep coming. The two most recent ones include the April 8 assassination of Ramiro Sanchez. He was shot repeatedly as he left a union meeting. Mr. Sanchez had received death threats after organizing workers to demand local hiring at an oil company. And the March 30 assassination of Hector Orozco, who was an official with the peasant farmers' union. He and his colleague Gildardo Garcia were found murdered. Days earlier, Mr. Orozco reported that he and other peasants were threatened by an army officer.

On top of the violence is the problem of impunity. Authorities have only investigated a quarter of the union killings since 1986. No one has been held accountable for 98 percent of the crimes against unionists. The violence and impunity came together in another recent case. A few weeks ago, Judge Gloria Gaono was shot in the head in broad daylight. At the time, she was presiding over a politically sensitive case of a military officer accused of murdering three children, one of whom he apparently admitted to raping.

Now Colombia has a new President who says he wants to turn the page on Colombia's past. But these murders and human rights violations are not the past. They are happening today. Before we consider any agreement with Colombia on free trade, real changes must come to Colombia. That is why I

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have joined with colleagues to lay out a series of benchmarks that should be met by Colombia before the Obama administration sends Congress any trade agreement with that country. These benchmarks are designed to reduce the violence, to protect human rights, and to end the impunity of the death squads and the army, and the actions they take against these families. They require on-the-ground results and verification.

The administration, however, has adopted an action plan for Colombia that does not demand the results on the ground. I appreciate that U.S. and Colombia finally are bringing labor rights into the equation, but their plan only demands results on paper. Under their plan, nothing really needs to actually change in Colombia. Colombia could have a record year of assassinations and still meet the requirements of the plan. Indeed, before the action plan has been fully implemented, the administration is already preparing the way with Congress to implement this trade agreement. If this action plan were made fully enforceable under the agreement and into the future, we could have something more than just results on paper. Unless it is enforceable, this is less than a serious commitment. It is not fair to Colombians, and it's not fair to the American workers, and it's not fair to our national values and does not reflect our national values.

The American worker can compete with any worker in the world. They're rated time and again the most productive workers in the world. But they cannot compete against currency manipulation in China. They cannot compete against the Chinese Army that breaks up the rights of workers to protest, and they cannot compete against the death squads that have been assigned to assassinate union members, union leaders, and union families.

NATIONAL LABOR RELATIONS BOARD: PUTTING POLITICS BEFORE THE NEEDS OF THE AMERICAN PEOPLE

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

Mr. DUNCAN of South Carolina. Mr. Speaker, the recent unprecedented action by the National Labor Relations Board is simply the latest example of this administration putting politics before the needs of the American people. I honestly never thought I would see the day when our government sued a company over creating jobs in South Carolina or anywhere in the United States. The NLRB's position violates States' 10th Amendment liberties and attempts to roll back worker protections for the purpose of satisfying special interests and union bosses.

The NLRB was created to protect workers' rights, but now the worker is left out of the equation in favor of big unions. I ask, what about the workers in South Carolina who lose out in this action? Where have their rights been considered in all of this nonsense? In fact, the National Labor Relations Act says in section 1 that the purpose of the NLRA is ''to promote the full flow of commerce, to prescribe the legitimate rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the legitimate rights of the other, to protect the rights of individual employees in their relations with labor organizations whose activities affect commerce, to define and proscribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce.''

The NLRB's ruling comes on the heels of previous threats by this radically out-of-touch panel to sue States like South Carolina for constitutionally protecting one of America's most universal freedoms, the right to a secret ballot. Fear that the Federal Government might take away that fundamental principle prompted voters in South Carolina, Arizona, South Dakota, and Utah to overwhelmingly support adding secret ballot protection to their State constitutions. If the NLRB hadn't already made a big enough mockery of individual freedom, they even refused to come to the negotiation table and talk about their concerns with States' attorneys general unless they were willing to first sign a nondisclosure agreement preventing them from sharing what was discussed during the meetings.

Demanding secret meetings, threats, and attacking the right to a secret ballot doesn't exactly create a good track record for the National Labor Relations Board. That's what prompted me to introduce House Resolution 1047, the State Right to Vote Act, which would stop the NLRB from suing States whose voters took a stand against union thuggery for secret elections. And if the NLRB doesn't change the course quickly, I know there will be many in this body, including myself, who will call for the panel's removal altogether.

But, Mr. Speaker, this latest outrage is a unique power grab. Against constitutional and Supreme Court precedents, the NLRB's actions are a clear attack on our State. Think about the context: This administration has spent our Nation into oblivion, doubling the national debt in 2 short years, running over businesses both large and small, mounting takeover after takeover, and reducing the size and scope of our economy in the process. South Carolina's unemployment rate finally dips below 10 percent, and what does this administration do? It sues one of the largest prospective employers in our State just as that company begins to hire workers, potentially costing South Carolina thousands of new jobs.

Mr. Speaker, I may be new to Washington, but I promise you I was not born yesterday. Looking at the NLRB's policy and examining recent electoral maps, it's not difficult to see a policy that clearly rewards blue States while severely punishing red ones. Under the NLRB's interpretation of the law, a company with a union workforce anchored in a blue State could not expand or relocate to a red State.

□ 1010

Limiting where companies can conduct business sounds like something that would take place in China or the old Soviet Union, not here in the United States. Since when did America stop being the land of the free?

Let me give this message to anyone looking to start a company in America. Choose your location well. If this action by NLRB is upheld, trust me when I say that we won't be talking about companies making decisions over moving to a right-to-work state versus a union state. We will see decisions made in the context of locating in America or another country.

And what this outrageous action by the NLRB tells you is that you're stuck with very few options. Give into the union's demands, close up your shop, or take your production outside of the United States. The NLRB's actions say build your companies somewhere else, but not in America. So much for the American dream.

Mr. Speaker, this action by the NLRB is unconstitutional and illegal. I call on my colleagues in the Education and Workforce Committee to hold hearings into this bureaucratic atrocity. My South Carolina colleagues and I have introduced legislation to defund this latest lawsuit.

I ask all of my colleagues on both sides of the aisle to rescue the American dream and sign on to this legislation. I also ask the American people, pay attention to this problem. Our Founding Fathers would be appalled by this bureaucratic tyranny. It's time to hold our elected officials accountable. Do we want to just say that we're a free nation, or do we really want to be a free nation? Our freedom is under attack. It's time we take a stand.

May God continue to bless America.

HONORING THE LEGACY OF WILLIAM DONALD SCHAEFER

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

Mr. HOYER. Mr. Speaker, I rise to honor the legacy of an extraordinary Marylander, Maryland Governor William Donald Schaefer. He died just a few weeks ago after a long time of public service.

William Donald Schaefer was one of the great American mayors. Few mayors can ever say that they transformed a city as thoroughly as did William Donald Schaefer transform Baltimore.

But over his 16-year tenure as mayor of Baltimore, he led a dramatic and

historic turnaround. In 1971, when his mayoralty started, Baltimore was a struggling city, a city plagued by population flight, crime, and decaying urban infrastructure. When so many had given up on Baltimore, Mayor Schaefer made it his mission to stand up to that decay. And we can still see his legacy today. It is a legacy that includes physical landmarks like Camden Yards, the National Aquarium, Baltimore's Harbor Place, and an outstanding light rail system, projects that he saw through to completion as both mayor and Governor of our state.

Just as importantly, Mayor Schaefer's legacy came in thousands of gestures that showed just how deeply he cared about the people he represented and how seriously he took his work: Personally addressing illegal dumping in alleys or broken equipment at parks, driving through the city at night on the lookout for everything from potholes to crime trouble spots, and even jumping into the aquarium's seal pool, complete with a rubber ducky, when the city failed to complete the aquarium on time.

My colleague from Oregon is shaking his head because we all know that famous picture.

Above all, his colorful, passionate, and dedicated leadership added up to the change, not just in Baltimore's appearance and infrastructure, but in the mindset of the words of the Baltimore Sun when they said he ''changed the way the city felt about itself.''

How important leaders are to make that happen in the minds of their people. We have an agenda, by the way, that is Make It In America, that is trying to change that psychology as well, that we're going to make it, we're going to succeed, we're going to expand.

William Donald Schaefer brought that same dedication to his two terms as Maryland Governor. His trademark, no-nonsense style—''do it now'' was his byword—was on display in Annapolis, where he pursued an agenda focused on job creation, strengthening Maryland's schools, which, by the way, now rank number one in the country, and protecting Maryland's natural heritage, including our beloved Chesapeake Bay.

After reaching the highest point in Maryland politics, many would have ridden off into the sunset. But not William Donald Schaefer. He couldn't get enough of the work he loved, and he ran for State Comptroller, and won twice. In his last job he was one of our State's most respected voices for fiscal responsibility.

Before he died, Governor Schaefer was asked how he'd like to be remembered, and he answered, ''There are two words: 'He cared.' People,'' he said, ''mock me and make fun of it. But it's the truth.''

And as someone who worked closely with William Donald Schaefer throughout his years as mayor and Governor and comptroller, I can say, without any hesitation or fear of contradiction, William Donald Schaefer cared. He was a man of the people. He listened, he acted.

It is the truth and it mattered because, at the time when so many wrote off our cities, caring took remarkable courage and strength.

A great architect, Mr. Speaker, was once laid to rest in a building he himself had designed. His tombstone read, and I quote, ''If you seek his monument, look around you.'' Those words apply just as well to William Donald Schaefer, and I hope that the people he served will bear him in mind whenever they enjoy the best of the city of Baltimore and the best of the State of Maryland.

Well done, our good and faithful servant.

HONORING JOHN SNIDER

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

Mr. WALDEN. For the past 12 years, John Snider of Medford, Oregon, has been my district director. He's decided to move on now to pursue other opportunities and other careers. But to me, he was more than just district director. He was my mentor, he was my partner, and always my friend.

John Snider is a terrific man, a great fan of the Oregon Ducks, and he served three Members of Congress in this district as district director, including my most recent predecessor, Robert F. Smith.

He was born and raised in Medford. His roots run deep in the Rogue Valley. He is a guy's guy. He is a terrific man.

My current district office actually sits adjacent to the former Snider Dairy, which his family had and which is now part of downtown Medford.

John and his wife, Candy, currently live in the Rogue Valley, and John's daughter, Robyn, lives up in Grants Pass.

John graduated from St. Mary's High School and was its student body president. He graduated from the University of Oregon, and is a rabid, to say the least, Oregon Ducks fan. And my wife and I had the opportunity to be with John and Candy at the championship game in Arizona earlier this year. And among the 10,000 or 20,000 people at the reception ahead of time, we actually bumped into each other there, as fate would have it, and had a wonderful evening.

John served our country as a member of the United States Coast Guard and as president of the Rotary Club of Medford, where his attendance always spiked when I was the speaker. He was always so busy, he never got to his own Rotary Club; so they always fined him extra heavily when I was there because then he was with me and they had their opportunity to get at him.

John was my eyes and ears throughout the Second District, which is 70,000 square miles of eastern, central, and southern Oregon. We, I think, have traveled in about every conveyance possible, from a wagon behind a tractor to jet engine aircraft, single engine aircraft, twin engine aircraft. We've traveled in those airplanes, small, chartered, with others on our staff who didn't fare as well as John and I. They turned a little green and white and had problems at times. John and I always sort of traveled through it.

We have driven in snow and rain and ice and sleet, and everything we hear about postal officials, from one end of the district to the other. We have flown, we have driven, we have hiked, we have walked, we have been on boats and airplanes, and you name it.

□ 1020

And always at my side, John Snider. When the water was cut off to the Klamath Basin 10 years ago, John was there with me at the bucket brigade, where we took water symbolically out of Lake Ewuana and passed it through 15,000 people into the A Canal, symbolizing this horrible thing that the government had done to the farmers. That deeply affected all of us in the Second District, and especially John and me; and his commitment to those farmers and ranchers continues today, as does mine.

When it came to saving the Medford Tanker Base so that firefighting aircraft could make their circle around the Rogue Valley quicker rather than being shoved out to another hour's flight away, John was there day and night working with Commissioner Walker and others to make sure we could preserve that firefighting base in Medford. And we did, and it's made an enormous difference in saving lives and property.

When President Bush came out to both Applegate and Redmond, John was there helping organize the events ahead of time. And any of you who have been involved in a Presidential visit to your district, you know it happens quickly and you basically go 24/7, and things get changed in the middle of the night and requests come and go: We need a band; no, we don't need a band. We need a garrison-sized flag; no, we don't. John was there making sure it all happened.

John has served as one of my most important advisers, and is passionate about issues related to water and timber, small business development, and the people. He is well-liked by everyone who has ever met or worked with John Snider. He was a true leader in our community and remains so today.

So today, I rise to take the time in the House to honor and recognize my longtime—only until he decided to move on—district director, John Snider, to wish him and his wife Candy and John's daughter Robyn the very best in the years ahead.

We look forward to continuing our friendship and to working together for the betterment of our great State of Oregon, and always to cheer on the Oregon Ducks.

HEALTH CARE REFORM LAW

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

Mr. COURTNEY. Mr. Speaker, I rise to share with the House a headline which was reported in yesterday's Connecticut media, which I believe is going to reverberate all across the country. It reads that, ''As Federal Health Reforms Take Effect, Aetna Proposes Rate Cuts.''

Now, for employers who have been seeing double-digit increases for the last decade, to see a headline that says health insurance premiums are going to be cut probably seems like it must be a typo or there must be some April Fool's headline joke. But the fact of the matter is, as that story indicates, because of the Federal health care reform law, the new premiums which are going to go into effect in September that Aetna is proposing have to be reduced anywhere from 5 percent to 19 percent. For policyholders, the savings with these new premium announcements will be up to $3,500 a year on policies that cost about $14,000 today.

Why is this happening? It is because the health care reform law contains a provision which says that insurers must demonstrate that up to 80 to 85 percent of premium dollars have to be spent on health care. It is called the medical loss ratio rule. And under existing premiums that Aetna is collecting these days, only 54 percent of premium dollars are presently being paid on health care.

Now, again, as someone who was a small employer before I came to Congress in 2007 and paid those double-digit increases year in and year out, what we are seeing now is the fact that there is transparency in terms of how premiums are being handled and that people are now understanding and, in fact, regulators are enforcing a rule which says that when you pay health insurance premiums, not all of it, but the bulk of it has to be spent on health care. And because of this medical loss ratio rule, we saw yesterday that Aetna is proposing to cut health insurance premiums for employers. And this is going to be replicated all across the country over the upcoming year as the Department of Health and Human Services is issuing these rules to State insurance departments for implementation.

Thank goodness for those employers who are now going to be seeing real rate relief that we did not repeal the health care reform law. Thank goodness for those employers who are getting small business tax credits back in the mail today for their IRS filings that they submitted this year that we did not repeal the health care reform law. Thank goodness for all the employers across America who are now participating in the early retiree health insurance reform program, which over half the Fortune 500 companies in America have signed up for as a way of moderating early retiree health insurance costs so that they can encourage employees 55 and up to take retirement, opening up opportunities for younger workers in this country, which we desperately need, looking at graduating classes that are facing daunting employment prospects.

The fact of the matter is the health care reform law in terms of small business tax credits, real rate cut relief, early retiree programs that help employment-based health benefits is now rippling through the system and providing help for thousands and thousands of employers all across this country.

We know now that the health care reform law is helping almost 1 million young Americans between the ages of 21 and 26 stay on their parents' health insurance plan.

I was with a student up at the University of Connecticut the other day. His sister was months away from graduating from NYU when she was diagnosed with a rare nerve disorder. And thank goodness for the health insurance reform law that she was able to stay on her parents' health care plan. Now she is receiving lifesaving treatments that are going to allow her to attend law school starting next year.

For seniors we are seeing the new Medicare provisions that will close the doughnut hole, that will provide preventive services like annual checkups, cancer screenings that are now covered 100 percent by the Medicare program as a direct result of the health care reform law. These benefits are now flowing through the system with a bill that was fiscally responsible and that CBO scored as a net saver to America's budget deficit.

Again, I want to make sure people see this headline that employer-based premiums are going down because of the health care reform law provisions that will protect employers and individuals who buy health insurance, so that their premium dollar is actually going to be spent on health care and not on excessive administrative costs and bonuses for people in the insurance industry.

Again, I come from Connecticut. We are proud of the insurance industry. My dad worked as an insurance company lawyer his whole lifetime and sent me to college because of that.

The fact of the matter is these rules are something that the insurance industry can coexist with, they can make a health profit, they can grow their business, but it will stabilize the market so that people are not going to be forced to abandon coverage for their workers and for themselves because of the skyrocketing double-digit increases that we have been experiencing as a Nation for far too long. We have relief in sight, and this headline verifies that.

Let's preserve these protections and make sure that our employers and individuals have access to affordable health care.

NATIONAL POLICE WEEK

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

Mr. FLORES. As many of you know, this week is National Police Week, a time to give special recognition to law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. I come before you today to honor one of my constituents who did just that.

On April 23, 2011, Johnson County Deputy Sheriff Clifton Taylor was first to the scene of a reported domestic disturbance in Venus, Texas. An anonymous caller had reported a man was threatening people with a weapon. Upon arriving at the scene, Deputy Taylor, two other Johnson County deputies, and an officer from the Venus Police Department were informed that an armed man had fled to another building on the property. Deputy Taylor and the three other officers approached the building, but the gunman immediately opened fire.

Deputy Taylor was shot three times by the gunman and later died. He was 31 years old. His death marks the first time since 1971 that an officer in Johnson County died in the line of duty, and he is the 31st law enforcement officer to be killed by gunfire in the line of duty this year.

Deputy Taylor had been with the department a little more than 3 years. He was deeply committed to serving and protecting his community as a law enforcement officer and will always be remembered as one who placed honor and duty above his own personal interests and safety.

I am deeply humbled by his service and dedication as a Texas law enforcement officer to keeping others safe that he would lay down his life not only for his fellow officers but for the community that he took an oath to protect. His sacrifice exemplifies that set forth in John 15:13: Greater love has no one than this, than to lay down one's life for his friends.

□ 1030

MAKE IT IN AMERICA AND CREATE JOBS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WILSON) for 5 minutes.

Ms. WILSON of Florida. Mr. Speaker, today I rise for one reason: to talk about creating jobs, jobs, jobs.

I have been a Member of Congress for 18 weeks, and I still have not seen any plan that would create jobs. My constituents are hurting. They need help, and I don't see any coming. They are losing their homes. They need jobs.

I did not come to Congress to ''drill, baby, drill.'' I did not come to Congress to hand out corporate tax breaks. And I did not come to Congress to end Medicare as we know it. I came to create jobs.

Graduations are happening all across the Nation, and I can't help but wonder, what sort of world will our graduates be entering? What will happen to the class of 2011?

Under the Republican budget plan, graduates are entering a world with job losses and stifled economic growth. Under the Republican legislative agenda, graduates are entering a world in which Big Oil is given a free pass, a free pass to ''drill, baby, drill'' with limited safety regulations and a free pass to drill with limited environmental safeguards.

Under the Republican-controlled House, new graduates are entering into a world in which their elected officials waste time and energy trying to repeal meaningful health care reform. Health care reform is creating jobs for the class of 2011. Thousands of students will be trained in the health care field. Don't repeal their jobs in health care. Leave ObamaCare alone. Leave their jobs alone.

A new graduate doesn't care about personal crusades lawmakers wage against women's rights and abortion. They care about jobs. They care about our Nation's future. They care about their future. Instead of political games, the time has come to focus on jobs. The time has come to focus on our Nation's future.

As States all across the Nation are facing severe fiscal problems, let's stop focusing on ways to end Medicare as we know it and ways to destroy the social support network that has taken generations to build in our country. Our seniors need Medicare. It is the safety net and infrastructure all seniors need as they grow older. Seniors are living longer. They get their prescription drugs, they can play with their grandchildren, and they are thriving under Medicare. Leave Medicare alone.

I propose that from now until August, each of us here in this Chamber come to Washington remembering the mandate from our constituents: focus on jobs, jobs, jobs. I don't care what kind of tea you party with. I don't care who your Presidential candidate is. I don't care how much press you garner. Join me in focusing on jobs, jobs, jobs.

Let's rebuild our manufacturing base, let's keep our beaches clean, and let's make it in America. Make it in America, baby, and create jobs, jobs, jobs.

INFRASTRUCTURE, JOBS, AND ENERGY INDEPENDENCE ACT

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, a gallon of gas is over $4, heading to $5. The average family spends $2,200 more on gas than they did 2 years ago. Fourteen million Americans are out of work and wondering how they are going to put food on the table. America's infrastructure is crumbling. A quarter of our bridges are structurally deficient.

The American Society of Civil Engineers says all our infrastructure needs are going to cost over $2 trillion for roads, bridges, water, sewer systems, airports, locks and dams. Where will we find the money?

Well, we send $100 billion each day to foreign nations for oil. OPEC exerts control over world oil prices and wants it to be $200 per barrel. We are 60 percent dependent on foreign oil, and climbing. As a country, we waste 20 to 40 percent of our energy in inefficient buildings and factories.

Mr. Speaker, we want clean air and water. We want to see our highways and bridges fixed. We want clean power plants, lower energy prices, and don't pollute our environment. But where will the money come from?

Today, my colleagues and I on the Energy Working Group are introducing the Infrastructure, Jobs, and Energy Independence Act, a bipartisan bill that for the first time brings forward a comprehensive plan to rebuild America, take back our energy future, and create millions of jobs. We can become energy independent, we can create these jobs, and we can do it all without raising taxes or adding to the national debt.

How? Well, America has enough offshore reserves to replace all oil imports from Venezuela and Saudi Arabia for the next 80 years and enough clean natural gas to power industry for the next 63 years. Yet the drilling moratorium means that instead of using our own resources to grow jobs, we are supporting the economies of unstable regimes that want to do us harm.

Our plan opens the door to the safe, responsible expansion of energy production off our coasts, where there is $8 trillion worth of economic output in oil and gas reserves offshore. Over 20 years, that translates to between $2.5 trillion and $3.7 trillion in new Federal revenues, from lease rights and royalties, without raising taxes.

That is $440 billion for infrastructure of our roads and bridges; $330 billion that we will invest in renewable energy sources and buildings and transportation; $220 billion for clean coal technology; $88 billion for environmental restoration to clean up our lakes, bays, rivers and streams; $66 billion in energy conservation; $110 billion for carbon-free technology and nuclear energy development; $66 billion to rebuild our water and sewer systems in small towns and big cities all across America; $44 billion for LIHEAP; and $660 billion for States that are producing; and also several hundred billion to pay down the national debt.

Mr. Speaker, there is a plan for jobs and energy in America, and this is the plan that estimates are will create about 1 million jobs each year, new jobs in building highways and bridges, new jobs in developing our energy resources. And we can do it all.

I ask my colleagues to support the Infrastructure, Jobs, and Energy Independence Act. Let's rebuild America, let's create jobs without raising taxes, let's stop borrowing from foreign nations, let's pay down our national debt, let's stop buying from OPEC, and let's use our rules and our laws to make sure we do all of this in a way that is environmentally sound so we can create jobs and have energy independence for this and the next generation.

TAPPING AMERICA'S INGENUITY AND CAN-DO SPIRIT

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

Mr. WALZ of Minnesota. I want to thank my friend and colleague, the gentleman from Pennsylvania, for his leadership, for his vision, and for the understanding that the American people sent us here to do America's work. Not one party's work, not ideological rigidness, but the idea to come together; that this Nation's bounty in terms of energy reserves and mineral resources, if used wisely and safely and reinvested in this Nation's future, can produce what we know needs to be done: strengthening our national security by making sure we control our energy destiny, making sure we control our economy, and making sure there's stability in where that energy comes from so that American families and businesses aren't forced through the ups and downs at the whims of nations that hate us.

We spend billions, hundreds of billions of dollars sending it to those nations that hate us. Heck, they'll hate us for free. And we can keep those jobs at home, we can keep the money at home, and we can invest. It's not an either/or proposition. Taking the royalties that belong to this Nation's people, allowing them to be gained, to be expanded, and to be done in a responsible manner is something everybody in this House wants. We can take those resources and reinvest them.

I am proud to come from southern Minnesota, a place where innovation is the air we breathe. We have the Mayo Clinic; we are the fourth leading producer of wind power; we are the leading producer of biofuels; we have the largest agricultural production; and we have good small employers manufacturing at home. That vision can be one that we control our destiny.

There is a group of us together, Democrats and Republicans, introducing something that can become law, that can do these things, that can reinvest in infrastructure, that can reinvest in conservation, that can make sure that we control our destiny. And the things that happen with dictators in the Middle East, the importance goes down. We control those things. We can do it. It's going to be on the floor today.

Mr. Speaker, I encourage all of my colleagues to join this piece of legislation. It is visionary. It is a compromise to get to there. It can work. It adds

nothing to the national debt, but reduces it. It adds nothing in taxes and it lets us control those things.

This bill, and I will add, the gentleman's work and my colleagues from California and across this Nation, was written by us and the American people, not lobbyists, not special interests. We sat in a room together and agreed to get along, to try to come together on things that we could work on to make this country work.

□ 1040

That's going to be introduced today. It can happen. We owe it to the American people to get that done. Let's roll up the sleeves, tap that innovation, do the right things, get to work, and make this country energy independent. Let's secure our future both from a security standpoint and an economic standpoint and create jobs right at home.

Believe it or not, there are solutions coming right out of this Chamber.

CONGRATULATING GAIL ROMIG

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, each year the White House recognizes outstanding teachers for their contributions to the teaching and learning of mathematics and science through the prestigious Presidential Award for Excellence in Mathematics and Science. On April 28, President Obama named 85 teachers as recipients of the 2010 award, one of which was from the Fifth District of Pennsylvania, Mifflin County resident Ms. Gail Romig, a teacher at State College Area School District.

Today, I want to thank Ms. Romig for her dedication to her students and commitment to the field of mathematics. We live in a global economy that is ever-changing and where America is forced to continually adapt, innovate, and find new ways to remain competitive in the global marketplace. Our competitiveness relies on the excellence of individuals in technical fields such as math and science. We rely on dedicated individuals like Ms. Romig to help create our next generation of technical minds.

From coast to coast, from urban enclaves to rural towns, teachers across the country are utilizing their expertise and creativity to equip the next generation of Americans to succeed and to lead.

Thank you to Ms. Romig and others like her all across the country that are working to ensure America is competitive for generations to come.

AMERICAN CONSERVATION AND CLEAN ENERGY INDEPENDENCE ACT

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

Mr. COSTA. Mr. Speaker, I rise today to join in with my colleagues in the introduction of legislation that we will be discussing later this afternoon: the Infrastructure Jobs and Energy Independence Act of 2011.

First of all, I would like to thank my colleagues who spoke a moment ago, Congressman TIM MURPHY and Congressman TIM WALZ, both who talked so importantly on the need to get our Nation's energy house in order.

Since the long gas lines of 1973, policymakers on both sides of the aisle have attempted various efforts to pursue an energy policy that would reduce our dependence on foreign sources of energy. And what has been lacking through all of those efforts since 1973 is a long-term plan that has bipartisan buy-in which we can stick to both in the near term and longer term to reach those goals. Why hasn't it happened? Because, unfortunately, too often here in these Chambers the lost art of the political compromise has gone away.

But today, with the introduction of the bipartisan Infrastructure Jobs and Energy Independence Act of 2011, we have an opportunity to come together as a House, to come together as a Nation. This is what the Bipartisan Energy Working Group has done over the last few months to really put together a piece of legislation that reflects past efforts, commonsense ideas that will enhance our path toward energy independence and national security through the following means. First, it would increase the production of domestic oil and gas on the Outer Continental Shelf. It would also increase sources of alternative energy utilizing clean energy technologies whenever possible. In addition to that, it would dedicate a fixed percentage of the royalties that we receive from oil and gas that is derived from Federal lands both onshore and offshore, the second-largest source of revenue to our Nation's Treasury, to the following purposes:

First of all, it would invest in our infrastructure revitalization and renewal that provides more jobs that are sorely needed. It would invest in conservation programs. It would invest in environmental restoration projects. It would invest so importantly in renewable energy research and development so that once again we can regain the lead around the world. It would invest in clean energy technology as well as increasing development of existing as well as traditional energy sources, like improving our transmission lines. And it would provide energy assistance for those most in need. Sharing a portion of such royalties with producing States also would provide an incentive for those States. And it would increase the diversification and efficiency of America's transportation system, among other things.

As a Nation, we must work together toward realistic energy policy. At the end of the day, we cannot afford to take any energy sources off the table. As many of you know, I am a firm believer in using all of the energy tools in our Nation's energy toolbox. And that's what we need to do. Conventional energy, together with renewable resources and a strategy for energy conservation, will best serve our long-term energy needs—the best management practices our Nation has to offer.

As we create new comprehensive energy policy to reduce our dependency on foreign sources of energy, reducing our dependence on those nations, it will make a big difference in America. I believe it's important for us to understand and agree to realistic transitional timelines as we embark upon this bipartisan energy policy both in the near term and the long term.

Finally, I look forward to cooperating and collaborating again with the members of the Bipartisan Energy Working Group and other Members of Congress to address ways in which our Nation's energy sources can best be utilized to help us secure that balanced energy future in the 21st century, which is what all Americans want us to do. I believe this legislation that we will introduce this afternoon will put us along that path for a long-term secure energy future for America in the 21st century.

IMPLEMENTING SMART ENERGY PLANS

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

Mr. NUNNELEE. This morning, in Tupelo, Mississippi, Whiteside's Restaurant is quiet. The lights are turned off. Tables around which coffee and conversation had flowed freely, a place where I have enjoyed many great meals, is quiet this morning. And on the front door there's a sign that simply says, ''Due to the economy and Uncle Sam, Whiteside's is closed. Donna Whiteside said that the driving force in her closing her business was higher taxes, increased gas prices, and a sluggish economy. Higher gas prices have become a cruel tax on all Americans. Donna Whiteside saw it as her customers had shrinking disposable incomes because of higher gas prices. Donna Whiteside saw that the cost of her groceries were going up because of higher gas prices.

What is not helping Americans get relief at the pump is the stalling of energy production by this administration. Since taking office, President Obama has actively delayed, blocked, and stalled American energy production—and the American people are sick of these stalling tactics. That's why the House of Representatives is concentrating on three key initiatives that will reverse the Obama administration's policies that are hurting families and small businesses, destroying jobs, and increasing our reliance on foreign oil.

Last week, the House passed the Restarting American Offshore Leasing

Now Act. It will require the Secretary of the Interior to conduct oil and natural gas lease sales in the Gulf of Mexico and offshore Virginia that have been delayed or canceled by this administration. In fact, if we don't have an oil lease this year, it will be the first time in my lifetime that the American public has not had that.

Yesterday, the House voted on the Putting the Gulf of Mexico Back to Work Act. Since the drilling moratorium was officially lifted in October, the administration has chosen to drag their feet and stalled the permitting process in the gulf. Twelve rigs have already left the gulf for other regions, taking hundreds and even thousands of jobs with them. This steady decline in oil and natural gas production is costing the United States $4.7 million every day in lost revenues. This act speeds up the drilling permitting process and will put thousands of Americans back to work.

Today, we'll vote on the Reversing President Obama's Offshore Moratorium Act. The administration's actions have placed the Atlantic coast, the Pacific coast, and areas of Alaska off limits. This Act will implement a smart drilling plan requiring the administration to move forward on American energy production in areas containing the most oil and natural gas resources.

In north Mississippi, we're working at leading the way toward helping our Nation become energy secure. All three of these bills combined can create up to 1.2 million jobs that will generate revenue that our Nation needs, and it will put us on the path to achieving energy security, of more American oil, more natural gas, clean coal, nuclear energy, and new technologies such as wind and solar.

□ 1050

Donna Whiteside and the thousands of businesses and families around America need to know that the House of Representatives is listening to them. The House Republican American energy initiatives will free the American people from the Obama administration's stalling games. If the Senate will consider and pass this legislation, it will put an end to higher gas prices that are straining budgets and are compromising our energy security.

REMEMBERING THE VICTIMS OF THE VIOLENT TENNESSEE STORMS

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

Mr. DESJARLAIS. Mr. Speaker, today I come to the floor of the U.S. House of Representatives to remember the four victims who tragically lost their lives in Bledsoe County as a result of the severe storms and tornadoes that struck middle Tennessee on April 28, 2011.

Loretta Winters Bellos was dearly loved by those in her community. She was described by friends as a generous and beloved friend who will be greatly missed.

Loretta's sister, Patricia Lynette Thompson, attended Brayton Baptist Church in Graysville and was previously very involved in the Tremont Baptist Church. Those that knew her said that her faith and her church family were a very important part of her life. Her family says they will remember her as ''the best mother, grandmother and wife in the world.''

Debbie Gibbs Fox was known as an avid animal lover and her husband, Harold ''Sonny Boy'' Hudson Fox, was described by friends as someone with a lightened spirit who was always a joy to be around.

To all the families and friends of each of these victims, I'm sorry for your loss and offer my deepest sympathies.

I would also like to take a moment to recognize the many emergency management service workers and volunteers that have worked tirelessly to help the victims overcome this terrible tragedy. While touring the damage left by these storms, I was extremely touched by the kindness and generosity of the many people who were there to immediately lend a hand to their neighbors in this time of great need.

I know that the rebuilding process will be difficult and that much was lost, but I'm confident that our community will get through this. My wife, Amy, and I are keeping the families of the affected members in our thoughts and prayers as they begin the process of rebuilding their lives. May God bless you.

CONSTITUENT WORK PERIOD RECAP

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

Mr. BARLETTA. Mr. Speaker, once again it is a privilege to rise this morning and share with my colleagues in the House what my neighbors at home shared with me during the last constituent work period. During those 2 weeks in April, I met with business and community leaders in Wilkes-Barre to see how they're working to keep their downtown alive and vibrant. For example, they converted an old storefront, right in the heart of the city, into a business incubator which encourages local entrepreneurs and start-up firms. The Greater Wilkes-Barre Chamber of Business and Industry is also trying to restore the city's Irem Temple, a local landmark that is a truly beautiful building, one of the last buildings of its kind in the United States.

I toured an ongoing flood control project in the city of Scranton. There, the Army Corps of Engineers is working to make sure the flood walls meet new standards to protect thousands of residents and dozens of businesses. These constituents have been very patient, waiting decades for their relief. Now, the Corps of Engineers and the Federal Emergency Management Agency are finalizing plans that will provide the protection they deserve.

About 200 people came out to my Home to House public forums, where they learned about the issues we're tackling here in Congress. I was eager to talk with them about Medicare reform and about the steps we're taking to cut the outrageous overspending. Most of my constituents understood what we're doing here, especially the senior citizens. They know that we're trying to save the future for their children and their grandchildren. Many of my constituents also told me they don't want us to raise the debt ceiling without securing substantial budget cuts.

But everywhere I went, my neighbors asked me what we're doing here in Congress to lower the price of gas. Over the 2-week constituent work period, regular unleaded gas cost between $3.90 and $4 a gallon. People would come up to me at the gas station as I was filling up and tell me that we need to work harder here to solve this problem. I am happy to report that this week and last I voted on two bills that will put thousands of Americans back to work, while increasing American energy production to help address rising gasoline prices.

There are two events in the constituent work period that stand out for me. One was speaking to a class of students at St. Jude's School in Mountain Top. These bright, eager young men and women were curious about what we do here in Congress. They asked insightful questions. They wanted to learn about Washington. They offered some insights on how to make their futures brighter. As I continue to examine education and workforce programs as a member of the House Education and the Workforce Committee, I will remember these students and their advice.

The second event was the arrival of the Patriot Flag in my hometown of Hazleton. This giant symbol of the United States is traveling around the country to commemorate the 10th anniversary of the September 11 attacks. It was my privilege to stand on the steps of city hall and help first responders, law enforcement, Boy Scouts, and members of the military fold the Patriot Flag.

Less than 36 hours later, we learned that Osama bin Laden was dead. The death of the most visible face of international terrorism is a historic event, and it is one that unified our country. My neighbors in the 11th District of Pennsylvania are proud to congratulate our brave men and women in our Armed Forces and intelligence services, and we thank all of them and their families for their continuing sacrifices. We also commend President Obama for taking bold action.

The spontaneous celebrations after bin Laden's death in front of the White

House, at Ground Zero in New York City, and all across the country once again remind us that there is more that unites us than divides us. We are all, at the core, proud Americans. If we can learn anything from recent events, it is that America is strong and resilient. If we stay dedicated to our efforts, we can get our country back on track.

Fueled with the feedback I heard from my neighbors during 2 weeks at home in northeastern Pennsylvania, I am ready to keep fighting for them.

Thank you, Mr. Speaker.

RECESS

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

Accordingly (at 10 o'clock and 58 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Monsignor Craig Harrison, St. Francis of Assisi Catholic Church, Bakersfield, California, offered the following prayer:

Gracious and loving God, we are grateful for the gifts and blessings You have shown our Nation.

Be with those who are suffering the devastation of the great storms that we have experienced and help us as a Nation to respond.

Bless the women and men gathered here who are called to protect and serve the people of the United States. Watch over and bless all those who serve our Nation abroad.

Guide the Members of this Congress, that their work today will reflect Your love and compassion and guide our Nation to be a leader in justice and peace.

We pray this in the name of the one who created us in love. 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 New Jersey (Mr. SIRES) come forward and lead the House in the Pledge of Allegiance.

Mr. SIRES 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.

WELCOMING MONSIGNOR CRAIG HARRISON

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

There was no objection.

Mr. MCCARTHY of California. Mr. Speaker, I am honored to welcome Monsignor Craig Harrison from Bakersfield, California, and appreciate that he was able to be here today to open up our floor session with the invocation. It is great to have a fellow Bakersfield High School Driller here on the floor with me.

Since he returned to Bakersfield in 1999 to be the pastor of his hometown parish, Monsignor Craig has had a profound, positive impact on the lives of the thousands in our community. The fact that the number of families in his parish has increased by over 5,000 and enrollment in the parish school has doubled is a testament to his leadership in our community.

He is more than just a faith leader. He is an author of a children's book, he is a faith leader to many of us throughout the community, and, on a personal note, he was a faith leader to my father as he battled his fight with cancer.

Monsignor Craig is a true friend to the Bakersfield community, and I appreciate that he was able to share his words of wisdom on the House floor.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GARDNER). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

U.S. FIREFIGHTERS GO TO MEXICO AND FLY OVER TEXAS

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

Mr. POE of Texas. Mr. Speaker, the administration is fighting wildfires. In December, the United States sent two firefighting planes to battle fires in Israel. In April, two specially equipped U.S. Air Force C–130 cargo planes and 30 personnel were sent to battle wildfires in Mexico. The fires in Mexico burned about 380 square miles near the Texas border. The United States came to the rescue.

But not everyone gets help from the United States. A wildfire epidemic has also occurred in Texas, with more than 9,000 fires. Two million acres have been burned. That is the size of Rhode Island and Delaware combined and ten times the size of the fires in Mexico. And the State is still on fire.

Texas Governor Perry requested Federal help, but the administration summarily denied the Governor's request. The administration, it seems, is more concerned about taking care of foreign nations while ignoring Americans in Texas. Why does the administration despise Texas? Meanwhile, the fires continue.

And that's just the way it is.

CONDEMNING THE DEATH OF JUAN WILFREDO SOTO

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

Mr. SIRES. Mr. Speaker, I rise today to condemn the brutal beating and subsequent death of Juan Wilfredo Soto. Last Thursday, Soto, while participating in a peaceful protest against the Castro regime, Cuban authorities beat him so badly that he was later taken to the hospital, where he died.

Soto was a brave man and a respected advocate who helped support the hunger strikes of human rights award winner Guillermo Farinas.

Juan Wilfredo Soto's death is the latest brazen illustration of the violent methods the Castro brothers utilize to oppress freedom in Cuba. In the last 2 months reports of oppression have increased.

As many praised the false promises of the Sixth Communist Party Congress held in Cuba last month, few acknowledged the crackdown on dissidents and journalists that took place. Prior to the congress, Cuban authorities reportedly arrested and detained opposition members to ensure that all voices critical to the regime would be silent and that no protests would be visible.

The United States and the international community must join together in condemning the wrongful death of Juan Wilfredo Soto and supporting human rights on the island. We must show Cuban leaders that their brutality is not going to go unnoticed.

MAJORITY'S PLAN FOR MEDICARE IS THE WRONG APPROACH

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, if the majority's plan for Medicare ever becomes law, seniors will lose their guaranteed benefit and get a private insurance voucher.

Seniors are calling. They are nervous and justified in asking all sorts of questions about the plan, such as: Will the voucher cover me if I get sick? Will the voucher result in rationed care? And will I need to pay more out of pocket?

The Congressional Budget Office says seniors will pay more—much more. Out-of-pocket costs to seniors will double in 2022 and rise by 68 percent by 2030.

This massive cost shifting saves the Federal Government a lot of money. And where does all of the money taken from seniors and Medicare go? Well, it doesn't pay off the debt. It doesn't create jobs or help folks pay for gas or groceries. But it does go to finance large new tax cuts for the most well-off.

This is the wrong approach to caring for our seniors.

TIME TO STOP POLITICAL GAMES AND WORK TOGETHER

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

Mr. BACA. Mr. Speaker, right now Californians in my home district face an almost 14 percent unemployment rate and are dealing with the fourth highest rate of foreclosures in the Nation.

What my constituents need above all else is for both of us, Republicans and Democrats, to come together on creating new jobs. Yet in the last 18 weeks the Republicans have controlled the House, they have yet to bring one single bill focused on creating jobs. Instead, they have put forward a partisan agenda that is more about scoring political points than helping American families.

We should be putting American families back to work. We should not be voting to dismantle safety nets for seniors and vulnerable Americans. The Republican attacks on Medicare and Medicaid go against our core values and threaten the health care of 44 million low-income Americans.

It is time to stop political games. Let's work together, and I say let's work together and focus on straightening out our economy and creating jobs.

□ 1210

CONGRATULATING NEWARK COMMUNITY HIGH SCHOOL BOYS BASKETBALL TEAM

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

Mr. HULTGREN. Mr. Speaker, I rise to congratulate the Newark Community High School boys basketball team on their 2011 Illinois class 1A championship title. This is a great accomplishment; and their team, coaches, and the entire Newark community should be very proud.

Newark, Illinois, is a town of less than a thousand people. It is symbolic of our great Nation and is a place I am honored to represent. Newark High School, with a total enrollment of less than 200 students, has never before won the State championship. Coach Rick Tollefson, head coach of the Newark Norsemen, has been with the program for 5 years and in that time has led the Norsemen to three consecutive sectional championships as well as this year's State title. It has certainly been an exciting time for this close-knit community.

On behalf of the House of Representatives, I would like to personally congratulate everyone who made Newark history this year, as well as those who made it possible—the school's administrators and the entire Newark community. I appreciate their hard work and dedication to this basketball program and to the students of Newark High School. Congratulations on a job well done.

CODE NAME ''GERONIMO''

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

Mr. FALEOMAVAEGA. Mr. Speaker, just last week, the U.S. military carried out a covert operation that ended in the killing of the most wanted terrorist on the planet, Osama bin Laden. The news of Osama bin Laden's death at the hands of our heroic Navy SEALs sent forth a wave of tremendous relief by the American people.

However, Mr. Speaker, we also learned that the U.S. military and the CIA used the code name ''Geronimo'' for the operation to seize and kill Osama bin Laden. The first reports of the details of the raid stated that Osama bin Laden had been identified as ''Geronimo''—enemy killed in action.

Mr. Speaker, I would strongly suggest to all my colleagues in the House that you should go and see the movie ''Geronimo'' and see for yourselves if the Chiricahua Apache warrior Geronimo was a terrorist and murderer of thousands of innocent men, women, and children like Osama bin Laden. On the contrary, Geronimo was one of the greatest American Indian warriors who fought against some of the most vicious, cruelest, and inhumane treatment and policies instituted by our Federal Government against his people.

As a Nation—Mr. Speaker—I know we can do better than this. And with all due respect, I believe the President and CIA Director Panetta owe the Apache Nation an apology.

JUAN WILFREDO SOTO

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

Mr. RIVERA. I rise today to inform my colleagues of yet another ruthless murder by the Castro dictatorship in Cuba. Last Sunday, Juan Wilfredo Soto Garcia, a dissident leader on the island, was viciously beaten to death by Castro's state security thugs simply for participating in a peaceful protest.

Soto belonged to Foro Anti-Totalitario Unido, or the United Anti-Totalitarian Forum, a peaceful dissident organization. Witnesses have attested that two of Castro's henchmen cuffed his hands behind his back and then beat him mercilessly and repeatedly with batons until he was dead.

For 30 years, Soto peacefully worked for freedom and change on the island and served 12 years in Castro's political prisons for his pro-democracy advocacy. Last year, Soto stated, ''I hold Cuban state security, the government, and the repressive police here responsible for whatever happens to me in the future.''

This past weekend, he gave the ultimate sacrifice for Cuba's freedom and became yet another victim in the Castro brothers' 50-year reign of terror.

MEDICARE

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

Mr. YARMUTH. Mr. Speaker, this past Tuesday, 41 House Republicans sent a letter to President Obama pleading with him to stop the criticism of the GOP's plan to turn Medicare into a private voucher system—a system that would cost future seniors thousands of dollars each year. Let bygones be bygones, these Republicans said. Let's wipe the slate clean. Well, I can't help but laugh at the irony.

Last year, in districts all throughout the country, Republican candidates for Congress attacked Democrats for supporting the Affordable Care Act, claiming it cut $500 billion from Medicare—wrongly, I might add.

Fast forward 1 year later, and those same Republicans now in Congress just a few weeks ago voted for a budget that actually embraces the very same $500 billion in savings we found in Medicare in the Affordable Care Act.

There's a difference, though. In the health care law, Democrats took that $500 billion and reinvested it in Medicare to increase the life of the program for more than a decade. What did the Republicans do? They take that $500 billion and use it to pay for more tax cuts for the wealthiest Americans and giant oil companies. And Medicare? They dismantle it, forcing future seniors into a new system that will require them to pay upwards of $180,000 more for their care.

The American people will not let them forget.

UNDERSTANDING WHAT'S HAPPENING AT THE PUMP

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

Mr. MORAN. Mr. Speaker, 1 year ago, lax regulation and reckless pursuit of higher oil company profits resulted in 11 deaths, 200 million gallons of oil dumped into our gulf waters, tens of thousands of marine and aquatic life lost, and a damaged fishing and tourism industry. A panel of experts showed us how we can learn from past mistakes and implement regulations to ensure that this disaster doesn't happen again. Yet over the last 2 weeks the Republican majority has passed legislation to create an even more lax regulatory environment than existed before the BP oil spill disaster.

Opening our shores to drilling and returning to pre-BP oil spill regulations won't reduce our dependence on foreign

oil, and it won't reduce the price of gas at the pump. The United States holds less than 2 percent of the world's oil reserves while we consume more than 22 percent. Even if all restricted areas in the U.S. could somehow be brought into production at this moment, the oil they would yield under the best scenario is about a million barrels of oil a day—5 percent of our daily consumption.

Those bills shouldn't get any further than the House. The Senate should reject them. The American people should better understand the real cost of giving the oil companies everything they want.

LET'S HELP REBUILD AMERICA

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

Mr. CLARKE of Michigan. It's very clear in these economic times that Americans need jobs and, more accurately, we need the investment that will create jobs. We've got the money to do it. In light of the fact that bin Laden is no longer a threat to Americans, we don't need to spend over $100 billion a year in Afghanistan.

So, again, let's take a share of the money that's gone to rebuild Afghanistan, have it sent back to the U.S. taxpayers right here in the United States to create jobs right here in the U.S. Let's help rebuild American cities like the city of Detroit. When you do that, you rebuild U.S. manufacturing capacity. That will create jobs for thousands and even millions of Americans right here at home. The best way to make it in America: redirect our tax dollars away from Afghanistan in part to create jobs right here for American people.

BROAD RANGE OF ENERGY SOLUTIONS

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

Mr. BILIRAKIS. Mr. Speaker, a few days ago, I visited a local Tampa gas station and spoke with dozens of customers about the impact of rising gas prices on already financially strapped families. Overwhelmingly, my constituents told me that we must look at a broad range of energy solutions to reduce our dependency on foreign oil and reduce the price we pay at the pump. We should increase domestic energy production, promote energy efficiency, and encourage private investment and renewable energy technologies as part of a comprehensive plan to address our energy needs. Not only will this all-inclusive approach ease the burden of high gas prices but it will help create jobs that this country needs.

PROVIDING FOR CONSIDERATION OF H.R. 754, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2011

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 264 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 264

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1220

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. House Resolution 264 provides for a structured rule designated by the Rules Committee for consideration of H.R. 754. This rules allows for nine of the amendments submitted to the Rules Committee to be made in order.

Mr. Speaker, I rise today in support of this rule and the underlying bill. The fiscal year 2011 budget process began last Congress with about a dozen hearings and Member briefings and continued into this Congress with more briefings and negotiations. This legislation was introduced by the chairman of the House Permanent Select Committee on Intelligence, the gentleman from Michigan, MIKE ROGERS, and has gone through regular order to achieve its presence on the floor today. H.R. 754 was marked up in the Intelligence Committee and the chairman of the Rules Committee, the gentleman from California, DAVID DREIER, provided a structured amendment process for nine additional amendments from Republicans and Democrats to be considered today on the House floor.

The bill we are discussing today authorizes the intelligence and intelligence-related activities of the United States Government for fiscal year 2011 in order to enhance the national security of the United States, to support and assist the Armed Forces of the United States, and to support the President of the United States in the execution of the foreign policy of the United States of America. This bill is a vital tool for congressional oversight of the classified activities of the intelligence community, and it is critical to ensuring that our intelligence agencies have the resources and authorities they need to accomplish this important work on behalf of keeping America free.

The primary vehicle for exercising credible congressional oversight over our intelligence agencies is the intelligence authorization bill. Yet we have not passed a bona fide intelligence authorization bill in 6 years. Although the National Security Act requires intelligence activities to be specifically authorized, in recent years certain appropriation bills have included language that would ''deem'' the intelligence funding to be authorized. This procedure meets the statutory requirement but has weakened the ability, I believe, of Congress in its oversight of intelligence activities in recent years.

The U.S. intelligence community plays a critical role in the war on terrorism and securing our country from the many other threats we face as a

Nation. The recent killing of the terrorist Osama bin Laden is a clear example of the important work our intelligence agencies are doing behind the scenes every single day to protect America and Americans. Keeping the laws governing our intelligence operations up to date and ensuring that there are no unnecessary barriers in the way of future successes are exactly why we are here today and seek the authorization to pass an annual intelligence bill today.

The intelligence authorization bill funds all U.S. intelligence activities, spanning 17 separate agencies. Last year, this funding totaled roughly $80 billion. Our Nation's current challenging fiscal circumstances demand that Congress fulfill its duties and provide the appropriate accountability and financial oversight of our classified intelligence programs through an authorization bill yearly. Additionally, this bill will ensure that Congress funds the requirements of the brave and dedicated men and women in the intelligence community, military and civilian, many of whom directly support the war zones or are engaged in other dangerous operations that keep Americans safe.

The underlying legislation provides oversight and authorization for critical intelligence activities, including global counterterrorism operations such as the one that took out the terrorist Osama bin Laden, tactical intelligence support to support combat units in Iraq, Afghanistan, and wherever else they're needed around the world, cyberdefense, detecting and countering weapons of mass destruction, global monitoring of foreign militaries, weapons tests, and arms control treaties. Additionally, this bill's classified annex provides detailed guidance on intelligence spending, including adjustments to costly programs.

This bill takes an important step forward in the intelligence community to help them meet the same financial accounting standard as other parts of the government. These accounting standards will help uncover savings in the current programs that can be reinvested into vital programs and priorities or returned to the American taxpayer.

I was very pleased this week when the gentleman from Michigan, Chairman MIKE ROGERS, and the gentleman from Maryland (Mr. RUPPERSBERGER), who represents the minority, came to the Rules Committee to talk about the needs of the intelligence community. In particular, I was very pleased as they worked so closely together to ensure that the issues that were contained within this document, the agreements that would be in law, and perhaps more importantly, the important relationships that would be shared by them as we work together to ensure that this country is safe, that we do so in a way where the American people see that keeping America safe, providing the necessary resources to the men and women of the intelligence community and expecting the results that would come from them, is a very important part of what our job as Members of Congress is all about.

I applaud Chairman MIKE ROGERS of Michigan for providing this Congress with a much needed intelligence authorization bill, and I appreciate the exhaustive process on a bipartisan basis not only that Chairman ROGERS has led but that includes a return to regular order in the authorization of this important legislation. I rise in support of the rule and the underlying bill.

I reserve the balance of my time.

□ 1230

Mr. HASTINGS of Florida. I thank my friend from Texas for yielding the time.

Mr. Speaker, H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011, authorizes appropriations for fiscal year 2011 for U.S. intelligence and intelligence-related activities within the jurisdiction of the House Permanent Select Committee on Intelligence, including the National Intelligence Program and the Military Intelligence Program, as well as for the Intelligence Community Management Account and for the Central Intelligence Agency Retirement and Disability System.

We are considering this legislation at an auspicious time. The death of Osama bin Laden and the disarray in the al Qaeda network comes as a result of years of painstaking effort by the hardworking men and women of the intelligence community, the military, President Bush, and President Obama's gutsy, courageous, and correct call on May 1 of this year. They succeeded admirably in carrying out a difficult and dangerous mission. This legislation codifies many of the lessons learned in recent years that led to Osama bin Laden's demise. It is important that we continue to provide the necessary resources to sustain the momentum the United States and its allies enjoy in the effort to protect our Nation and its citizens.

As the former vice chair of the House Intelligence Committee, I personally know that the intelligence community is the first line of defense against those wishing to do us harm here at home and across the globe. Where terrorists or other elements, as we speak, are plotting attacks, planning operations, or are actively engaged in harming our citizens, the men and women of the intelligence community are devoted to acting on the information they gather to thwart those efforts. We owe them a debt of gratitude and our sincere thanks. These courageous men and women often work quietly, unnoticed, and too often, unrecognized, but nevertheless, they are critical to ensuring the security of our Nation.

I have had the honor and privilege of meeting many of our intelligence professionals during my oversight travel as a member of the Intelligence Committee. I cannot overstate how much I appreciate, and am humbled by, their service. Over the past 10 years, our country has continued to make daily progress against threats, thanks to the service of those dedicated professionals. We must keep in mind, though, that in spite of our best effort, we still face many real threats, and we still have much work to do to get it right.

Mr. Speaker, H.R. 754 provides detailed guidance and authorizes appropriations for the many agencies of the intelligence community, while also improving accountability and transparency. It is essential that we streamline and coordinate oversight for counterintelligence. H.R. 754 amends the Counterintelligence Enhancement Act of 2002 to require the national counterintelligence strategy to be aligned with the policies and strategy of the Director of National Intelligence.

It is often reported that our government agencies come under cyberattack all day, every day, 365 days a year. International criminals, malicious individuals, and even other Nations are actively engaged in a constant effort to break into our cyber networks to obtain information, or to wreak havoc on the systems that govern our Nation's infrastructure, financial, military, diplomatic, and social networks. We must, of all things, be mindful of our responsibilities in that area. It can have a devastating impact if not properly attended.

Finally, Mr. Speaker, we must consider diversity to be a mission imperative. I have stated time and again that the intelligence community is not diverse enough to successfully meet its requirements and achieve success on its missions. On February 26, 2010, the House of Representatives passed my amendment to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010, which required the Office of the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community, to submit to Congress a report on the plans of each element of the community to increase diversity. The report is expected to be finalized in October of this year. Simply put, we need people who blend in, who speak the language, and understand the cultures in the countries that we are targeting. It is time for the intelligence community to get serious about improving diversity for the sake of our national security. If the intelligence community is to succeed in its global mission, it must have a global face.

I reserve the balance of my time, Mr. Speaker.

Mr. SESSIONS. Mr. Speaker, I am delighted to yield 3 minutes to the gentlewoman from Lake Park, Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I thank the gentleman from Texas, who's doing a wonderful job this morning managing this bill, PETE SESSIONS.

Mr. Speaker, all of our Nation's great liberties depend on our national security. I think that's something that we can all agree on. This is a bipartisan issue. We're a Nation at war, and we're pitted against terrorists who are bent on destroying our very way of life. As the treasure trove of evidence, which we were so grateful to receive from Osama bin Laden's compound, confirms to us, the enemy is always adapting, always evolving, always plotting further attacks. We have to be informed, and we have to be one step ahead of the enemy at least.

It's our intelligence community, Mr. Speaker, that gives us heroic service, day in and day out. This morning I had the privilege of being at our Nation's Central Intelligence Agency, and I want to commend them for the work that they do, the brilliant work that they did most recently to secure this number one target. Nearly all of it goes unrecognized, Mr. Speaker, until a moment like last Sunday evening, May 1, when a grateful Nation learned that the men and women of our intelligence services, working hand-in-hand with those in military uniform, had brought about the demise of the world's most prominent and notorious terrorist, Osama bin Laden. Years of relentless and diligent pursuit yielded an overwhelming success.

And that's why I'm so honored to be here on the floor today with my distinguished colleague from Texas (Mr. SESSIONS) to stand here on the House floor as a member of the Permanent Select Committee on Intelligence, calling on behalf of my colleagues, both Republican and Democrat, to pass the FY 2011 Intelligence authorization bill, because the American people have made it clear, Mr. Speaker.

They've made it clear to us not only once but over and over again. They want this Congress to exercise the utmost seriousness when dealing with our Nation's spending crisis, and so this bill is a step in that direction. It ensures that there is proper congressional financial oversight, and I would like to tip my hat now to the Democrat ranking member, DUTCH RUPPERSBERGER, who has done a magnificent job, together with our chairman, MIKE ROGERS, in making sure that we work together as one, seamlessly, in a bipartisan fashion. I have been just so delighted. I've never served on a committee where I've seen greater bipartisanship because we've put down our partisan swords when it comes to securing the safety and security of our Nation.

And this bill is a step in that direction, ensuring there's not only proper congressional financial oversight, something that was lacking unfortunately in the last 6 years, but we are dedicated to making sure that our responsible approach with intelligence does not sacrifice the security of our Nation, and this measure which funds our intelligence community will ensure that our intelligence community has the resources they so richly deserve.

□ 1240

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3 minutes to my good friend, the ranking member of the Committee on Intelligence, the distinguished gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Mr. Speaker, first I want to recognize the distinguished vice chairman of the Intelligence Committee, Mr. HASTINGS, for his hard work over the course of his 8 years on the committee. I had the privilege of serving with Mr. HASTINGS, and know he was committed to supporting our intelligence professionals. He was a leader on the issue of diversity in the intelligence community, and I applaud him for those efforts. Having a diverse intelligence community workforce is not simply the right thing to do, but it is critical to our mission.

Today, I am pleased to join my colleague and friend MICHELE BACHMANN in support of H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011. I thank her for her comments about partisan politics. The Intelligence Committee is a bipartisan committee that works together. The stakes are too high for us not to work together, and that's what we're attempting to do.

Now, the killing of Osama bin Laden is clearly the most monumental intelligence achievement in recent history. Our intelligence professionals worked together as a team, brought Osama bin Laden to justice, and killed him. It was a risky mission that was executed with intense training and a high level of skill. These professionals risked their lives to keep our country safe, and no American lives were lost.

I am pleased that Congress can provide the intelligence community with the resources, capabilities, authorities, and oversight they need to continue this great work. After months of negotiations and a number of changes to address many of the concerns of the administration, I believe this bill moves in a positive direction to assert congressional oversight over intelligence activities.

I am also pleased that Chairman ROGERS and I could come to an agreement to add additional counterterrorism positions to the CIA. With this change, I will support the bill. This bill adds several thousand civilian positions above the level enacted in FY 2010. There is also a large increase in personnel at the National Counterterrorism Center, which is the NCTC, among others. The bill adds hundreds of millions of dollars for intelligence above current levels. However, I urge a ''no'' vote on this rule because it does not allow all Members of Congress to offer amendments to this bill.

Mr. SESSIONS. Mr. Speaker, with the election of this new large Republican class, some 87 new Members, we picked up, in particular, a Member who will speak here in just a second. He is a young man who devoted his life, not only to his country through his service in the military, but also to law enforcement. He comes to Washington from Florida where he had been a distinguished sheriff of a large department. He came to us with not only a thought and belief about securing this country and of making sure that we took care of our citizens, but perhaps more importantly, he is a clear thinker on seeing not only intelligence issues but also the broader context of protecting this country. He has a son who serves in the military, and he has been very thoughtful.

I yield 3 minutes to a member of the Rules Committee, the gentleman from Brooksville, Florida (Mr. NUGENT).

Mr. NUGENT. I thank my colleague from Texas (Mr. SESSIONS), with whom I have the pleasure of serving on the Rules Committee.

Mr. Speaker, I rise today in support of the rule, H. Res. 264, and the underlying legislation, H.R. 754.

About a week and a half ago, we all learned that justice had been served: justice for our civil servants working in the Kenya and Tanzania Embassies in 1998, justice for our troops serving on the USS Cole in 2000 and justice for the innocent victims of September 11, 2001.

After many years of hard, stealthy intelligence work, we found Osama bin Laden's hideout in Pakistan. Based upon this information, a highly trained team of Navy SEALs came in, performed its mission and rid the world of one of history's most evil and notorious terrorists.

Mr. Speaker, this would not have been possible without the work of our hardworking intelligence community. It was President Bush who laid the groundwork for this intelligence that ultimately made all of this possible, and it was President Obama who put this information together and made the gutsy call that only a Commander in Chief can make. Both of these men deserve our thanks for the work they did to make this possible.

It is our duty as Members of Congress to ensure that our intelligence community has the tools it needs to continue to keep our Nation safe. That is what H.R. 754 does. As a prior law enforcement officer, I can attest to the value of good Intel in apprehending those who would do dastardly things to our country.

With that, I encourage my colleagues to support the rule, to support the underlying bill, and to support the intelligence community, which is keeping this Nation safe.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to my good friend, a member of the Judiciary Committee, the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. HASTINGS, thank you for your service years on the Intelligence Committee, and I thank the ranking member and the members who are on the floor.

I rise to support the underlying bill and the rule, recognizing that human intelligence and the resources that provide a safety net for the American people are crucial—the CIA, the Department of Defense and other intelligence civilian agencies, along with the United States military.

I introduced H. Res. 240 to chronicle the successful apprehension and demise of Osama bin Laden, to actually emphasize, when combined together, the brawn and intellect of the United States military. The human intelligence over the years and the work of President Clinton, President Bush and President Obama in the strategic decision that had to be made by the civilian minds, in working with the military minds, has emphasized the constitutional values of this country that civilians, in working with the military, can, in fact, provide the armor protection of the United States of America. I am very grateful for that genius, and I want to thank them. Our legislation had over 50 cosponsors.

As well, I believe now that we can actually say in good conscience: Bring the troops home from Afghanistan. Our mission is accomplished. We realize that human intelligence can help us target those who want to do us harm, and we have the constitutional fabric, along with the United States military, the likes of JSOC and many others in the intelligence community, who work on behalf of the American people. We can bring home the men and women—over 100,000—who are based now in Afghanistan.

Do you know what? Mother's Day was this past weekend, and sadly, soldiers fell in battle on Mother's Day. Let us not have another Mother's Day when some mother in America, somewhere, loses a child to the battle in Afghanistan, not when we can use smart power and use intelligence and use a minimum of force.

It is time now for America to welcome home her heroes with honor and, as well, to thank those who dedicated the brawn and the intellect that could make good on a promise that, yes, you will come to justice if you do harm to the American people.

I ask support for the underlying legislation and the rule.

Mr. SESSIONS. Mr. Speaker, I do understand that the Democratic Party is interested in leaving Afghanistan now that Osama bin Laden has been killed.

Mr. HASTINGS of Florida. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman.

Mr. HASTINGS of Florida. I would just urge my colleague not to use a broad reference with reference to the Democratic Party. Everybody in the Democratic Party does not agree that we should leave Afghanistan until the administration and the military and the intelligence community have completed their work.

Mr. SESSIONS. Thank you.

Reclaiming my time, I appreciate and respect the words, not only from my friend, but I believe he is absolutely correct. I simply hear the drumbeat that comes out of this town about leaving now that there has been a big victory in dealing with the number one terrorist in the world.

I would suggest to you that there is still much work left to be done and that we must not change the focus of the men and women who today are in harm's way. We should not change the focus of the American people in getting them away from the job that is being done on a day-to-day basis and that we should not begin the drumbeat until we have further completed the work that is necessary to ensure that this country is safe.

□ 1250

Mr. Speaker, at this time I would like to yield 2 minutes to a young member of the Rules Committee, a gentleman who served as mayor of Corning, New York, and a man who has dedicated himself to public service, the gentleman from New York (Mr. REED).

Mr. REED. I thank my colleague from Texas for the opportunity.

Mr. Speaker, I rise today in support of the rule for H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011.

Mr. Speaker, the intelligence community works long hours in distant parts of the world to keep our country safe. But the thing about the United States intelligence community is that when they do their job right, no one knows about it. When they are successful in that diligence that they perform every day of the week, 24 hours a day, every day of the year, we often do not hear about that success.

I stand here today, Mr. Speaker, to commend the diligent, painstaking work of the United States intelligence officials for all that they do. And in particular, I stand today to recognize the hard work of our intelligence community which resulted in capturing and killing the man who masterminded the multiple attacks which killed thousands of Americans, bringing him to justice this past week. Thanks to the intelligence professionals who work for our country, the world is a safer place without Osama bin Laden.

I have an amendment with my colleague from New York (Mr. GRIMM) that will be discussed on this floor tomorrow, and hopefully supported and voted upon in a bipartisan fashion, to recognize the efforts of those intelligence officials.

Mr. Speaker, I rise also today to commend the work that is being done here in this Chamber, that is being led by this side of the aisle in having an open dialogue, in having an open process. We have nine amendments that are going to be considered under this rule and in this Chamber tomorrow. Mr. Speaker, that is a direct change from the history that has been demonstrated here for years prior to us coming here. It is time that we on this side of the aisle recognize that we are going to listen to the American people. We are going to have an honest conversation with the American people about the issues that we face on a day-to-day basis. And as such, I stand today and urge my colleagues to vote ''yes'' on this rule and ''yes'' on H.R. 754.

Mr. HASTINGS of Florida. I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Corpus Christi, Texas (Mr. FARENTHOLD), another one of our brand-new Members, who brings to this House and to the floor not only a commonsense element but the insistence that people from Corpus Christi be represented on the floor of this House in such a way that will benefit not only our country but also the United States military and, in particular, the United States Navy that has a large base in Corpus Christi.

Mr. FARENTHOLD. It's almost like a fog has been lifted over America. We sought to capture or kill Osama bin Laden for 10 years; and just recently, that was accomplished. And it's almost as if the sun is a little bit brighter and the can-do American spirit has been revived, that same spirit that took us to the Moon, that same spirit that has led us to victory in the past.

Our intelligence community is key to that success, as is our military. It is absolutely imperative that we support and back the intelligence community that provides us the knowledge and information that not only helps us win wars but, more importantly, keeps us out of war.

Knowledge is power. What we know about beforehand gives us the opportunity to stop conflicts before they happen. We are also in an era of a tight budget now. We are looking at an authorization bill that increases and provides adequate oversight to our intelligence to make sure those resources are being spent wisely and are being spent in the defense of this Nation, in the furtherance of our interests, and in the furtherance of freedom.

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

Mr. SESSIONS. I would like to yield such time as he may consume to the young gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation to the distinguished vice chairman of the Rules Committee, my friend from Dallas, Mr. SESSIONS, for his management of this very important rule. And I think it's appropriate that Mr. SESSIONS is a manager of legislation that enjoys strong bipartisan support because he's always seeking a consensus on issues where we can find areas of agreement. And the fact is, we have been able to see the chairman and the ranking member of the Select Committee on Intelligence work together

in a bipartisan way to deal with the very important security and intelligence needs of the United States of America.

My new colleague from Corpus Christi has just said, What a great day for America, the day that we were able to see Osama bin Laden captured and killed, brought to justice. And I congratulate President Obama and, of course, all those who were involved. I congratulate President Bush who, from September 11 forward, was determined to bring Osama bin Laden to justice. And I congratulate all of the men and women in uniform, including those who, as of September 11, 2001, became part of the frontline—that being firefighters and law enforcement—right here on our soil because that was the day, for the first time ever, that we faced an attack on our soil.

But this legislation, Mr. Speaker, is specifically designed to extend our appreciation and thanks, based on an amendment that we've made in order from our colleague from Staten Island, Mr. GRIMM, to those in the intelligence community who have done such a spectacular job in dealing with the challenge of capturing and bringing to justice Osama bin Laden.

We are going to have in this bill a number of amendments made in order. I am particularly proud that as we worked with the members of the Intelligence Committee, recognizing that obviously this bill deals with some very, very sensitive items that, frankly, can't be discussed here on the House floor, but with that in mind, we were able to make in order nine amendments that are going to be offered by Members; five amendments that will be offered by Democrats; four amendments offered by Republicans; and, as I said, the amendment that will allow for the longest period of debate to provide an opportunity for the Members of this House to discuss, and I know it will be, again, bipartisan appreciation to those in the intelligence community who have been able to have the success that we've witnessed most recently.

So, Mr. Speaker, I think it's a great day for the United States of America to once again demonstrate the global leadership role that we provide not only economically and geopolitically but through our security, intelligence, and military strength.

I urge my colleagues to support both this rule, which, again, will allow for free-flowing debate and an opportunity for both parties to participate, and the underlying legislation itself.

Mr. HASTINGS of Florida. Mr. Speaker, I would in some respects reiterate much of what our colleagues have said with regard to Osama bin Laden. For 10 years, he held the title of scourge of the Earth. And I believe all of us are pleased that to the degree that he contributed to injustice, justice, as it pertains to him, has finally been served.

It is my hope that the families of the terrible events that transpired on 9/11 and the USS *Cole* and the families of the East African embassy bombings can find just a little more solace and just a little more closure as a result of his demise at the hands of extraordinary work on behalf of a substantial number of courageous Americans.

□ 1300

As a Nation, I would ask that we be extremely mindful that al Qaeda has not been removed, nor has the sentiment of this very dangerous societal element, nor are they the only organized structure of radical extremists that would attack our Nation. We must remain ever vigilant.

There was a bit of irony on May 1, 2011, that should not be lost on any of us. One of the events that transpired on that same day was that the late John Paul II, the Pope, was beatified and moved closer to sainthood. On May 1 that occurred. He spent his life blazing a path of enlightenment, peace, love, and uplifting humanity.

The second event that occurred on that day was the demise of bin Laden, who spent his life lighting a path of murder, deceit, and the destruction of humanity. While one found, and is finding, sainthood, the other found Satan.

It is a good thing that he is no longer a plague on the Earth, and the hope for humankind is that Pope John Paul II would be our exemplar of goodness.

Given the immense security challenges facing our Nation, Congress should pass this legislation so that we may continue to fulfill our commitment to the safety and well-being of the American people.

The men and women of the intelligence community may operate in the background, but they are at the forefront of our national defense and deserve every resource necessary to do their jobs.

Mr. Speaker, I urge a ''no'' vote on the rule because, in spite of Mr. REED, my colleague on the Rules Committee, and the distinguished chairman, my good friend, touting the fact that we do have a number of amendments and the time, this is not an open rule; and I would have them to know that if it were an open rule, then all Members would be able to offer an amendment to the bill.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, today we've had a distinguished group of speakers, including the gentleman, Mr. HASTINGS, who spent years of his service, not only on behalf of the people of Florida, but on behalf of all of us as he served on the Intelligence Committee.

We have had Members walk in and out of here: the gentlewoman from North Carolina, VIRGINIA FOXX, who brings a thoughtful articulation about her ideas about the protection of this country, not just for the people of North Carolina, but for the people of the United States.

We've had the gentleman, a former sheriff, Mr. NUGENT, a Member of Congress from Florida, also come and talk about their ideas about how you protect this country by protecting the men and women who are engaged in the active and day-to-day business.

The gentleman, Mr. HASTINGS, referred to al Qaeda as not defeated. We still have a threat that is out there. The gentleman, Mr. FARENTHOLD, talked most forthrightly and honestly about the need of the American people to have confidence and thanks for the intelligence community and that which they do.

The gentleman, Mr. RUPPERSBERGER, the ranking member of the Intelligence Committee, as they bring their ideas forth in an open process that would be allowed in the committee, Intelligence Committee, and then to bring that forward as they would discuss that at the Rules Committee.

Here on the floor of the House of Representatives it's an interesting dialogue that we get into about our hopes and desires about supporting the intelligence community. But we must remember that the need for our intelligence community and for them to have clear direction from this Congress is important.

The killing of the most wanted terrorist in the world, Osama bin Laden, is a perfect example of the necessary intelligence information and support from this Congress for funds and the authorizing process, the oversight that is provided by the Congress.

The men and women in this intelligence community and the Armed Forces serve this Nation; and they provide us victories, day-to-day victories, not only in keeping America safe, but victories with finding and killing terrorists around the globe who would harm America and our allies.

The underlying bill today allows for that continued service by these brave men and women for the benefit of the American people.

Six years ago is far too long for Congress to have skirted its responsibilities to aid and help the intelligence community with an authorization. Now is the time to ensure the appropriate accountability, responsibility, and that funding is given to the intelligence community to carry out their mission to keep America safe and to look forward, as might be said, over the horizon to ensure that whatever is next, they are prepared for it.

I would like to applaud the chairman, the gentleman from Michigan, MIKE ROGERS; and the ranking member, the gentleman from Maryland (Mr. RUPPERSBERGER); and the Intelligence Committee for this authorization bill as they work so well with the men and women of the intelligence community on a mission which is important for us to join in with the administration to ensure that our intents are very clear to them.

We live in a dangerous time and in a dangerous world, and I feel much better protected knowing that this hard work is done by so many dedicated people.

So I encourage a ''yes'' vote on the rule.

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

The previous question was ordered.

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

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

Mr. HASTINGS of Florida. 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.

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Mr. SESSIONS. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 50

Resolved by the House of Representatives (the Senate concurring),

That when the House adjourns on the legislative day of Friday, May 13, 2011, or Saturday, May 14, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, May 23, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader, shall notify the Members to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The SPEAKER pro tempore (Mr. NUGENT). The question is on the concurrent resolution.

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

Mr. HASTINGS of Florida. 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.

REVERSING PRESIDENT OBAMA'S OFFSHORE MORATORIUM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 257 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1231.

□ 1310

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, with Mr. GARDNER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, May 11, 2011, proceedings on amendment No. 4 printed in House Report 112–74, offered by the gentleman from Massachusetts (Mr. KEATING), had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–74 on which further proceedings were postponed, in the following order:

Amendment No. 5 by Ms. TSONGAS of Massachusetts.

Amendment No. 6 by Ms. BROWN of Florida.

Amendment No. 7 by Mr. THOMPSON of California.

Amendment No. 8 by Mr. INSLEE of Washington.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 5 OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 223, not voting 13, as follows:

[Roll No. 315]

AYES—195

Ackerman
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOES—223

Adams
Aderholt
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey

Price (GA)
Quayle
Reed
Rehberg
Renacci
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—13

Akin
Andrews
Cantor
Giffords
Hastings (WA)
Johnson, Sam
Lamborn
Paul
Ribble
Schock
Sutton
Towns
Wilson (SC)

□ 1336

Messrs. GRAVES of Missouri and DENHAM changed their vote from ''aye'' to ''no.''

Mr. DAVIS of Illinois changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. BROWN OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 134, noes 279, not voting 18, as follows:

[Roll No. 316]

AYES—134

Ackerman
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bilirakis
Bishop (NY)
Blumenauer
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Edwards
Ellison
Engel
Eshoo
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Higgins
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Jones
Keating
Kildee
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Pingree (ME)
Price (NC)
Quigley
Rangel
Reichert
Richmond
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOES—279

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carnahan
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinojosa
Holden
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jordan
Kaptur
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Rehberg
Renacci
Reyes
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
Welch
West
Westmoreland
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—18

Buchanan
Cantor
Farenthold
Farr
Giffords
Hastings (WA)
Huizenga (MI)
Johnson, Sam
Paul
Polis
Quayle
Ribble
Rooney
Schilling
Sutton
Towns
Weiner
Wilson (SC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1341

Messrs. BACA and DOGGETT changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HUIZENGA. Mr. Chair, on rollcall No. 316, I was unavoidably detained. Had I been present, I would have noted ''no.''

AMENDMENT NO. 7 OFFERED BY MR. THOMPSON OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. THOMPSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 265, not voting 12, as follows:

[Roll No. 317]

AYES—156

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (NY)
Blumenauer
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)

Johnson (GA)
Jones
Keating
Kildee
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reichert
Richardson
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—263

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

NOT VOTING—12

Cantor
Giffords
Griffith (VA)
Hastings (WA)
Johnson, Sam
Paul
Poe (TX)
Ribble
Sullivan
Sutton
Towns
Wilson (SC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1344

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. INSLEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. INSLEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 256, not voting 15, as follows:

[Roll No. 318]

AYES—160

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bilbray
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly (VA)
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Herrera Beutler
Higgins
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Johnson (GA)
Jones
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rangel
Reichert
Richardson
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—256

Adams
Aderholt
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carnahan
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Heinrich
Hensarling
Herger
Himes
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jordan
Kaptur
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Reyes
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam

Ross (AR)
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—15

Akin
Cantor
Deutch
Giffords
Graves (MO)
Hastings (WA)
Jackson (IL)
Johnson, Sam
Paul
Ribble
Sutton
Towns
Waters
Whitfield
Wilson (SC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. CHAFFETZ) (during the vote). There is 1 minute remaining in this vote.

□ 1349

Mr. POSEY changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. DEUTCH. Mr. Chair, on rollcall No. 318, had I been present, I would have voted "aye."

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GARDNER) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, and, pursuant to House Resolution 257, reported the bill, as amended by that resolution, back to the House with a further amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HOLT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HOLT. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Holt moves to recommit the bill H.R. 1231 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendments:

Page 4, line 19, strike the final closing quotation marks and following period, and after line 19 insert the following:

''(7) NO FOREIGN SALES.—In each oil and gas leasing program under this section, the Secretary shall specify that all oil and natural gas produced under leases issued under the program shall be offered for sale only in the United States.''.

Page 6, after line 3, insert the following (and redesignate accordingly):

''(3) REDUCING NUMBER OF NONPRODUCING LEASES.—In developing a 5-year oil and gas leasing program, the Secretary shall seek to reduce the number of nonproducing offshore oil and gas leases by 50 percent by 2017.

Mr. HOLT (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. DUNCAN of South Carolina. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes in support of his motion.

Mr. HOLT. Mr. Speaker, time and again over the past week, I have referred to the majority's trio of offshore drilling bills as ''amnesia acts.'' They willfully forget the lessons derived at great cost in lives and livelihoods from the Deepwater Horizon spill last summer. Mr. Speaker, and with these amnesia acts, the majority offers false promises to Americans who are struggling to make ends meet as gas prices continue to rise.

The truth is that giving away more of the American people's offshore resources to Big Oil companies will do absolutely nothing to ease the prices at the pump. How do we know? Because the oil giants already are sitting on 11.6 billion barrels of oil in the Gulf of Mexico without lifting a finger to extract it.

If my colleagues really believe that more domestic drilling is the answer to high gas prices, then they should support this final amendment, which does two things: first, to encourage the oil companies to drill on the tens of millions of acres of public land they already hold so that Americans can benefit from domestic oil production before the oil companies rush to lock up more land; and second, the amendment would help to keep the oil produced within the United States of America here at home.

Mr. Speaker, the facts speak for themselves. Opening vast portions of the east and west coasts to drilling makes no sense when 79 percent of all the potential oil resources on the whole continental shelf already are available in the current offshore leasing program. Why risk every inch of American coastline, which supports millions of jobs in tourism and fishing and over $225 billion in related economic activity when the Energy Information Administration tells us that unrestrained offshore drilling might lower gas prices not at all in the foreseeable future and maybe pennies two decades from now?

Oil companies are active on just 10 million of the 34 million acres under lease in the gulf. My Republican colleagues say, yes, but it takes time and money to explore before you can start production. Well, the fact is that of the 24 million lease acres lying fallow in the gulf, they hold 70 percent of the region's technically recoverable oil, but the companies aren't exploring on a single one of those acres. They haven't even submitted exploration plans in those areas. Why should they when they can squat on these resources and still make $32 billion in profits just in the last 3 months?

Mr. Speaker, every kindergartner knows you should clean your plate before you get a second helping. Evidently the oil company executives never learned that lesson. Here is our chance to deliver the lesson to them, and if my colleagues truly believe that we need more drilling, not just more giveaways to Big Oil, then let's at least make sure the oil companies use the resources they have already leased instead of stockpiling them, and let's make sure that Americans get to use the oil produced on their land.

Mr. Speaker, I am pleased to now yield to the ranking member of the Resources Committee, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman.

Oil companies already have the drilling rights to public lands the size of Minnesota on which they are not producing oil. Minnesota is the land of 10,000 lakes, and the area oil companies already have could be the land of 10,000 wells but they are not drilling on it. And are Republicans saying they should drill on what they have? No. They want to put drill rigs off our beaches in New England, the Outer Banks, and California, all before we have implemented a single safety reform recommended by the independent blue-ribbon BP spill commission.

Today, five of the largest oil companies testified in defense of their billions of special tax breaks. ConocoPhillips said today it would be un-American to take away Big Oil's tax breaks. Well, it's not un-American. It's unbelievable that Big Oil has the arrogance to continue to defend its tax breaks as consumers are being tipped upside down at the pump.

And how are these tax breaks for Big Oil paid for? I will tell you how. The Republicans are planning to put a drill rig on top of the Medicare program. Republicans are building an oil pipeline into the pocketbooks of our seniors for tax breaks for the oil companies. The Republican agenda is to cut checkups for Grandma and cut checks for Big Oil. They want to cut health care for Grandma and give welfare to the Big

Oil executives. The Republican plan is tax breaks for Big Oil and tough breaks for our Nation's seniors.

Vote ''yes'' on this recommittal motion.

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

Mr. DUNCAN of South Carolina. Mr. Speaker, I continue to reserve my point of order while rising in opposition to the motion.

The SPEAKER pro tempore. No point of order was reserved.

The gentleman is recognized for 5 minutes.

Mr. DUNCAN of South Carolina. This Democrat motion is just one more example of congressional Democrats attempting to obstruct a bill that will increase access to American energy resources. This motion is already the law. The law says the President has an authority to restrict foreign sales, and ''use it or lose it'' is already the law of the land. If my friends want to reduce the nonproducing leases, then we need to get this administration to issue permits in a timely manner.

This motion is trying to deflect criticism from the policies that have been perpetrated that block American energy production, cost jobs and raise prices. It is simply a distraction from the real work that needs to be done to increase the supply of American energy.

The bill we're voting on today represents a real choice, Mr. Speaker, on the future of American energy: a choice between using American energy resources or remaining dependent on an OPEC cartel; a choice between creating jobs in America or creating jobs offshore of Brazil.

With this motion, the party opposite is standing for a ''drill there and not here'' policy. Mr. Speaker, that is not a strategy that will work to create American jobs. The underlying bill will create these jobs.

Finally, this is a choice between strengthening our energy security in the face of $4 a gallon gasoline or being held hostage to the whims of volatile foreign regimes. Mr. Speaker, there can be no national security without energy security.

As a small business man, I know what the pressure of $5 a gallon diesel fuel did to my business back in 2008, and we only had two trucks on the road.

□ 1400

Now think about what this is going to do to every household, every trucking business, every shipper, and every farmer in our country. The Nation's families are hurting, Mr. Speaker. They're trying to decide between putting fuel in their cars to go to work or putting food on their tables to feed their children. We must act to increase the supply of American energy, and Mr. Speaker, this bill will get us moving in the right direction. This is a commonsense, free market solution that can help us restore America's greatness.

Congress took bipartisan action in 2008 to lift the moratorium on offshore drilling and exploration. Yet this administration has unilaterally defied the will of this Congress and the will of the American people by effectively reinstating a moratorium. The energy resources don't belong to President Obama. They belong to the American people, and they should be used to create American jobs, to generate revenue, to reduce gasoline prices, and to strengthen our national security.

I urge my colleagues to vote against this motion. Let's pass this bill to return these American energy resources back to where they belong, and that is to the American people.

May God continue to bless America.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. HOLT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage, if ordered; adoption of House Concurrent Resolution 50, by the yeas and nays; and adoption of House Resolution 264, by the yeas and nays.

The vote was taken by electronic device, and there were—ayes 180, noes 243, not voting 8, as follows:

[Roll No. 319]

AYES—180

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

NOES—243

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)

Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Cantor
Dent
Giffords
Hastings (WA)
Johnson, Sam
Paul
Ribble
Wilson (SC)

□ 1419

Messrs. FRANK of Massachusetts and POLIS changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. YODER). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 179, not voting 9, as follows:

[Roll No. 320]

AYES—243

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

NOES—179

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Mack
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Richardson
Richmond
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—9

Bilbray
Cantor
Giffords
Hall
Hastings (WA)
Johnson, Sam
Paul
Ribble
Wilson (SC)

□ 1426

Mr. JACKSON of Illinois changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Concurrent Resolution 50, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 158, not voting 46, as follows:

[Roll No. 321]

YEAS—227

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Farr
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hanna
Harper
Hartzler
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan

Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—158

Ackerman
Andrews
Baca
Bachmann
Baldwin
Barrow
Bartlett
Becerra
Berkley
Berman
Bilbray
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Burgess
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chu
Cicilline
Clarke (MI)
Coffman (CO)
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Dold
Donnelly (IN)
Doyle
Engel
Eshoo
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Hanabusa
Harris
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maloney
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Rahall
Reyes
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Waxman
Welch
Woolsey
Wu
Yarmuth

NOT VOTING—46

Bass (CA)
Bishop (GA)
Brown (FL)
Butterfield
Cantor
Carson (IN)
Clarke (NY)
Clay
Cleaver
Clyburn
Conyers
Davis (IL)
Doggett
Edwards
Ellison
Giffords
Graves (MO)
Hastings (WA)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Lee (CA)
Lewis (GA)
Markey
Meeks
Moore
Moran
Paul
Payne
Quigley
Rangel
Ribble
Richardson
Richmond
Rush
Scott (VA)
Scott, David
Sewell
Terry
Thompson (MS)
Van Hollen
Watt
Weiner
Wilson (FL)
Wilson (SC)

□ 1432

Mr. WELCH changed his vote from ''yea'' to ''nay.''

Mr. FRELINGHUYSEN changed his vote from ''nay'' to ''yea.''

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. VAN HOLLEN. Mr. Speaker, on rollcall No. 321, I was unavoidably detained. Had I been present, I would have voted "nay."

PROVIDING FOR CONSIDERATION OF H.R. 754, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2011

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 264) providing for consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 251, nays 133, not voting 47, as follows:

[Roll No. 322]

YEAS—251

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

NAYS—133

Ackerman
Andrews
Baldwin
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Castor (FL)
Chu
Cicilline
Cohen
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Pingree (ME)
Polis
Price (NC)
Rahall
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Thompson (CA)
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

NOT VOTING—47

Bass (CA)
Bilbray
Bishop (GA)
Brown (FL)
Butterfield
Camp
Cantor
Carson (IN)
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Conyers
Davis (IL)
DeGette
Edwards
Ellison
Giffords
Hastings (WA)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Lee (CA)
Lewis (GA)
Meeks
Moore
Paul
Payne
Perlmutter
Quigley
Rangel
Ribble
Richardson
Richmond
Rush
Scott (VA)
Scott, David
Sewell
Sullivan
Sutton
Thompson (MS)
Van Hollen
Watt
Wilson (FL)
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1439

Mr. GARAMENDI changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ELLISON. Mr. Speaker, on May 12, 2011, I inadvertently missed rollcall Nos. 321 and 322. Had I been present I would voted "nay."

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON. Mr. Speaker, due to a conflicting engagement at the White House I was absent during the votes on H. Res. 264 and H. Con. Res. 50. Had I been present, I would have voted "nay" on both measures.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE SECRETARY OF STATE

Ms. ROS-LEHTINEN, from the Committee on Foreign Affairs, submitted a privileged report (Rept. No. 112–76) on the resolution (H. Res. 209) directing the Secretary of State to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of State, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya, which was referred to the House Calendar and ordered to be printed.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON TUESDAY, MAY 24, 2011, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HIS EXCELLENCY BINYAMIN NETANYAHU, PRIME MINISTER OF ISRAEL

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Tuesday, May 24, 2011, for the Speaker to declare a recess, subject to the call the Chair, for the purpose of receiving in joint meeting His Excellency Benjamin Netanyahu, Prime Minister of Israel.

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

There was no objection.

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, May 12, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, 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 May 12, 2011 at 11:30 a.m.:

Appointments:

Board of Visitors of the United States Air Force Academy.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 754.

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

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2011

The SPEAKER pro tempore. Pursuant to House Resolution 264 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 754.

□ 1442

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. YODER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Mr. Chairman, I yield myself such time as I may consume. All time yielded is for the purposes of debate only.

Mr. Chairman, I wish to announce that subsequent to reporting the bill, the committee has modified the classified annex to the bill with respect to the authorized level of funding for certain programs, with bipartisan agreement between myself and the ranking member, Mr. RUPPERSBERGER. The classified annex containing the modified schedule of authorizations is available for review by all Members of the House, subject to the rules of the House and the Permanent Select Committee on Intelligence, under which procedures were described in my announcement to the House on May 3, 2011. The modified schedule of authorizations is and has been available for review by Members and the period of time required by the rules of the House.

Mr. Chairman, the annual intelligence authorization bill, I do believe, is one of the most important bills that will pass in the House each year. I want to thank my ranking member, Mr. RUPPERSBERGER. We sat down at the beginning of January and decided that matters of national security were too important for infectious partisan debate and rhetoric and we decided that we would work out through every cause, as congenially as possible, and agree where we could, on every matter that we had a difference on, moving forward on, again, matters of intelligence and matters of national security.

I think the product we see on the floor today reflects that commitment and that working relationship, and I want to commend Mr. RUPPERSBERGER and the entire House Permanent Select Committee on Intelligence for their work, their cooperation, and their commitment to our national security to the United States.

We recently saw the successful mission against Osama bin Laden. Our intelligence professionals remain on the front lines in America's defense against our enemies. For the last 6 years, Congress has failed to pass a bona fide intelligence authorization bill with funding authority. Instead, yearly appropriation bills have simply deemed intelligence funding to be authorized.

We must, and I think we agree in a bipartisan way, stop that trend and stop it this year. The continued success of our intelligence community requires effective and aggressive congressional oversight. Such oversight can only be achieved if we get back in the habit of meeting our responsibility of passing an intelligence authorization bill every year.

Mr. Chairman, we have men and women scattered all across this globe who are engaged daily in sometimes often very dangerous work of collecting information to provide our policymakers and our warfighters the information they need to defeat our enemy. From trying to catch spies here in the United States by our FBI to recruiting people who want to cooperate and help the United States on tough issues like nuclear proliferation or terrorism efforts targeted against us or our allies, these folks log countless hours, risk their lives, spend time away from their families, and deserve our praise and our commitment that we will work with them to give them the tools that they need to be successful.

I can't think of a more important time in our history where I have seen intelligence play such an important

role in our world affairs. The world is changing before our eyes, and our intelligence community is providing us the information we need, not just to be safe, but to make good decisions on what that world looks like and what our national interests are country by country, region by region.

I am particularly pleased that this bill has such strong bipartisan support. The legislative provisions are intentionally limited to focus our attention on providing necessary resources to the men and women of the intelligence community as provided in the classified annex. The secrecy that is a necessary part of our country's intelligence work requires that the congressional Intelligence Committees conduct strong and effective oversight on behalf of the American people, and that strong and effective oversight is possible. But without that annual intelligence authorization bill, the bill that we will pass today—we must get back in the habit of passing that bill every year.

We make important commitments in this bill, Mr. Chairman, for the priorities of the intelligence community. Technology has fused in the intelligence collection like I have never seen it, and its increase is exponential over the past 10 years.

We make important investment in the new technologies that allow our intelligence officials and professionals to do the work they need to do. It makes them more effective, and it also makes the investment in the people who oversee that technology even more important. We make that important investment in this FY 2011 intelligence authorization bill as well.

Nothing brings that home like the broad scope of what we saw participate in the Osama bin Laden event of last Sunday. Every single intelligence agency, and I do mean every single one, played a part in that operation, from collecting small bits of information, from putting that piece together, signals intelligence, satellite intelligence, MASINT intelligence, all of those things came together over the course of 10 years.

I credit George Bush and his administration for assembling this new intelligence community that really started after 9/11 and President Obama for making the authorization and the continued policies that allowed us to have that information to go after Osama bin Laden. It was really quite an impressive thing. Both administrations deserve credit for that, and I would hope that today the people of the House of Representatives would celebrate that victory and all the work of the unsung heroes who work in the shadows by passing this FY 2011 so they can get about the business of protecting the United States.

I appreciate, again, this bipartisan consensus.

I reserve the balance of my time.

□ 1450

Mr. RUPPERSBERGER. Mr. Chair, I yield myself such time as I may consume.

First, I rise in support of H.R. 754, the Intelligence Authorization Act for FY 2011.

The men and women in the military and intelligence community who helped locate al Qaeda leader Osama bin Laden exemplify the extraordinary courage and skill of those who work tirelessly to keep our community safe. They should be commended for a job well done. But our fight against terrorism is not over. We have severely weakened al Qaeda, but we must remain vigilant as we work to eliminate this threat. I believe that it's our responsibility to give our intelligence professionals the resources, capabilities, and authorities they need to do their jobs successfully.

The Intelligence Authorization Act for FY 2011 has thousands of civilian positions above the level enacted in FY 2010 and above the level of people currently on board. This includes counterterrorism positions at the CIA and a large increase in personnel at the National Counterterrorism Center, the NCTC. The bill also adds hundreds of millions of dollars for intelligence above current levels. In response to the Web site WikiLeaks, the bill includes an insider threat detection program that automatically monitors unauthorized access to classified information.

The way Congress conducts effective oversight of the intelligence community is by passing an Intelligence authorization bill to give the intelligence community budgetary direction.

When I first got to the Intelligence Committee 8 years ago, right after 9/11, I was concerned with the lack of coordination and communication within the intelligence community. In the different areas in intelligence—the CIA, NSA, FBI—there was not the communication or coordination that was necessary. But this has definitely changed today. The Osama bin Laden mission proved that. Professionals from all across the intelligence community, including the CIA, NGA, NSA, and Special Ops, all came together as a team to get the job done. We are now on our game. We're working together. We're better than we've ever been. And we clearly have sent a message to the world: If you're going to attack Americans, if you're going to kill Americans, we're going to find you and we're going to bring you to justice.

On the House Select Intelligence Committee we work together. Chairman ROGERS, as he stated before, and I have agreed to work together in a bipartisan manner. The stakes are too high not to do so. I join Chairman ROGERS in saying politics has no place in the Intelligence Committee. The threats are real and the stakes are too high. Sure, we will have disagreements. We will disagree from time to time on policy. But we will work together to work through these issues to do what is right for the intelligence community to protect our country and our national security. This is what we did in this budget.

After months of negotiations with the majority and a number of changes to address many of the concerns of the administration, I believe this bill moves in a positive direction. It goes a long way to help our intelligence professionals get the job done.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield 1 minute to the distinguished member of the Intelligence Committee, the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. I would like to start out by thanking you, Chairman ROGERS and Mr. RUPPERSBERGER, for refocusing the efforts of the Intel Committee on that which is critically important with the authorization and oversight for our intelligence community.

We have incredibly dedicated men and women who are putting their lives on the line every day in a way that almost all of America will never know. These individuals deserve nothing less than the full attention and help from Congress in the authorization and helping them with the programs that are necessary to continue the dramatic successes such that we've seen with Osama bin Laden.

They have successes every day, ladies and gentlemen. They're not as high profile as the one we had last week, but many of them are just as important. Without the Intelligence authorization bill, we're having them go out with one arm tied behind their backs. It's unfair to them; it's unfair to the country. In these times of turbulence, with an enemy that is bound and determined to hurt our country, we rely on our intelligence community and the great work that they do. This bill will help them do that.

Mr. RUPPERSBERGER. I yield 3 minutes to a senior member of the Intelligence Committee, the ranking member of the Terrorism Subcommittee, the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank Mr. RUPPERSBERGER for yielding, and I thank Mr. RUPPERSBERGER and Mr. ROGERS for their good work in the committee.

As ranking member of the Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, I'm pleased that we were able to work through our differences to bring a stronger and now bipartisan Intelligence authorization bill to the floor today.

H.R. 754 will support critical U.S. intelligence capabilities by increasing resources for our country's counterterrorism efforts while also providing needed flexibility to the Central Intelligence Agency to hire the analysts that it needs.

Last year, under the leadership of then-Speaker PELOSI and Chairman

REYES, President Obama signed the first Intelligence Authorization Act in 6 years. That bill included a number of long overdue provisions that supported critical U.S. intelligence capabilities, significantly enhanced congressional oversight, and improved accountability across the entire intelligence community. Today's bill builds on that effort and represents an important step forward towards enacting an Intelligence authorization bill for the second year in a row.

Unfortunately, the process used to produce this bill was badly flawed and there weren't proper hearings to get to where we are now. And that's evidenced by the amendments that we are able to get into this bill to bring it up to the position that it's in. However, with the changes made to the classified annex, I believe this authorization will strengthen our national security and is in the best interest of our intelligence community.

Specifically, the additional funds authorized by this bill to hire more counterterrorism analysts will make our country safer and more secure. It was, after all, counterterrorism analysts that located Osama bin Laden after he had disappeared for nearly 10 years and that are now tracking senior al Qaeda leadership around the globe. By providing more resources to this critical effort, our intelligence community will be able to confront head-on the threat posed by al Qaeda and other terrorist organizations throughout the world. In fact, given the recent success of our counterterrorism effort, this is the strategy we should pursue over our counterinsurgency campaign in Afghanistan, which has not shown the results Congress expected or that the American people demand. This tactical change would significantly reduce our military footprint in countries around the world while allowing our military and intelligence assets to confront terrorism threats wherever they're developed.

Mr. Chair, our intelligence community must be prepared for any and all threats, making it all the more critical for Congress to pass an Intelligence authorization that furthers our national security.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman 30 additional seconds.

Mr. THOMPSON of California. This legislation is necessary, will enhance the capabilities of the intelligence community, specifically our counterterrorism efforts, and will make our Nation safer.

I urge my colleagues to support this bill and thank the members of our intelligence community and their families for their great work and their sacrifice.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to gentlewoman from the great State of North Carolina (Mrs. MYRICK), a distinguished member of the Intelligence Committee.

Mrs. MYRICK. I'm delighted to be here today because this is a good moment for our intelligence community that we are going to pass an Intelligence bill.

You've heard it said it has been 6 years since there has been an authorization for these people. They are out there every single day in every single agency doing what they do so we can be here to be able to discuss this on the floor and to live freely in this country and around the world. It's extremely important that they have the knowledge and security of knowing that what they do is approved of and authorized by this committee in the House.

It has been good to have a bipartisan agreement in the sense that we worked very well together. Mr. ROGERS and Mr. RUPPERSBERGER worked extremely well. Myself and Mr. THOMPSON, who chair one of the committees, work very well together. The committee members do. And so it's encouraging that we're able to move forward in a way that's very positive for the people of this country relative to their national security.

So I urge all of my colleagues to support this bill.

Mr. RUPPERSBERGER. I yield 3 minutes to the distinguished gentleman from Kentucky (Mr. CHANDLER), a hardworking member of the Technical and Tactical Subcommittee of the Intelligence Committee.

□ 1500

Mr. CHANDLER. I thank the gentleman from Maryland for yielding.

Osama bin Laden, one of the worst men to walk the Earth since Adolf Hitler, is dead. While on the run for many years, bin Laden continued to plan and coordinate attacks against Americans. He was only found and killed because of the brave men and women in our military and in our intelligence community. We have some of the best intelligence operations in the world, and if we want to continue the fight against terrorism, we need to keep it that way. This bill does just that.

The bill authorizes funding for the dedicated men and women of the intelligence community to help them do their jobs and protect American citizens. In my tenure on the intelligence committee, I have had the privilege of visiting with many of the courageous and extremely bright people who work in intelligence. After meeting them, there is no doubt in my mind that we are in good hands, and I have a greater appreciation for the work they do to keep America safe every day. It is incredibly important that we support those efforts, especially in light of the extraordinary job the intelligence community did in finding and killing bin Laden.

These are tough times with our budget, but the security of our people has got to be our priority.

Last year, under the leadership of Chairman REYES, Congress passed its first Intelligence authorization act since the 2005 bill. I applaud both Chairman ROGERS and Ranking Member RUPPERSBERGER in their efforts to work out a bipartisan compromise that would help maintain and strengthen our impressive intelligence community. They've done a tremendous job, and it's a breath of fresh air to see everybody working so well together.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas and a member of the Intelligence Committee, Mr. CONAWAY.

Mr. CONAWAY. I thank the gentleman for yielding, I appreciate the chairman's words, and I hope those aren't mutually exclusive, being distinguished and being from Texas.

I rise in strong, strong support of this year's Intelligence authorization bill and encourage my colleagues, all of them, to support this. But with that strong support comes a modest amount of disappointment in that, through no fault of anyone in particular, we had to make a tough decision to strike section 412 from the bill, which would have allowed certain elements within the intel community to set up their own direct accounts with Treasury. It's a bit of an arcane statement, but it allows greater steps toward achieving auditability across the intelligence community. This provision was intended to promote this goal of better financial accountability and insight into our classified spending.

The intelligence community, Mr. Chairman, must meet the same financial accounting standards as the rest of the government. Those accounting standards will help uncover savings in current programs that can be reinvested into vital intelligence priorities or returned to the taxpayers.

While I am disappointed that the provision was not in the 2011 bill, I have already had good conversations with the chairman in reference to the 2012 bill, which will be in committee in the next couple of weeks, so that we can continue to move the intelligence community, their various slots, toward accountability, which is important for the taxpayer, and it helps give management a reliable tool. If they've got those systems, got the internal controls in place, it will give them tools in order to manage the money, the precious resources that we take from the taxpayers and entrust to the intelligence community to do the great work that they have done over these past years.

There is no greater example of that, of course, than the find-and-fix portion of the bin Laden experience that we saw play out on May 1 and 2, a terrific achievement by folks whose faces will never be seen, whose names will never be known except to them and their colleagues. They'll know who they are. They'll have that great pride of knowing they've done great work for this country using the tools that we provide them.

I urge my colleagues to support the reauthorization bill.

Mr. RUPPERSBERGER. Mr. Chairman, how much time is remaining?

The CHAIR. The gentleman from Maryland has 21½ minutes remaining, and the gentleman from Michigan has 20 minutes remaining.

Mr. RUPPERSBERGER. I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield 2 minutes to the appropriator member of the House Intelligence Committee, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the chairman for yielding, and I rise in support of this reauthorization.

Mr. Chairman, I also rise to pay tribute to the dedicated men and women of our intelligence community. Their work is not an easy job in the best of times, but over the last 10 years, they've carried an especially heavy day-to-day burden. They work long hours under tremendous pressure, mostly in obscurity, to ensure that Americans are protected everywhere. They are the unsung heroes of national security, and we owe them more than we can possibly repay.

My colleagues, as a Member of the House from a ''9/11 State,'' I take very seriously the findings of the 9/11 Commission. One of the key recommendations of the commission was the need to improve coordination of the numerous congressional committees charged with overseeing and funding the intelligence community and its many activities.

To this end, I commend Chairman MIKE ROGERS for including me as part of the intelligence team in his committee. I would also like to thank Chairman Hal Rogers of the Appropriations Committee for seeing fit to appoint me as one of three liaisons to the Intelligence Committee. We are working closely with the Intelligence Committee to eliminate the daylight that has existed in the past between these two important committees and the legislation that's produced.

The bill Chairman ROGERS and Mr. RUPPERSBERGER have constructed does ensure that our intelligence community has the tools and resources to analyze, predict, respond, and counter all the threats to America and Americans. I commend them for their effort. I am proud to be part of their team.

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

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia, also a member of the committee, Mr. WESTMORELAND.

Mr. WESTMORELAND. I thank the chairman for yielding me this time.

I cannot stress enough the importance of passing this FY 2011 Intelligence authorization bill. This legislation will not only ensure that our intelligence agencies are sufficiently funded to carry out their functions, but it will hold them fiscally accountable.

It has been 6 years since Congress has passed a complete Intelligence authorization bill. In years past, we have simply continued to ''deem'' funding for our intelligence programs to be authorized through other appropriations bills. Well, our law expressly requires that we explicitly authorize intelligence funding, and that is what we need to do here. We need to start passing an authorization bill each year in order to maintain the success of our intelligence communities and spell out exactly what will be provided. I want to commend Ranking Member RUPPERSBERGER and Chairman ROGERS for their work in working together to make sure that this is made possible.

The significance of our country's intelligence cannot be overstated. The killing of Osama bin Laden is a direct example of the meaningful work that these agencies perform in order to protect us. We must continue to provide these men and women with the resources and capabilities that they need and not just place obstacles in their way but give them the resources that will make their job easier and more efficient. This authorization bill provides a detailed blueprint of necessary budget needs for the 17 separate agencies that it covers. It funds both military and civilian members of our intelligence community and directly supports those involved in dangerous operations at home and abroad. They are the very operations that are countering global terrorism and monitoring foreign militaries. These are the operations that make sure America stays on the cutting edge of intelligence technology to be able to detect and thwart threats before they become imminent. These are the people we must ensure are adequately funded.

I ask all my colleagues to support this bill.

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

Mr. ROGERS of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding, and I would just like to engage in a colloquy briefly if we can.

As the gentleman knows, I have worked and he has worked to decrease funding for the NDIC, the National Drug Intelligence Center. This is a center that has received hundreds of millions of dollars over the years, yet in 2005 a White House OMB report said that the NDIC ''has proven ineffective in achieving its assigned mission.'' Reports subsequent to that have pointed to similar failures and problems. Yet it still received last year, I think, $44 million.

□ 1510

I had intended to bring an amendment to this authorization bill, but I don't want to hold up this important authorization for FY 11. If I could just ask the chairman if he plans to bring an authorization bill for 2012.

Mr. ROGERS of Michigan. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman.

Mr. ROGERS of Michigan. We plan to bring a bill for 2012, and I will work with you on the NDIC. I couldn't agree more: it's important that we continue to have the government effort focus on illicit drugs; however, the National Drug Intelligence Center has done very little to address this national priority, and I look forward to working with the Member.

Mr. FLAKE. I thank the chairman.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 1 minute to a distinguished member of the Intelligence Committee, the gentleman from Nevada (Mr. HECK).

Mr. HECK. Thank you, Mr. Chairman.

I would like to begin by recognizing our military's extraordinary efforts to successfully close a painful chapter in American history. Of course, the military could not have performed their mission so successfully without our intelligence community's unflagging efforts. The men and women of the intelligence community are the unsung heroes of not only the mission to bring Osama bin Laden to justice but many other successful counterterrorism operations, and they deserve tremendous credit.

The successful bin Laden mission highlights the critical role our intelligence community plays in protecting our national security. Two of the intelligence community's chief weapons against terrorism are information and the ability to communicate that information swiftly. I'm proud to say that the airmen at Creech Air Force Base in my home State of Nevada are critical to both capturing and communicating information that is necessary for intelligence operations.

One reason Nevadans elected me last fall was to restore government accountability and oversight. Secretary of Defense Gates and Chairman of the Joint Chiefs of Staff Admiral Mullen both identified America's growing debt as our number one national security concern.

As we're fighting the war on terror, we must not allocate resources without due process.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield the gentleman an additional 30 seconds.

Mr. HECK. And we must ensure the intelligence community is accountable for their operations because most of their operations occur outside of the public's view.

Chairman ROGERS and Ranking Member RUPPERSBERGER are doing incredible work to make these ideas that we share a reality. I applaud their dedication to restoring proper accountability and oversight to the intelligence community. I am confident the Intelligence Authorization Act provides the resources and latitude our intelligence community needs while ensuring fiscal and operational responsibility.

That is why I urge my colleagues to vote ''yes'' on H.R. 754.

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

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to another distinguished gentleman from the House Permanent Select Committee on Intelligence, the gentleman from Florida (Mr. ROONEY).

Mr. ROONEY. I thank the chairman and ranking member for their leadership.

I rise today, Mr. Chairman, in support of the fiscal year 2011 Intelligence authorization legislation. On September 11, 2001, our Nation faced the deadliest act of terror in U.S. history. On the evening of May 1, 2011, the mastermind of those attacks, Osama bin Laden, was brought to justice and killed while hiding in a compound in Abbottabad, Pakistan.

Along with the sacrifices our Nation's troops have made over the past 10 years, our intelligence community has played an integral role in fighting the war on terror and keeping America safe. The behind-the-scenes work of the intelligence community leading up to the attack and the raid in Abbottabad was critical to the success of the mission and will continue to be a crucial asset to winning the war on terror.

Completing the Intelligence authorization bill is critical to ensuring that our Nation's intelligence agencies have the tools they need to remain at the forefront of global and national security. This bill provides vital congressional oversight and policy guidance to the intelligence community on behalf of the American people. Congress must ensure these agencies are acting in our best interest and spending taxpayer dollars wisely.

As a member of the House Intelligence Committee and the House Armed Services Committee, I urge my colleagues to support this bill.

Mr. RUPPERSBERGER. I yield myself such time as I may consume.

There are two issues that I would like to discuss that we don't talk about a lot, but I think it is important that we do raise the issue. I know Chairman ROGERS and I and the rest of the committee do work on this issue, and that's our space program and that's also cybersecurity.

We, years ago, responded to Russia's putting up Sputnik by, in 10 years, putting a man on the Moon. What we did basically is we helped create the science of rocket science. We did research and development, and we were able to put a man on the Moon. That was a great day for the United States of America when we did put a man on the Moon.

Now we're in a situation where our space program needs to move forward. We have a lot of issues that we have to deal with in our space program; and the main reason for that is that, if you control the skies, you basically control the world. Space and satellites are so important to what we do, not just from an intelligence point of view, getting the information, taking the pictures, dealing with all sorts of communications. These are things that we do in space, and we have to keep moving ahead. We have to get our younger generation graduating from our colleges to continue to go into space.

And the big threat there is China and Russia. China is putting billions of dollars into space. Their goal is to go to the Moon, and it is our concern that if they do that we have to be with them there. We have to continue our research and development, and we have to be vigilant in our space program. Russia, also, is very active in the space area.

So it's something that isn't talked about a lot, but there's a lot of money that goes into space; and I think we have to do a better job in our military, in our space and intelligence, and let the public know how important space is.

There's also another issue which is of great concern, I think, to the United States of America's national security, and that is the issue of cybersecurity. As we speak, we're being attacked by different governments and who knows what else we're being attacked by, getting information, relevant information, every day we speak. It's a very serious issue; and, unfortunately, the public does not really understand what cyber is about.

Our NSA is as good as any operation in the world in their technology and developing the technology in order to protect our country. We don't control the Internet other than a small part, our dot-mils, the military part. So we have to make sure that our public understands how important cybersecurity is, how we could be attacked.

We just recently had an attack about a month ago on NASDAQ. Just think if we had a cyberattack on our banks and what the lack of confidence would be for our public, and the government can't afford to pay for it all. So there has to be an effort between our government, our military, our NSA, between our private sector and between individuals who have their personal computers. This is an area of the future we need to focus on.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I want to commend Mr. RUPPERSBERGER for the last remarks. Cybersecurity is a real and growing threat for the United States. We make serious commitments in this FY 11 bill, and we have pledged to work together on separate pieces of legislation to put the United States in a better position to defend itself against cybersecurity. Something that started out so long ago as somebody in their mother's basement hacking into the local school to change their grades has become whole nation-states using the Internet and all of cyberspace to not only steal intellectual property from private enterprise, attempt to hack and steal information from the United States, but also use it for offensive purposes where we have seen the Russians who when they went into Georgia use aggressively cyber to prep the battlefield for their invasion, something that we all need to worry about.

I want to, again, pledge to work with the ranking member on this very, very important issue so that we can get on better footing as we move forward.

Also, on the space, it is one of the things that has given the United States a technological advantage in the world, something that we need to continue to make those investments into the overhead architecture of the United States from communication satellites to all of the things that we do from space. And it is a serious investment on this country, but when you look at the success of something like the Osama bin Laden raid, you realize all of it, from space, to cyber, to signals intelligence, to human intelligence, is something that was invested in in this money; and I'm glad that the ranking member used this opportunity to talk about those very important issues and the commitment in this bill to start to put us on better footing for that.

I reserve the balance of my time.

□ 1520

Mr. RUPPERSBERGER. Mr. Chairman, I believe many valid points have been made in support of H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011.

First, I want to thank Mr. ROGERS for his leadership and for working together in a bipartisan way to do what's right for our country's national security and to make sure that we do our job in the oversight of all of the intelligence areas. Hopefully, we will continue this relationship as we go forward.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. NUNES), a distinguished member of the House Intelligence Committee.

Mr. NUNES. I would like to say thank you to Chairman ROGERS and to Ranking Member RUPPERSBERGER for really taking the Intelligence Committee and establishing its relevance back in the House. I know we've had some disagreements in the past, but Chairman ROGERS, along with a lot of new members on the committee, have been working closely with the Democrats in a bipartisan way to, I believe, make a real difference in Congress' role in the intelligence community. I want to commend both of them for their honest and hard work. It's never easy because, as I'm learning now since being on the committee, it takes a lot of hours, and it's a lot of hours on behalf of the members that they have to commit to this committee; so having a chairman and a ranking member to really lead us in that effort makes a big difference.

Mr. Chairman, let me speak to the issue at hand, which is that it is very concerning that Congress has not completed an authorization bill in 6 years

even though the terrorist threat has not lessened since September 11, 2001. This has limited an important oversight responsibility of the Congress. The world is too dangerous for Congress not to be more engaged in overseeing 16 intelligence agencies. We simply cannot maintain the status quo of the 111th Congress and ignore laws that require congressional oversight and the authorization of intelligence operations by the House Intelligence Committee.

Congress must meet its responsibilities and again begin to pass annual intelligence authorization bills, which are vital to ensuring, among other things, that the men and women who really risk their lives to be part of this intelligence community are properly funded to carry out their critical mission of defending our country, such as the mission we just saw a couple of weeks ago, that of the killing of Osama bin Laden.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield the gentleman 1 additional minute.

Mr. NUNES. Congress can no longer avoid its responsibilities when our counterintelligence operations provide critical support to our combat units in Iraq, Afghanistan, Libya, and in other important places across the world or when our intelligence agencies require new, cutting-edge technology or during a time of unprecedented unrest in the Middle East, Southeast Asia or in other parts of Central and South America.

This does not mention the ever-growing threat that we face in the cyber community, with cyberspace, which is an area that this committee, I believe, will have to spend some significant time on.

The CHAIR. The time of the gentleman has again expired.

Mr. ROGERS of Michigan. I yield the gentleman an additional 30 seconds.

Mr. NUNES. It also doesn't mention the time that we will have to spend on some foreign countries that are quickly gaining access to minerals that are very hard to come by. So many foreign nations are investing a lot of time, energy and effort into locating not only these minerals, oil, and natural gas all over the world, but they're coming together and working outside the interests of the United States. We have to have intelligence in these areas.

This isn't your typical authorization bill, but it funds 17 intelligence agencies which are critical to the defense of our country. Each agency has a unique perspective on the world, and Congress should be bipartisan in its partnering in these missions throughout the authorization and oversight processes. I look forward to voting ''yes'' on the 11th bill and to working in a bipartisan way on the 12th bill.

Mr. RUPPERSBERGER. Mr. Chairman, I yield 3 minutes to an outstanding member of the Terrorism Subcommittee, the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, I rise today in support of the Intelligence Authorization Act for Fiscal Year 2011.

I want to thank Chairman ROGERS, and I also want to thank Ranking Member RUPPERSBERGER for working together in a bipartisan way to produce this bill. Their leadership was invaluable in moving this bill forward, and it has been critical to all of the committee's efforts during the 112th Congress.

Last year, the President signed into law an Intelligence Authorization Act for the first time since 2005. That bill included a number of important provisions to address the foreign language needs of the intelligence community, including a provision I sponsored, which created a pilot program in African languages under the National Security Education Program.

I am glad we can build upon the FY10 bill and can get another authorization bill signed into law for the second straight year. This bill authorizes the annual funding for the 16 member agencies of the intelligence community; aligns the national counterterrorism strategy with the policies and strategies of the DNI; and requires the DNI to establish an insider threat detection program to prevent unauthorized leaks of classified information.

While this bill is important to our intelligence community's ability to be the first line of defense for America, as we recently saw with the killing of bin Laden in Pakistan, the intelligence community often forms the first line of offense against our enemies as well.

Last month, I traveled to Pakistan and Afghanistan, and witnessed firsthand the tremendous challenge of locating bin Laden and other members of al Qaeda. Finding him would not have been possible without the robust capabilities that are available to the dedicated intelligence professionals at the CIA and other agencies. That is why Congress must continue to provide the intelligence community with every resource it needs to complete its missions.

Again, I extend my gratitude to Chairman ROGERS and to Ranking Member RUPPERSBERGER for their exceptional work on this legislation, and I also thank the Intelligence Committee staff for its tireless efforts in preparing this year's bill.

I urge my colleagues to support this legislation.

Mr. ROGERS of Michigan. Mr. Chairman, I now yield 2 minutes to a former Army captain, the great new Member from Kansas (Mr. POMPEO).

Mr. POMPEO. Thank you, Mr. Chairman.

I wanted to come to the floor today and thank Chairman ROGERS and the ranking member for the great work they've done.

I do not sit on this committee, but I did have the opportunity to serve in uniform our country. We witnessed what happened in the capture of the world's greatest terrorist, and we saw the great military feats which took place, but we also know all of the enormous work that our intelligence community did to make that happen.

I served in a unit that patrolled the East German and Czechoslovakian border. Every day, we relied on the fact that our intelligence community was providing our military with the finest information and the finest data in as near realtime as it possibly could to make sure that we knew how to deploy our forces and knew the things that needed to be done to keep America safe.

So I want to applaud the efforts of the Intelligence Committee. I want to urge all of my colleagues to support this legislation and the intelligence community, which keeps everyone in America safe.

Mr. RUPPERSBERGER. Mr. Chairman, in closing, the Intelligence Authorization Act for Fiscal Year 2011 provides policy guidelines and sets classified funding levels for the 16 agencies in the intelligence community. Al Qaeda leader Osama bin Laden is gone forever, but our fight against terrorism is far from over.

I believe this bill moves us in the right direction to ensure our topnotch intelligence professionals have the resources, capabilities and authorities they need to keep our country safe.

I also want to acknowledge our staffs on both the Democratic and Republican sides, who worked together very closely with us to help put together this bill. I've always said that you're only as good as your team. We talk about teamwork. You need a good team and a good staff.

I yield back the balance of my time.

□ 1530

Mr. ROGERS of Michigan. Mr. Chairman, I will just take this opportunity to thank both the Democrat and Republican staff members who helped us prepare this bill. For the first time since I have served on the committee, we had both Democrat and Republican staff briefed in a bipartisan way at the same table, all Members in the room. And we think that that improved the value of this product tremendously, something we are hoping to continue.

So my hat is off to all of the staff. We hire professionals from the community, from all walks of life as well to provide us the expertise that we need to provide the proper oversight for the intelligence community. And I do believe, in this great spirit of bipartisanship with Mr. RUPPERSBERGER, that this will give the tools to those 17 agencies who work in secrecy on behalf of the United States the things that they need to accomplish their mission and to keep this great country safe.

I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 754

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2011''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—BUDGET AND PERSONNEL AUTHORIZATIONS

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation and benefits authorized by law.
Sec. 303. Non-reimbursable detail of other personnel.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Schedule and requirements for the National Counterintelligence Strategy.
Sec. 402. Insider threat detection program.

Subtitle B—Other Elements

Sec. 411. Defense Intelligence Agency counterintelligence and expenditures.
Sec. 412. Accounts and transfer authority for appropriations and other amounts for the intelligence elements of the Department of Defense.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

TITLE I—BUDGET AND PERSONNEL AUTHORIZATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2011 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and the authorized personnel levels (expressed as full-time equivalent positions) as of September 30, 2011, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 754 of the One Hundred Twelfth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2011 the sum of $660,732,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2012.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 787 full-time equivalent personnel as of September 30, 2011. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2011 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts made available for advanced research and development shall remain available until September 30, 2012.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2011, there are authorized such full-time equivalent personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2011 the sum of $292,000,000.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. NON-REIMBURSABLE DETAIL OF OTHER PERSONNEL.

(a) IN GENERAL.—Section 113A of the National Security Act of 1947 (50 U.S.C. 404h–1) is amended to read as follows:

''NON-REIMBURSABLE DETAIL OF OTHER PERSONNEL

''SEC. 113A. An officer or employee of the United States or member of the Armed Forces may be detailed to the staff of an element of the intelligence community funded through the National Intelligence Program from another element of the intelligence community or from another element of the United States Government on a non-reimbursable basis, as jointly agreed to by the heads of the receiving and detailing elements, for a period not to exceed two years. This section does not limit any other source of authority for reimbursable or non-reimbursable details.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of such Act is amended by striking the item relating to section 113A and inserting the following:

''Sec. 113A. Non-reimbursable detail of other personnel.''.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. SCHEDULE AND REQUIREMENTS FOR THE NATIONAL COUNTERINTELLIGENCE STRATEGY.

Section 904(d)(2) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 402c(d)(2)) is amended—

(1) by striking ''Subject'' and inserting the following:

''(A) REQUIREMENT TO PRODUCE.—Subject'';

(2) by striking ''on an annual basis''; and

(3) by adding at the end the following:

''(B) REVISION AND REQUIREMENT.—The National Counterintelligence Strategy shall be revised or updated at least once every three years and shall be aligned with the strategy and policies of the Director of National Intelligence.''.

SEC. 402. INSIDER THREAT DETECTION PROGRAM.

(a) INITIAL OPERATING CAPABILITY.—Not later than October 1, 2012, the Director of National Intelligence shall establish an initial operating capability for an effective automated insider threat detection program for the information resources in each element of the intelligence community in order to detect unauthorized access to, or use or transmission of, classified intelligence.

(b) FULL OPERATING CAPABILITY.—Not later than October 1, 2013, the Director of National Intelligence shall ensure the program described in subsection (a) has reached full operating capability.

(c) REPORT.—Not later than December 1, 2011, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the resources required to implement the insider threat detection program referred to in subsection (a) and any other issues related to such implementation the Director considers appropriate to include in the report.

(d) INFORMATION RESOURCES DEFINED.—In this section, the term ''information resources'' means networks, systems, workstations, servers, routers, applications, databases, websites, online collaboration environments, and any other

information resources in an element of the intelligence community designated by the Director of National Intelligence.

Subtitle B—Other Elements

SEC. 411. DEFENSE INTELLIGENCE AGENCY COUNTERINTELLIGENCE AND EXPENDITURES.

Section 105 of the National Security Act of 1947 (50 U.S.C. 403–5) is amended—

(1) in subsection (b)(5), by inserting ''and counterintelligence'' after ''human intelligence'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

''(c) EXPENDITURE OF FUNDS BY THE DEFENSE INTELLIGENCE AGENCY.—(1) Subject to paragraphs (2) and (3), the Director of the Defense Intelligence Agency may expend amounts made available to the Director for human intelligence and counterintelligence activities for objects of a confidential, extraordinary, or emergency nature, without regard to the provisions of law or regulation relating to the expenditure of Government funds.

''(2) The Director of the Defense Intelligence Agency may not expend more than five percent of the amounts made available to the Director for human intelligence and counterintelligence activities for a fiscal year for objects of a confidential, extraordinary, or emergency nature in accordance with paragraph (1) during such fiscal year unless—

''(A) the Director notifies the congressional intelligence committees of the intent to expend the amounts; and

''(B) 30 days have elapsed from the date on which the Director notifies the congressional intelligence committees in accordance with subparagraph (A).

''(3) For each expenditure referred to in paragraph (1), the Director shall certify that such expenditure was made for an object of a confidential, extraordinary, or emergency nature.

''(4) Not later than December 31 of each year, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees a report on any expenditures made during the preceding fiscal year in accordance with paragraph (1).''.

SEC. 412. ACCOUNTS AND TRANSFER AUTHORITY FOR APPROPRIATIONS AND OTHER AMOUNTS FOR THE INTELLIGENCE ELEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Chapter 21 of title 10, United States Code, is amended by inserting after section 428 the following new section:

''§ 429. Appropriations for defense intelligence elements: accounts for transfer; transfer

''(a) ACCOUNTS FOR APPROPRIATIONS FOR DEFENSE INTELLIGENCE ELEMENTS.—The Secretary of the Treasury shall establish one or more accounts for the receipt of appropriations and other amounts transferred pursuant to subsection (b).

''(b) TRANSFERS AUTHORIZED.—(1) There may be transferred to an account established pursuant to subsection (a) the following:

''(A) Appropriations transferred by the Secretary of Defense from appropriations of the Department of Defense available for intelligence, intelligence-related activities, and intelligence-related communications.

''(B) Appropriations and other amounts transferred by the Director of National Intelligence from appropriations and other amounts available for the defense intelligence elements.

''(C) Amounts and reimbursements in connection with transactions authorized by law between the defense intelligence elements and other entities.

''(2) The transfer authority of the Secretary of Defense under paragraph (1)(A) is in addition to any other transfer authority available to the Secretary by law.

''(c) AVAILABILITY OF APPROPRIATIONS AND AMOUNTS TRANSFERRED.—(1) Appropriations transferred pursuant to subsection (b) shall remain available for the same time period, and shall be available for the same purposes, as the appropriations from which transferred.

''(2) Appropriation balances in an account established pursuant to subsection (a) may be transferred back to the account or accounts from which such balances originated as an appropriation refund.

''(d) DEFENSE INTELLIGENCE ELEMENTS DEFINED.—In this section, the term 'defense intelligence elements' means the agencies, offices, and elements of the Department of Defense that are included within the elements of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 21 of such title is amended by inserting after the item relating to section 428 the following new item:

''429. Appropriations for defense intelligence elements: accounts for transfer; transfer.''.

The CHAIR. No amendment to the committee amendment is in order except those printed in House Report 112–75. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–75.

Mr. ROGERS of Michigan. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, line 10, insert ''under the National Intelligence Program'' after ''the Director''.

Page 12, line 17, insert ''under the National Intelligence Program'' after ''the Director''.

Strike section 412.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Mr. Chairman, this is a manager's amendment to the bill that contains two provisions.

The first provision would simply clarify that section 411 of the bill, which relates to certain Defense Intelligence Agency expenditures, applies only to the National Intelligence Program funds. This clarification was requested by the Committee on Armed Services and is largely technical in nature.

The second provision would strike section 412 of the reported bill, which provides for the creation of certain accounts for intelligence funds. While this provision is an important one, intended to promote auditability of intelligence funds, some technical issues have arisen; and I believe it was prudent to hold this over until the FY12 bill. It is something that I support and hope to return to the bill in FY12. I do not believe that either of these changes are controversial and urge Members to support the amendment.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Chairman, I rise to claim the time in opposition, though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. In this era of tight budgets, I believe it is our responsibility to manage every taxpayer dollar efficiently and effectively. Section 412 of the bill provides the Secretary of Defense authority to transfer certain funds into specific accounts to provide more accurate accounting of money spent. The manager's amendment strikes section 412 from the bill.

Section 412 will allow for an accurate audit of taxpayer dollars. This important tool will save us money in the long run. We must identify programs that are not working and trim those costs. A thorough audit will help us do that. We must ensure any cuts do not negatively impact on the performance of the mission. The administration supports section 412, and so do I.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I thank the ranking member. I look forward to working with him on this particular issue.

As I think the ranking member understands, Mr. Chairman, we've brought in auditors on the committee. This is something we're very committed to in a bipartisan way, to actually have funds that can be audited. It's a bit shocking, I think, to both of us that they have had these funds for such a long time that have not been able to be audited, and we hope to do that on behalf of the taxpayers of the United States.

With that, I yield back the balance of my time.

Mr. RUPPERSBERGER. I agree with the chairman. Staff is working together to try to resolve the issues involving section 412. We look forward to a positive resolution.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. RUPPERSBERGER. I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. BARROW

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–75.

Mr. BARROW. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 303, insert the following:

SEC. 304. INTELLIGENCE OFFICER TRAINING PROGRAM.

Section 1024 of the National Security Act of 1947 (50 U.S.C. 441p) is amended—

(1) in subsection (a)(1), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)'';

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively;

(3) by inserting after subsection (b), the following:

''(c) GRANT PROGRAM FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES.—(1) The Director may provide grants to historically black colleges and universities to provide programs of study in educational disciplines identified under subsection (a)(2) or described in paragraph (2).

''(2) A grant provided under paragraph (1) may be used to provide programs of study in the following educational disciplines:

''(A) Intermediate and advanced foreign languages deemed in the immediate interest of the intelligence community, including Farsi, Pashto, Middle Eastern, African, and South Asian dialects.

''(B) Study abroad programs and cultural immersion programs.''; and

(4) in paragraph (g) (as so redesignated)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1), the following:

''(2) HISTORICALLY BLACK COLLEGE AND UNIVERSITY.—The term 'historically black college and university' has the meaning given the term 'part B institution' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).''; and

(C) by adding at the end the following:

''(4) STUDY ABROAD PROGRAM.—The term 'study abroad program' means a program of study that—

''(A) takes places outside the geographical boundaries of the United States;

''(B) focuses on areas of the world that are critical to the national security interests of the United States and are generally underrepresented in study abroad programs at institutions of higher education, including Africa, Asia, Central and Eastern Europe, Eurasia, Latin America, and the Middle East; and

''(C) is a credit or noncredit program.''.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Georgia (Mr. BARROW) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BARROW. Mr. Chairman, I want to begin by thanking Chairman ROGERS and Ranking Member RUPPERSBERGER for their hard work on this important legislation.

We face a diverse and growing array of threats around the globe, and we need an intelligence community as diverse as the threats we face. My amendment directs the national intelligence director to create a pilot program for Historically Black Colleges and Universities to help develop critical language curricula and study abroad programs. Our defenses have to be as advanced as the means used by our enemies. That means that our human assets have to be as diverse as our enemies. Cultural, language, and educational barriers affect the quality of intelligence we can gather; and it's critical that we have the human assets to overcome these barriers.

The area of Georgia I represent is home to several HBCUs with specific expertise in critical languages. Engaging centers of academic excellence such as these will help the intelligence community meet our strategic security goals and will produce more sophisticated intelligence officers. This, in turn, will make our country more secure. I, therefore, urge my colleagues to support this amendment and support passage of the bill.

With that, I yield back the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I would ask unanimous consent to claim the time in opposition.

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

There was no objection.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

While I support the intent behind the amendment, I believe it is also important to note for the record—and I appreciate the gentleman's work on this—that the Intelligence Committee has already a number of existing programs and initiatives in this area. I think this will, in fact, enhance that effort.

The proposed amendment has the goal of assisting Historically Black Colleges and Universities in creating and maintaining academic curricula that help the intelligence community meet its workforce diversity and critical language goals. I am happy to say that the community already understands well that a diverse workforce enhances its mission performance. For example, Director Panetta has launched his own initiative at CIA to enhance the diversity of that agency's workforce.

Additionally, there are other initiatives under way to increase the employment and retention of the diverse candidates throughout the intelligence community. And I won't go on, other than to compliment the gentleman for his interest in exposing the number of people who would have the skills to apply and diversify our workforce at the CIA.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BARROW).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. DENT

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–75.

Mr. DENT. I offer an amendment, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following new section:

SEC. 304. INFORMATION ON PURSUIT OF ANWAR AL-AWLAKI.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Director of the Central Intelligence Agency shall jointly submit to the congressional intelligence committees—

(1) all information in the possession of the Office of the Director of National Intelligence and the Central Intelligence Agency relating to the pursuit and targeting of Anwar al-Awlaki by the Federal Government; and

(2) an analysis of the legal impediments to pursuing the capture of Anwar al-Awlaki.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I first want to commend the chairman and the ranking member for the very good work they have done on this bill. They really have worked in a bipartisan manner, and they are really trying to advance the best interests of the intelligence community and this Nation's national security. So I applaud them for the spirit in which they have taken on this legislation.

I will withdraw this amendment after having conversations with the chairman. But the point I want to make about the amendment is that the amendment simply directs the Director of National Intelligence and the CIA that within 90 days of this act to provide the congressional intelligence committees all information possessed by the DNI and the CIA relating to the pursuit and targeting of one Anwar al-Awlaki by the Federal Government as well as an analysis of the legal impediments to pursuing the capture of Anwar al-Awlaki.

Americans are all very much familiar with who Osama bin Laden is. Everybody knows who he is, and we're all extremely gratified about his demise. At the same time, we should all be aware too that Anwar al-Awlaki seems to be the leader of many of the operational aspects of al Qaeda on the Arabian Peninsula. He is a real threat. He is an American citizen. He is also a Yemeni citizen. He has targeted Americans. We always thought he was a spiritual adviser and certainly a recruiter for al Qaeda. But now it's quite clear that he has also gone operational.

□ 1540

We're aware of that as it relates to the underwear bomber, Abdulmutallab and his attempt to the blow up the airliner near Detroit.

So the point of this amendment is to raise awareness on Anwar al-Awlaki, also to point out the fact that he is a citizen, to point out the fact that I think it's important that we consider essentially that he has committed expatriating acts. I mean, the fact that he has targeted American citizens, that he has called for the death of many

Americans, I have legislation that is also prepared to deal with his citizenship issue, that it should be revoked, or at least we should seriously do that, just as we would for any other individual who takes up arms against this country. We have laws on the books from 1944 when there were individuals who were signed up with the Nazi army or the Imperial Army of Japan who took up arms against this country as citizens. Those are expatriating acts.

I simply believe that if an individual takes up arms with al Qaeda or the Taliban or any other terrorist organization, foreign terrorist organization that is intent on killing Americans, that we should treat them just as we would an individual who is an agent of a foreign government or part of a foreign army. That's the whole point.

But recognizing this is probably not the best place to offer this amendment at this time, I have agreed to withdraw it. I appreciate the chairman's consideration, and I will be working to make sure that this Congress has the opportunity to address the citizenship issue of Anwar al-Awlaki. It has reported in the press that our government has a kill or capture order on Mr. Al-Awlaki. I don't know if that is true or not. I read it in the press.

Just last week we saw reports that Anwar al-Awlaki was supposedly the intended target of an attack, unsuccessful, in Yemen, and so he is still alive. And the point I want to make is that I think that if we're targeting an American citizen for assassination, then I think we should at least take up the issue of his citizenship and revoke it if at all possible. So at that point I will address it in another forum.

At this time I would again urge everybody here to support the underlying legislation. I will withdraw this amendment, and I appreciate the chairman and ranking member's consideration.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. GIBSON

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–75.

Mr. GIBSON. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV (page 11, after line 20), add the following new section:

SEC. 403. REPORT ON POTENTIAL CONSOLIDATION OF ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Not later than December 31, 2011, the Director of National Intelligence shall submit to congress a report containing any recommendations the Director considers appropriate for consolidating elements of the intelligence community.

The CHAIR. Pursuant to House Resolution 264, the gentleman from New York (Mr. GIBSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. GIBSON. Mr. Chairman, I actually want to begin this afternoon by praising the chairman and the ranking member, all of the members of the intel committee and their staff for truly magnificent work here on behalf of the American people. I've spent some time down in the SCIF and have been through the bill, and I think it's something that everyone can be proud of. And clearly, the operation that occurred about 2 weeks ago that ended in the death of Osama Bin Laden is an example of how intel and operations can be fused for successful operations.

And I'm rising today to offer an amendment to the intel authorization bill that I hope the committee will be willing to accept. It's based on my experiences from the 29 years I served in the United States military, nearly 5 in the New York Army National Guard, and then 24 years in the United States Army.

And I will tell you that, particularly, my experiences in Iraq commanding an airborne infantry battalion task force, and then later as a Division G–3, that's an operations officer for Multinational Division North, I saw firsthand the virtues of intel and operations being fused for successful operations.

And so what concerns me today is the fact that since the 11th of September, we've had significant growth in the intel community to address various concerns. And what I think we need to do now is pause, reflect, and look for ways to consolidate all that growth so that we can continue to have effective intel operations in a manner that's consistent for Republicans, and one that we can afford.

So what I offered is actually a very simple amendment. It asks the Director of National Intelligence to provide his recommendations on consolidation with an eye towards effectiveness and efficiency.

When we initially created this position this, of course, was a result of the Kean Commission after the horrific attacks of the 11th of September, 2001. We created the DNI to help us to really provide leadership in the intel community. In my estimation, we did not provide the adequate budget and legal authorities for him to really accomplish all those duties that we expected of him. So I would think that he would welcome this task to provide his recommendation to us on how we might better organize, consolidate the intel community to perform its very critical function for the American people.

I urge my colleagues to support the amendment. And again I want to thank the intel committee, the leadership and all those who provided the work for this bill.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. RUPPERSBERGER. I appreciate Congressman GIBSON's intent. And I also want to thank him for his service in the military. But I believe we should always be looking for efficiencies to help reduce costs throughout the government.

The Director of National Intelligence is conducting a similar review that will identify redundancies without sacrificing core missions. I want to see the product of those efforts before asking the DNI, Director of National Intelligence, to submit an additional report. For this reason I oppose the amendment.

I reserve the balance of my time.

Mr. GIBSON. I certainly respect my colleague for all his experiences that he brings before he comes to the Congress, and for the tremendous work he's done in the time that he's been here serving the American people in the United States Congress.

I respectfully disagree with the position, and would like to hear directly from the Director of National Intelligence. I know if I were in his shoes I would welcome this task. I would want to provide the United States Congress, the American people, by way of the United States Congress, to provide the recommendations on the way that he, in this case, the way he sees fit on better organizing the intel community.

So, with a very heavy respect for the ranking member, I still urge my colleagues to support the amendment.

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

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

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GIBSON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. RUPPERSBERGER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

□ 1550

AMENDMENT NO. 6 OFFERED BY MR. RUPPERSBERGER

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–75.

Mr. RUPPERSBERGER. I rise to offer the amendment for Congresswoman WATERS as her designee.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV, add the following new section:

SEC. 403. INSPECTOR GENERAL REPORT RECRUITMENT AND RETENTION OF RACIAL AND ETHNIC MINORITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to Congress a report on the degree to which racial and ethnic minorities

in the United States are employed in professional positions in the intelligence community and barriers to the recruitment and retention of additional racial and ethnic minorities in such positions.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Maryland (Mr. RUPPERSBERGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. RUPPERSBERGER. I yield to the gentlewoman from California, Congresswoman WATERS.

Ms. WATERS. I thank the gentleman.

My amendment requires the inspector general of the intelligence community to report to Congress on racial and ethnic diversity in the intelligence community.

A diverse workforce is essential to intelligence work. People from a variety of backgrounds bring a variety of perspectives to the table to understand the world in which we live. A diverse workforce provides intelligence agencies critical insights into different cultures around the world, where information about potential threats to our national security is being collected and analyzed.

Many leading intelligence officials understand the importance of a diverse workforce. The Web site of the Central Intelligence Agency includes the following statement:

''In order for the CIA to meet our mission of protecting our national security interests, we need to employ a workforce as diverse as America itself, the most diverse Nation on Earth. Diversity reflects the unique ways we vary as intelligence officers. Our nationality, race, ethnicity, gender, age, language, culture, sexual orientation, education, values, beliefs, abilities, and disabilities. These assorted attributes create different demographic, functional, and intellectual views which are so vital to our innovation, agility, collection, and analysis.''

And I really do think that says it all.

Unfortunately, there is virtually no data available to Congress and the public regarding the degree of racial and ethnic diversity in the intelligence community. The most recent publicly available report that discusses this subject is a 1996 report by the Government Accountability Office on personnel practices at intelligence agencies, which focused on equal employment opportunity practices.

The report concluded that intelligence agencies have workforce diversity programs, but results lag far behind other Federal agencies. This report was written more than 5 years before the terrorist attacks of 9/11 and 15 years before the death of Osama bin Laden. Needless to say, both the intelligence community and the world in which it operates have changed tremendously since then.

My amendment states that, within 180 days after the enactment of the bill, the inspector general shall submit to Congress a report on the degree to which racial and ethnic minorities in the United States are employed in professional positions in the intelligence community and barriers to the recruitment and retention of additional racial and ethnic minorities in these position. The amendment requires that the report be submitted in unclassified form, but allows the inspector general to include a classified annex.

It is long past time for Congress to reevaluate the diversity of the intelligence community workforce, and I urge my colleagues to support my amendment.

Again, I thank the gentleman, Mr. RUPPERSBERGER, for yielding.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose this amendment, I ask unanimous consent to claim time in opposition.

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

There was no objection.

Mr. ROGERS of Michigan. Mr. Chairman, I support efforts to create a diverse workforce within the intelligence community. A diverse workforce is instrumental to effectively respond to the complex global threats faced by the United States.

I do have so many concerns that this amendment is duplicative with many efforts which are already under way within the intelligence community to address this issue.

For example, section 338 of the Intelligence Authorization Act of 2010, passed after the fiscal year last year, requires the DNI to coordinate with each element of the IC to provide a report of plans to increase the employment and retention of diverse candidates. Moreover, the DNI has already created a strategic plan on equal employment opportunity and issued Community Directive 110, the Equal Employment Opportunity and Diversity Program.

It is my hope that the inspector general will consider all of these existing initiatives in the report and use the substantial body of work that has already been done on these issues in completing it.

Nonetheless, I will support the amendment and its laudable goals.

I yield back the balance of my time.

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

The CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. RUPPERSBERGER).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. HINCHEY

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–75.

Mr. HINCHEY. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in the bill, insert the following new section:

SEC. ___. REPORT ON ACTIVITIES OF THE INTELLIGENCE COMMUNITY IN ARGENTINA.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees a report containing the following:

(1) A description of any information in the possession of the intelligence community with respect to the following events in the Republic of Argentina:

(A) The accession to power by the military of the Republic of Argentina in 1976.

(B) Violations of human rights committed by officers or agents of the Argentine military and security forces during counterinsurgency or counterterror operations, including by the State Intelligence Secretariat (Secretaria de Inteligencia del Estado), Military Intelligence Detachment 141 (Destacamento de Inteligencia Militar 141 in Cordoba), Military Intelligence Detachment 121 (Destacamento Militar 121 in Rosario), Army Intelligence Battalion 601, the Army Reunion Center (Reunion Central del Ejercito), and the Army First Corps in Buenos Aires.

(C) Operation Condor and Argentina's role in cross-border counterinsurgency or counterterror operations with Brazil, Bolivia, Chile, Paraguay, or Uruguay.

(2) Information on abductions, torture, disappearances, and executions by security forces and other forms of repression, including the fate of Argentine children born in captivity, that took place at detention centers, including the following:

(A) The Argentine Navy Mechanical School (Escuela Mecanica de la Armada).

(B) Automotores Orletti.

(C) Operaciones Tacticas 18.

(D) La Perla.

(E) Campo de Mayo.

(F) Institutos Militares.

(3) An appendix of declassified records reviewed and used for the report submitted under this subsection.

(4) A descriptive index of information referred to in paragraph (1) or (2) that is classified, including the identity of each document that is classified, the reason for continuing the classification of such document, and an explanation of how the release of the document would damage the national security interests of the United States.

(b) REVIEW OF CLASSIFIED DOCUMENTS.—Not later than two years after the date on which the report required under subsection (a) is submitted, the Director of National Intelligence shall review information referred to in paragraph (1) or (2) of subsection (a) that is classified to determine if any of such information should be declassified.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives and the Select Committee on Intelligence and the Committee on Appropriations of the Senate.

The CHAIR. Pursuant to House Resolution 264, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HINCHEY. Mr. Chairman, in 1976, amid social unrest and a deep political

crisis in Argentina, a military coup installed one of the cruelest dictatorships South America has ever seen. Illegal detentions, torture, and summary executions of dissidents became routine. Cross-country operations to capture and assassinate dissidents were organized by Argentina in cooperation with Southern Cone military regimes in what is known as Operation Condor.

Over the years, as the victims of the repression increasingly went missing, a new tactic of the Argentine security forces was revealed. It is estimated that 30,000 people disappeared in Argentina between 1976 and 1985. Many of these victims, known as ''the disappeared,'' were abducted. They were tortured and then dropped far out into the ocean.

During the dictatorship, hundreds of children were born into captivity and distributed to members of the Argentine security forces, while their mothers are believed to have been killed.

□ 1600

The identity of some of these children has been discovered, but the majority of their identities and whereabouts remain unknown. My amendment seeks to shed light on the unknown fate of these children, who would be now in their twenties and early thirties.

Given the close relationship with their Argentine counterparts in the intelligence, security and military community, the documentation of the American intelligence community is likely to contain invaluable information to support renewed justice investigations and the search for the children of ''the disappeared.''

This amendment that I am offering would direct the Director of National Intelligence to report to the House and Senate Intelligence panels on information it has regarding the human rights violations of the military government in Argentina and also seeks to help shed light on the unknown fate of the Argentine children who were born in captivity. The amendment instructs the DNI to include an appendix of declassified documents used for the report and gives the authority for the inclusion of a classified annex.

Thousands of families have waited more than 30 years to learn the fate of their loved ones, and today we have an opportunity to make a significant contribution to truth and justice and help bring to a close this troubling chapter in Argentina's history.

In 2008, this amendment was made in order by the Rules Committee and agreed to on the House floor without objection from either party by voice vote. At that time, my dear friend and colleague Peter Hoekstra said, ''I will not oppose this amendment, Mr. Chairman. I will support the amendment.''

So I urge all of us to join in supporting this contribution to truth and justice in the country of Argentina.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. I must unfortunately oppose this amendment.

I certainly can sympathize with the gentleman's intention to try to bring some closure for families in this particularly difficult issue in Argentina, and it may certainly result in some information to those who are conducting maybe historical research and analysis and certainly to mend the wounds that have been created in this particular situation.

It would also do something, I think, equally damaging to today's effort in the war on terror. It would divert the intelligence community from its mission of protecting the United States and our interests from current threats. When you think about how difficult it was to take a small piece of information and stretch a nickname, an Arabic nickname applied to someone who is using an alias, who is likely associating with individuals who had Arabic nicknames associated to aliases, and from that little scrap of information, the entire intelligence apparatus spent years trying to develop the right lead to lead us to last Sunday's event to bring Osama bin Laden to justice.

This year, the intelligence community came forward and said, We need more analysts. We need more human resources in order to accomplish this mission. There are too many threats in too many places for our people to handle it. And what this amendment does, although it is very well intended, it takes resources away to apply it to a problem that is 20 to 30 years old. I am sorry, we just don't have that luxury today.

We are concerned, the intelligence community is concerned that the next few months, the next 6 months are crucial when al Qaeda is trying to get its act back together after losing its operational and inspirational leader and how they reach out or lash out in some kind of an attack. It is imperative that every minute of every day be spent targeting those who are seeking to kill Americans or our allies overseas now.

I hope that we find some other alternative to what the gentleman proposes in maybe another way. But redirecting the valuable assets in the fight on terror today I just think is a misuse of our resources and may, in fact, be a dangerous one at that. This is not the time to be disrupting our counterterrorism analysts, our case officers, or anybody in the CIA or other intelligence agencies away from disrupting, dismantling and defeating al Qaeda and other terrorist organizations for the activities of the Government of Argentina nearly 25 years ago.

I reserve the balance of my time.

Mr. HINCHEY. Mr. Chairman, how much time do we have remaining?

The CHAIR. The gentleman from New York has 2 minutes remaining, and the gentleman from Michigan has 3 minutes remaining.

Mr. HINCHEY. Mr. Chairman, I deeply appreciate what has just been said. But the fact of the matter is that there are no significant costs involved in this. This operation has been looked at in the past. The information that we are asking for in the context of this amendment is readily available. It is not going to take any significant costs whatsoever and it can be done very, very quickly.

This is a situation that really needs to be corrected. It is a violent, deeply disturbing activity that took place in the context of many, many families, many of whom are completely innocent, and the effects of that were in many cases deeply disastrous.

This is something that can be done easily and can be done quickly, and it was supported by the opposition almost unanimously—in fact, unanimously—the last time that this bill came up and this amendment was brought forward.

So I ask the opposition here to reconsider this. Think closely about this, how important this is, how significantly important it is for Argentina and for the United States, and how it can be done readily and easily, and how the results of it being done would be happily taken care of by these two countries. There isn't anyone who is going to deeply object to this, anyone who is significant at least in the context of this operation who is going to deeply object to this.

We need to do this. It is an honest thing and it is something that is going to be positive. It will be deeply positive and effective for us in the context of bringing this about. So I hope that everyone in this body will recognize the significance of this and vote in favor of it.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. Mr. Chairman, again, with deep respect to the Member from New York, and I appreciate your passion on this, I can tell you as a former FBI agent, when you take 1 minute away from your case to cull information, it does take somebody who is operational in some sense, either an analyst or an operator or even on the IT front, to gather, collect, sort that information, to go through it, to put it in the proper form and to get it in the right place.

Really, every minute of every day is so precious to these individuals who are trying to focus on al Qaeda and the current threat. My argument is that this is something that can wait. It has waited 25 years. Probably the next few years won't make a difference, but the next few years in the fight against al Qaeda can mean the life and death of U.S. citizens.

So, again, I hope the gentleman doesn't think it is any condemnation of his effort. I think the time and the place and the resources that would be lost are just not meeting the national security priorities as we look out across what the threat stream is today.

So, unfortunately, I will continue to oppose it. I would like to work with the gentleman on something in the future.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. CARNEY

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–75.

Mr. CARNEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE V—OTHER MATTERS

SEC. 501. SENSE OF CONGRESS REGARDING THE PRIORITY OF RAILWAY TRANSPORTATION SECURITY.

It is the sense of Congress that—

(1) railway transportation (including subway transit) should be prioritized in the development of transportation security plans by the intelligence community; and

(2) railway transportation security (including subway transit security) should be included in transportation security budgets of the intelligence community.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Delaware (Mr. CARNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

□ 1610

Mr. CARNEY. Mr. Chairman, over the past week, officials have announced that preliminary intelligence gathered from Osama bin Laden's Pakistan hideout shows that al Qaeda had been plotting a terrorist attack on our Nation's rail system. While roughly 1.7 million passengers ride on domestic and international flights daily, every weekday 34 million Americans ride on trains and transit systems. The issue of rail security is more relevant now than ever. And I'm here today to argue for making rail security a national intelligence priority.

On March 11, 2004, nearly 200 people were killed in Madrid as a result of a terrorist bombing while riding the commuter rail to work. In 2005, over 50 people were killed and 700 injured on the London transit system in a series of explosions during the morning rush hour. An attack on our rail system here in the United States would be devastating. It would almost certainly result in the loss of life.

Clearly, terrorist organizations around the world have made rail systems a target. I strongly believe that we need to address the vulnerabilities in our rail system by ensuring that rail security is one of our Nation's top intelligence priorities. That's why I offered this amendment directing the intelligence community to include rail and subway transit security in its transportation security plans and budgets.

The 9/11 Commission report found that over 90 percent of the Nation's annual investment in transportation security is spent on aviation security. While addressing security vulnerabilities within aviation is critical, this allocation leaves too little for surface transportation security, particularly on our rail systems.

''For now, riding trains is safe.'' That's how Transportation Secretary LaHood described the state of our rail system in light of the intelligence found in Osama bin Laden's compound. But we need to do better than that. As a near daily rider of Amtrak myself, I want to know that the United States Government is doing all it can to keep my fellow passengers safe. I urge my colleagues to support this amendment so that our intelligence community is able to identify and prevent a terrorist attack on our rail system.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. While I agree with the need for strong security in the railway sector, I just don't believe this amendment is best suited for the Intelligence authorization bill, as it seems to address the policy issues that are not authorized or otherwise addressed in the FY11 Intelligence authorization bill. The intelligence community does not have transportation security plans or transportation security budgets, nor do individual intelligence community agencies. In order to meet the requirement of this, they would have to restructure themselves to bring in the right people to do the plans for security for the railway. I don't think that's what the gentleman intends, but that's clearly what the gentleman's amendment would do.

I would argue that this amendment would be better focused on the Transportation Security Administration, or TSA. That agency, however, falls under the jurisdiction of the Homeland Security Committee and not the Intelligence Committee. The intelligence community does not develop transportation security plans. Rather, the intelligence community, through DHS, provides threat information to the transportation sector to better enable it to develop security plans.

Additionally, I note that this amendment simply expresses the sense of the Congress on the issue. It does not actually compel any action. I would question the real improvement to security on the railway sector from its adoption because, again, it appears that the amendment would not have a real impact. This is really out of the scope of the intelligence community.

I would urge the gentleman to reconsider and contemplate maybe addressing it in the TSA. If the gentleman would like any help and assistance in doing that, I would be eager to try to help the gentleman do that.

Again, given the time pressures on our intelligence community to stop real-time threats and pass that information on to people in the TSA and others, I would argue that this is an amendment that we should all oppose and look for a better opportunity.

I reserve the balance of my time.

Mr. CARNEY. I would just like to add that I listened to the gentleman and I appreciate his comments. I listened to his remarks earlier on the previous amendment, and he said that the intelligence agencies spend all their time, every waking hour, targeting people trying to kill Americans every day. The facts are that these terrorists are trying to kill Americans on American rail transit systems. And that's the purpose of this amendment—to make sure that this is given a priority in our intelligence plans.

With that, I yield such time as he may consume to the ranking member, the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. I thank the gentleman for his amendment.

I disagree with the chairman. I believe it's vitally important that we protect our railway infrastructure from terrorist attacks. Just last week, the Department of Homeland Security issued an intelligence message about potential al Qaeda contemplation in February 2010 of plots against the U.S. rail sector.

While there was no imminent threat at that time, we must remain vigilant. It's important that we devote resources to this issue. I hope that we could work together with the chairman if the amendment does not pass so that we can focus on this serious area of threat to our national security.

I urge a ''yes'' vote on this amendment.

Mr. CARNEY. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentleman from Delaware has 1½ minutes remaining.

Mr. CARNEY. Mr. Chair, I would just like to add a few more things before finishing up here. Between 2004 and 2008, there were 500 terrorist attacks waged worldwide against mass transit and passenger rail targets, resulting in over 2,000 deaths and over 9,000 injuries. Five billion passenger miles, intercity and commuter rail, are logged every day in the northeast corridor alone here in the U.S. That represents more than one-third of the daily vehicle miles logged on I–95 between Washington, D.C. and New York City.

My amendment will ensure that the U.S. Government places a priority on ensuring the safety of rail passengers around the country by working to prevent a terrorist attack on our rail system. And I would ask support for this amendment.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Again, I appreciate both of the gentlemen's perspectives on this, but this is about the right tool for the right job. The intelligence community is the one that's supposed to develop the intelligence, the threat stream, the lead, and pass it to somebody who is in charge—the TSA in this case—of protecting the transportation sector.

Again, I make the argument it is important, but I just think this is misplaced. The intelligence community would have to try to create this expertise, which they do not have today in the entirety of the intelligence community, to make security plans. This is not what they do. It's not what they're equipped to do. They are not, in most cases, with the exception of the FBI and DEA, they're not domestic agencies. They're agencies that are designed to collect overseas. So it is just not a good fit.

Again, I appreciate the gentleman's position. I just think the community would have to spend a lot of time and resources diverting from its real intention and mission to keep us safe.

Just quickly and just for the record—I think it's important—the information that the gentleman referenced was aspirational. We saw a lot of press reports that I think misrepresented the information that was provided. It was something that Osama bin Laden thought about. It is not something that the intelligence community believes was operational, which means you have to be vigilant all the time on all these issues.

So I commend the gentleman in his effort on trying to bring better security to our railways. Again, just the right tool for the right job. This is not the right place. Unfortunately, I will oppose it but would like to work with the gentleman on the right place to get the job done.

I yield back the balance of my time.

The CHAIR. The gentleman from Delaware has 30 seconds remaining.

Mr. CARNEY. I certainly thank the gentleman and appreciate his comments and certainly respect his expertise. But I can't imagine that the intelligence agencies aren't, as they're doing their activities—intelligence activities overseas—aren't finding out that there are threats to the U.S. rail system. My amendment would just make that a priority within all the things that they do.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Delaware (Mr. CARNEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CARNEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Delaware will be postponed.

□ 1620

Mr. ROGERS of Michigan. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BENISHEK) having assumed the chair, Mr. YODER, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, had come to no resolution thereon.

MAKE IT IN AMERICA

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

Mr. GARAMENDI. Mr. Speaker, we just finished a very important debate here on the floor dealing with the ability of the American Government to understand the threats that face us across this world. I want to commend my colleagues both on the Republican and Democratic side for working long and hard on the intelligence legislation that will be up on the floor, probably tomorrow.

In the hour ahead, what I would really like to focus on and bring to the attention of the American people is the necessity for jobs. We spend a lot of time talking about security, as we should, and we've certainly seen that in the successful effort to bring down bin Laden and finally see that justice was properly served. Congratulations to the military, to the intelligence community, and particularly to President Obama for his courage in ordering that action, risky to be sure, but ultimately extraordinarily successful.

The other part of American security is our economy. At the end of the day and even at the beginning of the day, this Nation will never be secure unless we have a very strong, vibrant, growing economy that provides every American that wants to work with the opportunity to go to work. And so the focus of our attention for this hour ahead is economic security: how to secure the economic well-being of every American, how to secure the economic well-being of the American public. It can be done.

There are essentially six elements to achieve economic security and economic growth and strength, and we will cover many of those today as we talk about this issue. Let me very briefly lay them out to you.

The first is education. I think we now understand that an individual who has little or no education has very little opportunity to find economic security. It's difficult to get a job if you don't have an education. So for an individual, a good education is essential. Unfortunately across America, report after report, usually every 6 or 7 years a new report comes out and says America at Risk. Our education system isn't measuring up. Yet here in the last 3 months and in the days ahead, my colleagues on the Republican side have consistently cut the education programs that many, indeed millions of Americans depend upon.

Back home in my State of California, education funding is similarly cut, so that now a class that 5 years ago was 20 students is now 30 students. At the University of California, 10 years ago it may have cost $1,500 or $2,000 to go to school to pay the tuition. Now it's $8,000. And in the budget that's being proposed that was presented to the Appropriations Committee today, the Republicans are virtually reducing to a point of nonexistence Pell Grants necessary for higher education.

So education becomes the first key pillar in building a secure economy for an individual. Similarly, it is the pillar to secure a good growing economy for this Nation, because this Nation will not be able to compete economically unless we have the best educated workforce in the world, and we're not even close today. We were in bygone years, 30, 40 years ago, and we can be in the future, but it's going to take a change. As my colleagues come and join me during this hour, we will be talking about the ways in which the education system can be improved and the way in which we can transition people from education to work and back to education and back to work.

The second pillar is research. Research is an essential element, because from that research comes the new products of the future. I think we only need to think about the things that are in our home. The television, the VCR, the other things that we depend upon, were mostly invented in America. The fundamental research for computer chips and the like, America made, and much of the technology that we now find in our green technology, a lot of the wind turbines, the initial wind turbine industry, the solar industry, the photovoltaic and the rest, research in America's great institutions, our universities, our laboratories, led to these kinds of products. The battery technology that we now find in the hybrids, invented in America, but I think most of you would say, but not made in America today. That's true. So what we have seen is that the research, while done in the United States, did not lead to those things being manufactured in the United States. We need to understand why, and we'll go into that today, also.

So education, research, and then the third element is making those things in America. Manufacturing matters, and that is the core subject of today's

discussion: Make it in America. You can educate, you can research, but ultimately you have to make it in America.

Now, there are ways that we can enhance the American manufacturing sector, and my colleagues and I on the Democratic side have put forth a program that we called Make It in America, so that America can make it, so that American families can make it, and we know that these programs that we're proposing will cause that to occur.

□ 1630

The remaining three things that we will talk about, not today, but I want to make sure we lay them out there: Education, research, manufacturing, make it in America, the next element is infrastructure. You have to have roads and streets and sanitation and water systems, communications systems. All of those things are critically important. Fortunately, part of the stimulus program, not enough of it, but a big part of it was to build the infrastructure. The largest surge in infrastructure investment ever in the history of this Nation was the stimulus program, overlooked and certainly overlooked in the politics of last year's election, but it was there. It was a good point, but we have to carry that forward.

Fifth point. We have to be international. Unfortunately, the word ''international'' in America has come to be that we give it all away. The trade agreements of the past often led to the outsourcing of American jobs, and so, as we look to the future, we want to make sure that as we look international we talk about, as President Obama has suggested, that we once again become an export Nation. We can do that. There are programs that will cause that to happen, and also, we need to be quite sure that when we talk about international we talk about fair trade, trade that is fair to American workers.

And so as these trade programs come before us, we will be taking a very hard look at are those programs good for American workers, or are they simply good for Chinese workers. If they are good for those workers overseas and not good for American workers, you can see strong resistance from those of us on the Democratic side who say, wait a minute, international is good. We understand the need to grow markets. We understand the growing markets of the world, but we will no longer allow American workers to be put at a disadvantage by some trade agreement that is not fair to American workers.

The final element is this: we have to change. We cannot be what we were yesterday. We have to be what we can be tomorrow, and our President very clearly points this out as he talks about capturing the future. We can but only if we do these six things, and the final one is change.

Let me go now to a couple of the specific elements that we need to talk about here. Sometimes it's helpful to put up one of these placards. It helps focus at least my attention and perhaps yours. This is the Make It in America Agenda. These issues we've talked about, trade, tax policy, energy policy. Let's pick up the energy policy here.

It is incumbent upon America to secure its energy future. I think all of us go to the gas station from time to time, all too often it seems to me, and you know now we're filling up with $4 a barrel oil. Why? Why did that happen? Well, it basically has happened because for more than 30 years America has talked about energy security. We've talked about ending the importation of oil. We've talked about how we can provide the energy necessary for this Nation. Yet, we now find ourselves in a situation very similar to what we found in the 1970s, that is, insufficient energy available to us. The ''Drill, baby, drill'' mentality that we saw on the floor today is not the solution to this.

The solution to the energy issue is to transform our energy systems from the 19th and 20th century energy system, the fossil fuels, where we are dependent upon the petrol dictators of the world, and on coal, which I think all of us have come to understand presents enormous challenges for us, challenges of climate change, challenges of despoiling the surface of the Earth as we now find in the Appalachian Mountains and enormous health risks that come with the burning of coal. We need to move away from these fossil fuels to the fuels of tomorrow.

As we do that, we need to use our tax dollars to accomplish this goal. Right now, our tax dollars are used to support the oil industry. The oil industry thinks that is all well and good, but how many of you want to have $4 billion, $5 billion, $6 billion, even $12 billion of your tax money go to the wealthiest, most successful industry in the world as a subsidy? This is oil welfare, plain and simple, to the industry that simply does not need it. We're talking about the wealthiest, most successful industries in the world that have, for a century, for a full century, enjoyed the generosity of the American taxpayer. They receive welfare. Plain and simple, it's a subsidy, to subsidize the oil industry.

Yet we know in the last few days the Big Five oil companies have produced record profits in the last quarter. So much so that in the last decade, the decade 2001 until 2010, the oil industry has had over $1 trillion of profit, $1 trillion dollar of profit. At the same time, they have received billions of dollars of subsidies. We need to bring those subsidies back into the Treasury. Tell the oil industry, for a century you have been living off the welfare of the American public taxpayer. No more. That money is coming home.

And we're going to use it for two purposes: one, to reduce the deficit. President Obama has suggested about $4 billion a year. I think you can go as high as $12 billion if you add up all of the subsidies, bringing that money back into the Treasury to be used to reduce the deficit and to support industries of the future. We're talking about a lot of money here. Take a look at this.

ExxonMobil, $10.7 billion of profit in just the last quarter. Oxychem, $1.6 billion. Conoco, $2.1 billion. Oh, you're going to love this. The CEO of Conoco oil a couple of days ago got in front of a microphone and said it is un-American to take away our welfare, to take away our subsidy. I don't think so. I think it is un-American to give the wealthiest industry in the world a subsidy. We can go on and on here. We see Chevron doing very well. Oh, yeah, BP—we know that bunch. They're the ones that didn't have enough money to safely drill for oil, but they did manage to make $7.2 billion of profit this last year.

So, as we look at the energy systems of this Nation, we need to understand that the money that you and I are presently giving to the oil companies as a subsidy needs to be brought back and used to reduce the deficit and to support the energy systems of the future.

I'm going to wrap this very quickly with 2 pieces of legislation that I've introduced that would take those subsidies back from the oil industry and apply them to tomorrow's energy systems, the green energy systems, solar, wind. Our tax money should be used to buy American made solar, wind, turbines, and other green technologies. Right now, our tax money, we do subsidize those industries. Our tax money is used to purchase products that are manufactured offshore. My legislation says, good, we need to subsidize. We need to promote those industries. Those are the industries of the future. Those are energy sources of the future. Let's use that money to buy American-made equipment.

If somebody wants to go buy Chinese solar cells, fine, use your own money. One of these companies wants to go buy European-made wind turbine, that is fine, do it. But don't use my tax money. Don't use your tax money. American tax money must be used to buy American-made equipment.

Similarly, with our gasoline taxes that are now being used to buy buses, trains, and build highways and bridges, great. Good thing to do, but make sure that those things are made in America.

□ 1640

Now let me turn my attention to my colleagues. Three of them have joined us. I notice that our minority whip has joined us today.

Mr. HOYER, you've been the advocate, the leader, of developing the Make It in America strategy. Please share with us your thoughts, and then I'm going to turn to my other two colleagues.

Mr. HOYER. I'll be very brief.

I thank the gentleman for his continuing focus. If I am the corner of the phrase and the focuser of Make It in

America, you are its chief spokesperson and salesperson, so I thank you for that effort.

It's so important because, clearly, Americans are rightfully very concerned at the fact that we don't have enough jobs for the people who are looking for jobs. We've got to have a growth agenda in America. We've got to have an agenda in America that focuses on expanding opportunities. We've got to have an agenda that gives to Americans the sense that they and their families and their children can make it in America.

You have been focusing night after night, week after week, month after month on a jobs agenda, which we call ''Make It in America.'' We've introduced over 25 bills that are focused on trying to help us focus on that agenda, on trying to help business—small, medium and large—expand their businesses and on trying to give them assistance in doing so.

I want to say to the gentleman that, in his continuing to focus on this jobs agenda, it is critically important that Americans understand what the Make It in America agenda is all about so they can contact their Members of Congress and Members of the United States Senate and say, Look, we support the Make It in America agenda. We believe that it's an agenda for our opportunities and our children's opportunities.

I want to say something about the statement, to which the gentleman referred, made by the president of Conoco, a statement that apparently indicates he believes that his company is entitled to a tax preference and that if we did not give that tax preference that somehow it would be un-American. Of course, life, as I like to say, is a series of trade-offs: if we're buying things; national defense; defeating terrorism; making sure our seniors are secure in their pocketbooks and in their health; making sure that we participate in helping young people, particularly disadvantaged young people, get the educational start that they need; making sure that our college students can develop their talents so they can make us a more competitive Nation; and that the innovation, an innovation to which the gentleman referred earlier, will still be done in the United States. Then we need to make sure that the products and technologies that are developed through that enterprise are, in fact, then subject to a Make It in America reality.

As for the gentleman from Conoco, I don't know him, but I applaud the oil companies, and we need the energy that they give us. The fact of the matter is we gave subsidies, and we give subsidies in various areas, as the gentleman from California knows, to encourage doing things that are not now profitable but that will have a long-term payoff for not only the companies but for America. That is why the government invests its money, as governments all over the world do, in developing emerging technologies. The gentleman spoke, of course, of solar, wind and other renewable technologies that will have a tremendous payoff but not in the short term; therefore it's hard to get investors to put money in. That's why governments, not just in this country but all over the world, have done this in the past: for instance, when the prices of gasoline were not such that they provided the resources to encourage research, which we knew we needed, and drilling, which we knew we needed.

Yet now, when you have the profits of the product, I am shocked, frankly, that those who promote the free market system, which ought to be driven by the markets, driven by demand, driven by profits, would now say, notwithstanding the fact that oil profits among the Big Five, in particular, are up to historic levels, that we should still continue to ask our taxpayers to subsidize them even further. That seems to me to make no sense.

But back to the principal focus of making it in America: The gentleman has been so right in his focus of making sure that we create the kind of environment in this country that will empower people to make things in America, to grow things in America, to sell them here, but also to sell them around the world. The President has indicated he wants to double exports. The only way we're going to double exports is if we make things in America to sell overseas. That's the only way you can get exports whether they be goods, frankly, or services. We ought not to preclude the growth of the service sector in our economy servicing overseas, whatever that service agency might be.

So I want to thank the gentleman for continuing to keep the focus on an agenda that, I hope, our Republican colleagues will embrace as well. This is not a partisan agenda. I don't think there is a Member of this Congress who doesn't want to grow the economy and create jobs. We believe that the Make It in America agenda is focused on doing just that, and I would encourage our Republican colleagues, our Democratic colleagues, our brethren in the Senate to join together to pass this Make It in America agenda so we can see a resurgence of the manufacturing might of this great country that when we continue to be the inventing, innovative, developing center of the world's economy that we also, once we've done all that, then bring it to scale, or make it in America.

Andy Grove of Intel, as you know, has observed that if, in fact, what we continue to do is do the voltaic cells, do the chips, do the other technologies and if we then take the products to scale overseas, inevitably, Andy Grove believes—and I share this view—that our inventors, innovators and developers, themselves, will go overseas. The American public, by large numbers, understands that that's not a policy that is defensible or profitable for them, for their families or for America in the long term.

So I thank the gentleman from California for his focus, for his tenacity and for his compelling advocacy of the Make It in America agenda.

Mr. GARAMENDI. I thank you very much, Mr. Leader, for what you've done. Mr. HOYER, you've been on this, actually, longer than I. You have some history in this House that goes way back. I think about a program that you and the Democrats put forward before I arrived. I've only been here now about 20 months. It was the stimulus bill, the American Recovery Act.

In that Recovery Act, there was about $12 billion for transportation. In that transportation program, you and the Democrats, signed by President Obama, said that the money had to be spent—and this was the high-speed rail program—on American-made high-speed rail.

Guess what happened?

Of the high-speed rail companies of the world—none were made in America—the Japanese, the Chinese, the Germans, the French, and the Spanish all began to find American manufacturing plants because they wanted access to the high-speed rail money that was in the stimulus bill.

The point here is that, if we use our tax money wisely and say to the world ''come and build a high-speed rail, but you're going to make it in America,'' they will establish those manufacturing plants here in America. It's already happening. In Sacramento, Siemens, and in New York, a couple of the European companies are already locating those manufacturing plants.

SHEILA JACKSON LEE, from the great State of Texas, has now joined us, and she has been on this issue for a long time.

So, if you would, share with us your thoughts on how America can make it by making it in America.

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

If it were allowed on the floor, I would say, ''Yippee,'' but I will try to adhere to protocol or take a lariat and circle it around out of excitement.

□ 1650

Thank you very much for the years of tenure and leadership that you brought from the legislature in the State of California. You brought it here with a sense of action, and we thank you. I am delighted that our Democratic whip has been at the forefront of this issue. And the gentleman from Rhode Island—I know others may be coming—is a mayor, a former mayor who understands the importance of jobs.

Let me just say, to add to your comment, both President Clinton and President Reagan have quotes that suggest that if you build infrastructure, it is an investment that will continue to give and give and give. Since 9/11, my good friend, I have been on the Homeland Security Committee, and

the attention of the United States, rightly so, has been on securing the homeland and national security. And just one moment so I can transfer into this discussion, 70 percent of the American people now with the capture and demise of Osama bin Laden still are concerned about our security but, in actuality, believe that our troops can come home completely. I hope that we can move in that direction. This is not a Republican issue or a Democratic issue. Seventy percent of the American people frankly believe our troops have done an enormous tribute to themselves and to the American people.

What does that mean? It means bright young men and women are going to be coming home. And let it be known that they will not just come home in need of health services. They will come home eager to participate in the American Dream. And, frankly, I want to make sure they can do that, and I want to make sure we end the war in Afghanistan.

But I believe we have, as you have mentioned, the tools of the trade. I see this word ''trade,'' and some of us get a little nervous about that. But let me tell you how I explain trade. I want every item that can be sold overseas to someone else from the United States to be sold. I have taken to inventorying the manufacturers in the 18th Congressional District in Texas. And if I might, if you are listening, call (713) 655–0050 and let our office know you exist, that you make something in the 18th Congressional District in Texas. And I would venture to say that my colleagues will tell you call them or get on their Web site, because we want you to be able to sell it overseas.

Make It in America is to recognize the validity of the product you have made. We want to make sure that there are taxes that are fair to manufacturers. I am in the Manufacturing Caucus. We want to generate it. Energy means all kinds of energy, and I will dwell on that very lightly. But I am a person who is an equal opportunity welcomer of solar and biofuels and a number of other energy types to join in energy.

Labor, I have already said to you, I am trying to bring our soldiers home. But there are young people graduating from college in 2011. They were at my town hall meeting, to my distinguished friend, and they asked me about work. And I said to them that we in this Congress are working to provide jobs for the talented young people that will walk across those various stadiums and auditoriums getting their diplomas, doing what we asked them to do. Can we put them to work?

And then, of course, if you reinvest in America, I will tell the State of Texas—I don't want to get into anyone else's business—that we don't have to close schools. We don't have to lay off teachers. We can educate the workforce. And some of the workforce can be those with their hands, vocational trades, learning to manufacture, building the high-speed rails that I am so excited about that I am trying to find some land in the 18th Congressional District or somewhere in Texas and say, Come one, come all.

By the way, I serve on the Intellectual Property Committee on Judiciary, and every time I have a hearing in that committee, I say that this is the work of the 21st century, protecting the genius of America, and it's a lot of them. It's unbelievable the inventors who are here. I want them to know that there is some value of first to file to protect their product.

And lastly, what you have been talking about, the idea of redoing our infrastructure. A good friend of ours who served as the chairman of the Transportation Committee was such a leader, a distinguished gentleman from Minnesota. He, in the course of his service in the last couple of years, had a bridge collapse in that State. He kept saying over and over again, Build infrastructure and you'll put America to work.

I wanted to capture these words as a mandate, as an instructive vision that the Democrats have captured. And the only thing we need are partners. The President has already shown his proudness and his ability to put dollars to make jobs and to build infrastructure. I have seen public housing go up. I have seen roads being improved, dams, bridges, and of course, light rail and high-speed rail. So we've got the right thinking.

And I don't want to stop without just adding this point: There's not one of us that does not have the consciousness and the sense to recognize that we must have responsible spending and responsible reduction. I take great offense to anyone who suggests that I am opening the treasure chest and throwing money to the wind. I believe that education is valuable. Infrastructure is valuable. But there are ways that we can reasonably, down the road, as Mark Zandi has said, begin our belt tightening. But we have to recognize that the debt ceiling is not for the State of Texas or California—it is to help this Nation—but we do it sensibly. I hope we can do a clean one, by the way. But the point is that Make It in America is an engine of job creation.

And I just want to thank the gentlemen for constantly bringing us to the floor, giving us the opportunity, of course, to do as the Boy Scouts may have done and to recite these words: Trade, taxes, energy, labor, education, intellectual property, and infrastructure, and go around to our constituents in telling them we are not going to forget you. And I believe that we're going to create some jobs and watch America continue to have its economy not only make baby steps, but it's going to be spinning. It's going to be humming, and people are going to be back to work. I am grateful for this philosophy and this mission.

Mr. GARAMENDI. I thank you so very much, Ms. JACKSON LEE. You have been a leader in all of these issues over these many, many years and speak wisely and legislate very wisely on that.

The tax issue out there is one that just always befuddles me. It befuddles me as to why my colleagues on the Republican side just don't seem to get the message. We passed a tax bill last year that ended the subsidy that international, multinational companies were given to off-shore jobs. $12 billion a year of our tax money was given to these huge American companies when they off-shored jobs. What was that all about? I still haven't found out where that law came from. But it was in the Tax Code, and American companies were taking advantage of that tax reduction, tax subsidy, corporate welfare to send jobs overseas. We passed a bill. It's over. The President signed it. Not one of my Republican colleagues voted for that. I don't understand. I'm befuddled by their lack of support for American companies who want to keep jobs here. Apparently they're willing to support American companies that want to send jobs offshore. Anyway, one small example.

I wonder what it's like to be the mayor of the largest town in Rhode Island. It was probably an enormous experience. And then to bring that experience here to the floor of the Congress and to the committees and to share with us all of that down-home, on-the-ground experience of bringing jobs to the community.

Mr. CICILLINE, if you would care to share with us some of that experience in the legislation that you've brought to us.

Mr. CICILLINE. I thank the gentleman from California for his leadership on Making It in America, and I certainly thank our leader, Mr. HOYER, for making this a priority.

I think we all realize the single biggest responsibility that we have is to get the American people back to work. I know in my home State, families are hurting. With one of the highest unemployment rates in the country, our single greatest responsibility is to do everything we can to get people back to work. And I've been disappointed that we've been here for 5 months and there hasn't really been, from our friends on the other side of the aisle, a jobs agenda, jobs legislation. And I'm really pleased that we on the Democratic side have put forth a very ambitious but very important agenda of Making It in America.

□ 1700

When you think about it, we've had an economy that was built on bubbles and credit swaps and all kinds of things, and they all failed and they hurt families in this country very, very badly.

I think what we need to do is return to this idea of making things again in this country that we can sell all over the world, and having policies developed at the national level, at the State level, at the local level that support

manufacturing, that give American manufacturers the ability to compete in the global marketplace, give them an ability to grow jobs, and to create opportunities to make things that we can sell to the rest of the world so we can export American-made goods, not export American jobs.

We have the best workers, the best minds, we have the best innovators in the world, and what we need is to have policies at the national level that recognize we have to make things again. We need to stop the Chinese from cheating in manufacturing and having an unfair advantage, and we need to recognize that this is an important part of rebuilding the economy of this country.

We've put forth, as you know, Mr. GARAMENDI, with your leadership, a whole agenda, a whole set of bills that will help jump-start and support what's already happening in American manufacturing.

Try to go into a store and find something with those three words: Made in America. It's almost impossible. We can change that. We have to change it. And the agenda that we've put forth will help to do that.

The bill that I am lead sponsor on is the Make It in America Block Grant. It's a simple idea: take resources and invest them in American manufacturing. Help manufacturers retrofit their buildings for more energy efficiency, retrain workers for the new equipment of the 21st century. Buy new equipment, increase their exports. The kinds of tools that we know, that I hear from manufacturers when I travel throughout my district and talk to them and listen to them, what they need to give them a chance to compete in this global marketplace.

We have responsibilities to do that. It's the best way we can grow jobs. You're absolutely right. It's unimaginable that tens of billions of dollars in subsidies are being given to big oil companies, corporate welfare at a time when our constituents are facing some of the highest gas prices ever.

The short-term strategy is we have to pass anti-gouging legislation, we have to release some of the strategic reserves that will lower the price at the pump now, and we have to invest in a long-term strategy of clean energy, renewable energy, the kinds of investments in the manufacturing area particularly that will lead to a good energy future for our country.

I thank you, Mr. GARAMENDI, for your leadership. This is an important agenda. It's not just about job creation. It's about regaining that position as the leaders of the world of manufacturing.

Rhode Island led the Industrial Revolution. We have a long history of innovation, of manufacturing. This country can lead again in this area, but we need to have policies that support the great minds that are doing this work, the great manufacturing. We need to have job training that gives people the skills necessary to take these jobs, and we need to make it a national priority so that we can start making things here again, and so that American families can make it in America by relying on manufacturing.

Mr. GARAMENDI. Thank you very much, Mr. CICILLINE. And we note that your part of the Nation was where the manufacturing started in America, and the rivers, taking the power of the rivers and using it to start the mills and eventually creating the early American economy and continuing on to this day in a very special part of this Nation, the Rhode Island and the New England area.

There are many, many things to say. As you were talking, Mr. CICILLINE, and bringing us up to date on how we can do these things, I notice that two of my colleagues came in to join us.

Again, Mr. TONKO, you were here for the very first Make It in America discussion, you and I, on this floor some months ago talking about what we can do in this rebuilding the great American manufacturing base, the strength of America, the incredible innovation that's possible, and you just happen to come from one of those areas where it was done and it's still being done.

Mr. TONKO. Absolutely.

Mr. GARAMENDI. You're from New York, right? The Albany area, upstate New York.

Mr. TONKO. Absolutely, Representative.

Thank you, Representative GARAMENDI, for bringing us together in what is this usual important discussion. You have done that time and time again for us to focus on an innovation economy, on building it, and making it in America is an important aspect of the work we do. Thank you for bringing that to the attention of the greater public that watches these proceedings.

I do represent this region in upstate New York where we have the confluence of the Hudson and Mohawk Rivers, and it was birth to the Erie Canal, and that birth to the Erie Canal developed a port called New York, which became a major metro area, and a necklace of communities that were given birth to by that canal movement that became epicenters of invention and innovation, that then inspired a westward movement, and not only inspired the growth of this great Nation, but impacted the quality of life of people throughout the globe.

That pioneer spirit should speak to us again as we develop budgets, as we promote public policy. It should be about investing, not dis-investing. It should be about funding, not defunding.

The current climate here in this House with the new majority is to defund, to take those dollars away from economic recovery and to shift them over to tax cuts for millionaires, tax cuts for billionaires, ending Medicare, block granting Medicaid, dis-investing, providing for corporate loopholes.

This is not the strategy that America needs. This attack on middle class America is unwarranted. It is not going to resolve what we need to resolve here in the great United States of America.

We need to invest in a way that allows us to bulk up and compete and compete effectively on the global scene so that we can drive this clean energy economy, this innovation economy.

I know from my work prior to coming here to the House of Representatives, with NYSERDA, the New York State Energy, Research and Development Authority, there is job opportunity galore. There are entrepreneurs, there are innovators that work with the Angel Network, work with venture capitalists, and work with public funding like that from the Federal Government that enable us to take ideas and move them along. Where R&D is, where research and development lands, so will manufacturing. That's what we have within our grasp, but what I see happening is walking away from that progressive approach and catering to a crowd that has grown stronger and stronger through this recession.

When we look at some of the outcomes as the majority here challenges us about not doing the mindless handouts to oil companies, we're seeing some of the CEOs garnering some quarter of a million shares, prime shares of stock. That's what they're doing with these payments, these handouts to the oil companies, when we could invest that in job creation, and that's what this Make It in America is all about.

I know when we put those down payments on invention and innovation, we can expect lucrative dividends and we can have job growth, and the kind of job growth that is secure because it stakes itself in the community as small business and they grow within the community; they grow and expand their opportunity.

I have, within the capital region of New York, the third fastest growing hub for science and tech jobs, and that's happening because of investment from the public sector, partnered with private sector investments, and it works. It's a winning formula, and I would say that we just need to pursue in that fashion and we can gain tremendously. And why would you change that slow but steady growth upward in recovery from the recession? After 8.2 million jobs lost through the Bush recession, why would you turn that around? And that's the attempt right here. Stop it, turn it around and go back into the ditch that drove this recession.

I just think we don't want to repeat that recent history of Reaganomics and the second Bush Presidency. It is devastating to the economy. It's devastating to America's working families, middle class. It's devastating to job growth.

Mr. GARAMENDI. Thank you very much, Mr. TONKO.

You started with the Erie Canal. It's interesting to note that at that period of time, which was the last decades of the 1700s and the early 1800s, the

United States Government set out on a course to build infrastructure, and the infrastructure was the canal systems at that time, and you so quickly and correctly pointed out the growth that came from that. That lesson, now more than 200 years old, needs to be repeated in America once again.

Mr. TONKO. Absolutely. I think what people will say too is, well, we don't make those products anymore in America. Well, we might be able to if we modernize our manufacturing processes.

But also, if you're going to try and convince, if we try to convince each other that all the products that America can make, design, engineer, discover and manufacture are over, what are we telling ourselves?

There are products coming out as we speak. There are products coming out every week, and a sophisticated society braces itself to invest in education, in R&D, in the down payments of taking ideas and moving them along; and we can then manufacture those latest products on the scene. That's the growth of a sophisticated society.

□ 1710

So this can-do spirit prevails in the Democratic Caucus in this great House in which we serve. I am proud to serve with these Members who are visionary, who are supportive, reinforcing the efforts of manufacturing of a newest kind here in the country.

Mr. GARAMENDI. You talk about innovation and new things.

Last week, I was out in my district talking to manufacturers. One company is called Bridgelux—''lux'' I think is light, bridge lighting to the future. They make LED lights. The kind of things that are now in the stores—when you get a flashlight, it's an LED flashlight. They have taken those LEDs to a whole new level of technology and advancement.

In fact, if we would put them in these lights here in the Chamber, we could reduce the energy consumption by about 90 percent, which wouldn't be a bad thing for the taxpayers. Their particular system would allow those lights to change color, which might put me in a better color; that wouldn't be such a bad thing, and to dim when people are not here, and move the lights, and in that way improve our ability to see while simultaneously saving us a lot of energy.

The company is 2 years old, has 250 employees, is manufacturing these advanced LED lighting systems in Livermore in my district, and I am going, ''Go Bridgelux, go!''

They need something, though. They need access to the American markets. And that is where the use of our tax dollars, in this case perhaps the local tax dollars in the cities around that area, would reach out and save the taxpayers a bundle of money by buying lights from that company.

Mr. TONKO. Not only is it promoting energy efficiency; it can help us along this trail of energy self-sufficiency, which then pulls us out of our dependency, which is gluttonous to date, on unfriendly nations providing us our supplies for energy. It just doesn't make any sense.

The clarion call that we heard at the voting booth last fall was to start growing the economy, stop shrinking the middle class, and that is what we are about with this Make It in America.

I know our friend, Representative TIM RYAN from Ohio, has something to add to that agenda because he has been aggressive on this, also.

Mr. GARAMENDI. Indeed.

Mr. RYAN, you come from a part of the world that was and is going to be, given your leadership and the leadership of this Make It in America agenda, the premier manufacturing place in the world. We will contend in California; we will be happy to contend for that and compete for that title, but you are in the process of rebuilding the manufacturing base in the heartland of America.

Mr. RYAN of Ohio. It's interesting. My district, the Youngstown-Warren metropolitan district, was the fastest growing in job development in the last month or two.

Mr. GARAMENDI. Name those places again.

Mr. RYAN of Ohio. Youngstown and Warren, Ohio.

Mr. GARAMENDI. We are talking about what America thinks was yesterday, and you are telling me it's the fastest growing?

Mr. RYAN of Ohio. And it is just recent. But in large part, a couple of different things.

There is $1 billion invested into a steel mill, but also we have a major auto plant. And it was the work of the last Congress and the President saying we cannot lose the American auto industry, and they made investments in companies like General Motors. Now we have three shifts selling the Chevy Cruze all over the world. Every employee got a $4,000 bonus a few weeks back that they are spending in our community. These are the kinds of things that happen when you make things in America, when you manufacture products in the United States of America.

But the goal here I think for all of us is to wrestle control from the major multinational corporations who are running this institution and then have undue influence over the government. Whether it is globalization moving manufacturing offshore, or if it is the oil companies who not only aren't paying taxes but are completely content with our citizens sending $1 billion a day out of the United States to go try to find cheap oil, which isn't so cheap anymore, and diminishing day by day, what we are saying here is, if we drive that $1 billion a day back into the United States economy for the kind of research and development that is going on in Upstate New York, that is going on in California, that is going on in Youngstown State University and Akron University with polymers, if we pump billions of dollars into this, instead of falling from first to second to third in the green energy revolution behind China and Germany, we will start leading it. And it is about coming up with the next technologies that you gentlemen were sitting here talking about, whether it's lightbulbs or something else. We need to discover that here in the United States, and then make it here in the United States.

But what all the major tech companies are saying now, they want to manufacture here in the United States. There is so much risk when you move your operations to China, losing intellectual property, losing the cutting edge, losing the quality, that there is an incentive here.

But if we don't pump money into research, that is why this whole philosophy that every single thing the government ever does is awful and the government should just serve big business, cut taxes for the oil companies, make sure that the big multinationals don't pay anything in taxes, and we will come back and cut NIH, cut energy investment, cut the National Science Foundation, cut the National Institutes for Science and Technology, their standards and technology. These are the kinds of things that we have got to be investing in. It starts with let's get out of this dependency on foreign oil, $4 a gallon is nonsense, and this illusion that if we continue to keep drilling, we are somehow going to drop the price, is an illusion. Let's take control of our own destiny here.

I want to just show real quick this chart. This is the U.S. balance of trade from 1960 to 2010. If you will look in the last 10 to 15 years, we now have $500 billion in a trade imbalance. Most of this is energy. Most of this is oil. What are we thinking? We are giving away the house.

This is not good public policy. This is not good economics. Let's take control. Let's invest in our own people. A billion a day we send to another country that doesn't like us, and it finances the war on terrorism? And then we take our budget and have three wars going on at the same time. So we pay them to run the terrorist operations, and then we pay our own military to go to the Middle East to try to stop it. Meanwhile, the middle class in the United States, we have a $3 trillion deficit on the roads and bridges and infrastructure, sewer. College expenses are going up. We're not doing research. This is a recipe for disaster for the United States.

I yield to my friend from California.

Mr. GARAMENDI. I thank you very much for that.

You just reminded me of last night at 2:30 in the morning, the House Armed Services Committee completed the markup that is moving out of committee, the National Defense Act. We do it every year. Seven hundred billion dollars.

A study done by one of the think tanks came up with the number that America spends about 17 percent of its total defense budget protecting the flow of oil out of the Middle East. So you can add that to the deficit. That is over $100 billion a year that we spend of our tax money to protect the flow of oil, not only for us, but for the rest of the world.

We need to build a domestic energy system not based on carbon-based fuels, but rather the future energy, all of the clean green technologies, nuclear and others, that will provide us with the energy security we need.

In doing so, each and every one of those, if we spend our tax dollars on buying American-made systems, will come back, just as you say, and build our communities stronger along the way.

Mr. RYAN of Ohio. We had a group in Cleveland, Ohio, do a study a few years back that, if you added in that cost, the 17 percent of our military budget that protects the oil lines, supply lines for oil all over the world, the actual cost of a gallon of gas would be another $1, $1.50, because of the subsidy. It's another subsidy to make oil come here.

All we are saying is pump that money back into the research. Somebody in this country will come up with some synthetic, some magical something or other that will replicate diesel fuel. It will happen if we put the money into it.

Mr. GARAMENDI. It is actually already there. It is called advanced biofuels, algae-based fuels, everything from cosmetic oils to fuel for the Navy ships. So we can do these things. But, again, it is how we deploy our resources.

We have about 5 minutes, and we are going to do a lightning round between the three of us. I am going to turn to Mr. TONKO.

□ 1720

Mr. TONKO. I would just encourage us here in Washington on the Hill as we develop policy and debate budgets to keep in mind the history that should be replicated, sound history, history that had a proven track record, like that of the global race on space.

Some of us are old enough to have been youngsters or adolescents when that message, that very noble vision, of President JFK and his offering in an inaugural address that we are going to win the race on space, the global race on space, and land a person first on the Moon. And it was more than that poetry of landing the first astronaut on the Moon, that happened to be an American, and his quote of ''one small step for man, one giant step for mankind.'' It went well beyond that. It was this opening of the gates to technology that then invaded every sector of our economy, all aspects of life. And it was that technology investment that grew because of the soundness of a plan that enabled us to win a global race.

Now, that was done with passionate resolve and a thoughtfulness and a clear vision. We need to embrace that sort of American spirit, that pioneer spirit in this present moment and repeat good history, sound history, that grew our economy. I think we can do it and I believe we can do it, and Make It in America is the way to make it all happen.

Mr. RYAN of Ohio. Give him a minute of my time. He's from Pennsylvania. He can't help it.

Mr. GARAMENDI. I look up and find another colleague here. We have just a few moments left.

Mr. ALTMIRE. I appreciate the gentleman from California. I come from a region of the country, western Pennsylvania, bordering my friend from Ohio, and I was listening to the debate, and I just wanted to talk about this same issue.

This is the key to our recovery and our continued leadership and innovation in this country because, as we have seen in western Pennsylvania and all across this country, the American worker is going to compete and win on a level playing field against anybody in the world any day of the week. We just want to make sure that we have a tax policy that is in place, a trade policy that is in place, and a manufacturing and jobs policy that is in place that is going to allow the American worker that level playing field to compete and win against the rest of the world.

Mr. GARAMENDI. As a great example, your colleague next to you there has a piece of legislation that calls for fairness in the financial markets, the value of the dollar versus the value of the Chinese yuan. Mr. RYAN, you have put it out there. You say it has to be fair. Wrap it for us.

Mr. RYAN of Ohio. It is clearly currency manipulation. Here is the deal: Chevron, $19 million refunded from the IRS last year. They made $10 billion. Valero Energy, 25th largest company in America, $68 billion in sales last year; they got a $157 million tax refund check subsidized by the taxpayer.

If we are going to do this, we need shared sacrifice. We need everybody to contribute, especially those people making a lot of money, to help us reinvest. These folks are benefiting from an old-age industry—that we are running out of oil. It only makes sense. It went into the ground for 4 billion years. We pulled it out in 150 years, and we are burning it. Something is happening. It is an old industry and we are subsidizing it. We need to be Americans who invest in the next great technology to lead the world.

Mr. GARAMENDI. And indeed we will. Over the weeks and months ahead, we are going to talk about the Make It in America agenda, the legislation that has been introduced by the Democratic Caucus here in the House of Representatives. There are about 25 pieces of legislation, ranging from the ones that we talked about here, using our tax money when we buy solar equipment, make sure it is made in America. A bus, if you are going to use our tax money, make sure where it is made. Innovation, the innovation economy, all of those things. This is legislation that we have, infrastructure financing and all the rest. We are going to talk about it piece by piece.

I thank my colleagues for joining us. I have the sense that behind me we are about to be gaveled that we are out of time. I want to thank the American public for listening to the Make It in America agenda.

AMERICAN JOBS AND THE NATIONAL DEBT

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

Mr. GRIFFIN of Arkansas. Thank you, Mr. Speaker, and thank you to the American people for watching today.

I wanted to talk with my colleagues here today about jobs, how we create jobs in America, and what we are going to do about our national debt. We have a spending problem in America, and we have heard a lot from our colleagues on the other side of the aisle. They have been talking about jobs bills. I heard someone say that we haven't passed any legislation or taken up any legislation in this House that addresses jobs. Well, that puzzles me. Maybe they have been absent, but it seems to me since I arrived here in January, we have been focused on jobs, and I just want to give a few examples.

Number one, this week we have been working on energy legislation that will open up drilling, open up drilling in parts of the country where right now it is prohibited. Those will be jobs. Those are jobs, good-paying jobs in the energy sector. Not only will that allow for the creation of jobs; it will allow for our country to be more energy independent.

We have taken up all sorts of legislation regarding health care since I have been here. We voted to repeal and to work on some legislation to replace the Obama health care law. Well, I talk to small businesses, business owners, all the time, and they tell me that the Obama health care law hurts them; that because of the increased price that they have to pay, that they can't hire as many people. That is a piece of legislation that directly addresses job creation.

There was a provision that a lot of small businesses will tell you about; it was a 1099 provision that was included in the Obama health care law. We repealed that. We were fortunate enough to convince the Senate to pass it and the President to sign it.

I am joined by my colleague from Indiana. I want to say this, and then I am going to turn it over to him. Every time that we deal with our spending problem in this House, every time that we deal with our debt problem and our deficit, every time that we try to get

our fiscal house in order and make this government live within its means, the way folks back in Arkansas do, where they live within a budget, every time we do that we are creating a better environment in this country for job creation.

So don't let anyone tell you that there is the issue of the spending and the debt and then there is the issue of the jobs. They are all one issue. They are all one. If we want to see the kind of innovation and job creation that we are accustomed to in this country, if we want to see it continue, if we want to continue to be the leader in innovation and technological advancement and job creation, we better deal with our spending problem, or we are not going to see that kind of job creation.

Furthermore, if we don't deal with the debt, and we have a debt crisis, we are going to see job losses that will make what happened in September of 2008 pale in comparison.

I want to yield to my colleague from Indiana.

Mr. ROKITA. I thank my friend from Arkansas, TIM GRIFFIN. I know we are going to talk about Medicare, and we are going to talk about the debt ceiling, but I want to thank you for rising to address what has happened on the House floor this very last hour, because what you say is absolutely the truth. And if we have to, my friend, the gentleman from Arkansas, as new Members keep speaking truth to power, then we will do that.

But the fact of the matter is every time, every time the government confiscates the property of the American people, which is their money, you are exactly right, you take away their freedom, their property, their ability to invest that dollar as they see fit. And when that private sector money is in the hands of a small business or a large business, an ice cream shop or an oil company, they have a better opportunity and know better what to do with that dollar in terms of investment, in terms of growing the government, than any government bureaucrat or anyone on the floor of the House ever can.

I don't understand, Mr. Speaker, why every other industrialized nation on the face of this Earth understands that when you pull a lump of coal from the ground, when you take some oil from the ground, when you exploit in the best sense of that word our natural resources, you create wealth.

□ 1730

You raise the standard of living for all involved. Why is one party in this country so masochistic that they can't understand that?

Thank you for your time.

Mr. GRIFFIN of Arkansas. I thank the gentleman from Indiana.

I was thinking about some of what I heard, Mr. Speaker, a few minutes ago. I think that my colleagues on the other side of the aisle believe that if you leave the lid on a full cookie jar, that means you're out of cookies. I would say to my colleagues on the other side of the aisle, just because we have banned drilling and exploration for natural gas and for oil on the east coast and the west coast and Alaska and the gulf, just because we've banned it doesn't mean we're out of it. Just because you leave the top on the cookie jar doesn't mean you have run out of cookies.

You have got to actually take specific steps to develop energy. We are an energy-rich Nation. I happen to believe in an all-of-the-above policy. I think we ought to be pursuing renewable energy, wind, and solar. But at the same time we ought to be pursuing natural resources that we can use right now. Natural gas. We have a lot of it in Arkansas, and we would love to continue developing it. It's interesting to me that at a time when this administration put obstacles up to energy development in the gulf and elsewhere around the United States that would help us be more energy independent, at the same time they were encouraging energy production in foreign countries. It makes no sense.

I now yield to my friend from Indiana, Mr. Speaker.

Mr. STUTZMAN. Thanks to my colleague from Arkansas. I appreciate his comments and what he is saying, and I agree with him wholeheartedly. I can tell you as a small business owner from Indiana, coming from a family farm background and having a small trucking operation, all of the talk here on this floor and in Washington doesn't make a lot of sense to a lot of Hoosiers. Growing up in the agricultural industry, it's hard work. And I know that my granddad and my father and other family members, my brothers, they're all willing to work hard. But I can tell you what: When the government makes it difficult, it's tough to go out there and say, I'm going to keep doing it. When the government comes in and says, We're going to make it harder for you to do your business, you start thinking twice, Do I really want to do what I love to do.

Who creates jobs? Is it the government? I know some in this town believe that the government creates jobs. Well, how do they create that job? They take your dollar, my dollar, they collect it in taxes, and then they put it in a pot, and then we have this large entity we call Congress and bureaucracies, and our Federal Government decides we're going to pick and choose what type of jobs we're going to create. We're going to take those dollars that we've collected from the hardworking taxpayer and create a job.

Well, that's not creating wealth. The folks in my district who build cars, they build steel, RVs, and medical devices that help enhance the quality of life. Agriculture. Boats. We're one of the largest manufacturing districts in the country. That's where wealth is created. That is where jobs are created. The government doesn't build any of that stuff. And they shouldn't. They can't do it as well as what the private sector can. But what the government does is spend money. That's why our jobs are looking somewhere else—because of the threat of higher taxes, the threat of regulation.

We've got the EPA that comes in. Most of the folks that come into our office since I've been elected to Congress—this last year, I would say 90 percent of them come in and start talking about the regulation that the EPA and the enforcement attitude that the EPA has on our small businesses. How can any small business grow to be a big business if they're going to continually be hampered by our own government? FDA, OSHA mandates. We're going to be talking about Medicare. What is that going to look like in the future? And taxes.

We hear our colleagues on the other side of the aisle talk about the way government can grow business. The best way is to get out of the way. Right now, America has the highest corporate income tax in the industrialized world. Look at the other countries, whether Japan, Greece. All these other countries are finally figuring out because of just natural economic laws that you can't spend more money than you take in. Why would we want to raise taxes even more when people are starting to say, I'm out of here. I'm tired of doing business here. I don't think my dollar is safe in this country. And they're going to start taking their money overseas. That's why our jobs are leaving.

I believe it's important that we have a flattened tax policy—one that is fair to everybody across the country, one that is not going to pick and choose winners.

I appreciate what you're saying because jobs are not created by the government, they're created by Americans just like Henry Ford. The government didn't subsidize Henry Ford in creating the combustion engine. They didn't go out and subsidize Henry Ford in creating the Ford Motor Company. How many other small businesses started? So many American businesses started in a garage or somebody's shop and grew into some of the greatest companies in the world. But our government now wants to go in and make it more difficult for them and for small businesses.

Mr. GRIFFIN of Arkansas. I appreciate the gentleman's comments.

My colleague from Indiana was just talking about competitiveness. The question is, How do we compete? What is competitiveness? Well, we have to start with the premise that the private sector is the primary job creator in this country. They're not just the primary job creator—they're the primary innovator. They are the primary source of technological advancement. And that leads to jobs. So the question is, Do we want businesses to be attracted to our country or do we want them to flee our country? That's the question.

That's the question of competitiveness. I want to live in an America that is attractive to job creators.

You can talk about big business; can you talk about small business, you can talk about mom-and-pop shops. You don't even have to define each size business; they're all job creators. We've got in my district, the Second District of Arkansas, we've got all sorts of job creators. And I love them all equally. We've got small businesses, we've got Hewlett Packard, we've got Caterpillar. They all create jobs. When businesses look for a home somewhere on this planet, we want them to look at the United States and say, That's where I want to do business. I can do better there. My labor will be rewarded there. The taxes are not so burdensome there. The regulations don't crush my business there. That's where opportunity is. That's the America that we're trying to create.

□ 1740

The gentleman from Indiana referenced some of the conversations he has had with constituents. I have them every day. They come in my office and they say, This agency is not working with me; it's working against me. This part of government is an obstacle. Can you help me? Can you help me break through so that I can just do my business and create jobs and make a living?

That's ultimately the America that we're talking about.

Since we're talking about competitiveness and we're talking about jobs, that ultimately, as some of us were talking about earlier, leads us to a conversation about debt.

I would now yield to my friend and colleague from Arkansas (Mr. WOMACK).

Mr. WOMACK. I thank the gentleman from Arkansas. I appreciate his leadership and his friendship and his service to our great State, the great State of Arkansas.

I am thrilled that we're having the conversation that we're having here, late in the day, regarding these types of issues that in my strongest opinion are impacting our ability to create jobs; and that's the prize that we all keep our eye on here in these Chambers is what can we do to strengthen our capacity to put people back to work, because I think at the end of the day that's exactly what people elected us to do last November is to come up here and change this climate, change this culture and put the entrepreneur back in charge, because that's where job creation comes from.

A couple of points before I go to some notes that I brought specifically for this afternoon's presentation, and that is that this cloud of uncertainty that continues to hover over the economy of the United States of America is influenced by a number of things, but let me just take two or three of them.

The threat of higher taxes, and not just the threat of higher taxes but the relationship of the threat of higher taxes to the issues of the deficit and the debt. I made these comments not too long ago on this very floor, that in private business, in business in general, your debt is usually tied to your assets, the assets of the company. Most businesspeople get that. But in government, your debt is tied to your capacity to increase taxes. So this debt and deficit issue that we continue to struggle with as a country and the prospect of that debt continuing to rise—and not too long from now we're going to have a vote on increasing the statutory limit on debt—influences, I think contributes to, this cloud of uncertainty that leads a prospective entrepreneur, a prospective job creator, to not do what that person would like to do, even with trillions of dollars sitting on the balance sheets of corporate America, the hesitancy to create these jobs influenced by the threat of higher taxes.

And then I think also, fundamental to this cloud of uncertainty, as I call it, continuous overregulation by this government, that the prospective job creator cannot compute the input costs associated with more government regulation. Notice I haven't even mentioned the impact of the health care law, ObamaCare, as we call it. It's hard to compute the input costs of this health care law. And then more recently, the threat of higher energy prices and a flawed, if not almost nonexistent, energy policy of this administration.

Just think about it. You're a prospective job creator, you've got an idea, you're a creative person, you want to live the American Dream, but standing in your way between your dream and your capacity to do something creatively and resourcefully, to put people to work, to contribute to society, are things like higher taxes, more government regulation and red tape, the impact of when I hire these people, the impact of ObamaCare, and then on top of all of that, the price at the pump and higher energy prices. I just don't see why the other side cannot understand why we're not creating jobs, why we continue to hover at the 9 percent level on unemployment.

Just a couple of weeks ago, we passed on this floor a budget for 2012, and in that budget immediately, before the ink was dry, we were being criticized because of what we were trying to do and what I believe is the reasonable approach to solving our Nation's fiscal problems, and that is finally delving into something that nobody ever wanted to touch, and that's the entitlement programs, the mandatory spending side of the house, where most of the money is.

I just want to make a couple of these comments as it concerns Medicare, because I heard back from my constituents. A tele-town hall meeting the other night, the first phone call I got from Bella Vista, Arkansas, was a gentleman worried because he had heard that we were attempting to take his Medicare away. In 1965 when that program was created, baby boomers were teenagers, and now 10,000 baby boomers a day enter qualification for Medicare. When Medicare was created in 1965, the life expectancy of a human being was around 70, a little younger. Today it's close to 80 years of age. Medicare spending is growing at an unsustainable rate of 7.2 percent every year. Seniors are already facing access issues.

Think about this. Under the current system, one in three primary doctors are limiting Medicare patients. One in eight are forced to deny Medicare patients altogether. If the Medicare program is allowed to continue without any change at all, the Congressional Budget Office projects it goes bankrupt in 9 years. Basically, if we allow Medicare to maintain the status quo, Medicare collapses.

So we're leading. Our conference is leading. We're taking mandatory spending and entitlement programs and we're deciding that we're going to throw our cards down on the table. We're going to do something about it.

The plan that we voted to approve just a couple of weeks ago preserves, protects Medicare for those 55 and over, not just those drawing Medicare but those nearing retirement, people that have planned their lives around that program. We don't change that for those people. That needs to be said. It needs to be repeated over and over again. But again we get demagogued about it because, at the surface level, it sounds like we're trying to just take it away. Let me repeat again. Those 55 and older, not affected by the proposed reforms that we support.

Starting in 2022, new Medicare beneficiaries would be enrolled in the same kind of health care program that I have, that my colleague from Arkansas has, and my other colleagues who have spoken here tonight. Future Medicare recipients would be able to choose from a list of guaranteed coverage options and they'd be given the ability to choose a plan that works best for them. It's not a voucher system. It's premium support. No money changes hands between the government and the individual. It's modeled after what Members of Congress and Federal employees already have.

The reforms are designed to decrease the fraud within the system and requires congressional oversight by requiring transparent pricing and minimum benefit and quality standards and instituting more competitive forces. My friends, that's what the free enterprise system is about, and I believe if it has worked for 235 years of this great country, it should be also the way forward.

Let me finish by saying this. Like my colleague from Arkansas, he and I came in as freshmen together on January 5 in these hallowed Chambers. We didn't come here to do nothing. We didn't come here to kick the old can down the road, to ignore the facts. We came here to act with dispatch and

make a difference for our country. That's why I'm pleased to join my colleagues here of our great freshman class in providing this information to the American public. It's not only what we were elected to do; it is our moral duty to do it and to do it as soon as we can and to do it with the sense of purpose that I think defines the 112th Congress.

□ 1750

Mr. GRIFFIN of Arkansas. Thank you to my colleague from Arkansas.

Mr. Speaker, my colleague makes a great point, and I think what we've been talking about here over the last few minutes is that the jobs issue is not separate from the debt issue. We have to deal with the debt in order to create an environment in this country that attracts business and where jobs can be created.

I want to take just a second here. We've heard a lot about Medicare and about the debt; and I think it's important to emphasize here, as this chart shows, that of our yearly spending, well over half is what we call mandatory spending. That is spending that doesn't have to be renewed every year, spending that's in the books, in the law. It just happens. That includes Social Security, Medicare, and Medicaid. The bad news is, if we do nothing to this big chunk here called Medicare, we do nothing, Medicare goes bankrupt.

This next chart shows that in just a couple of decades, the entire Federal budget at this point right here, the entire Federal budget will be consumed by Medicare, Medicaid, and Social Security.

What does all this tell us? Well, it tells us a couple of things. Number one, we have to do something to reform our system so that we don't have a crisis; and, number two, it tells us that if we don't reform Medicare, it goes away. It no longer exists.

I tell folks all the time when they say, well, you're going to try to end Medicare as we know it, and I say, whoa, whoa, whoa, Medicare as we know it ends itself in just a short number of years. It ends itself. And I say to my friends when they mention something like that, I say, well, if someone really wanted to harm Medicare, they wouldn't propose a bold reform to save it. They would just quietly do nothing because if you quietly do nothing, you kick the can a little further down the road, Medicare goes bankrupt. With no action, Medicare goes bankrupt.

What would that look like? Well, it would look a lot like the President's plan. I don't believe that the President wants to harm Medicare, but I'm certain that he's failed to take the steps necessary to save it. What would a plan look like that harms Medicare? It would look like the President's plan, a plan, a budget that doubles our debt in five and triples it in 10 and does nothing to save Medicare. It's silent on that and on Medicaid and on Social Security.

I would like to yield now to the gentleman from Arizona. Thank you for joining us.

Mr. QUAYLE. I thank the gentleman from Arkansas for yielding and for talking about these important issues, and one thing that I do want to talk about is something you just said: kicking the can down the road. We can no longer afford to do that because every year we do not address and solve the problems related to our mandatory spending, they add close to $10 trillion each year to our unfunded liabilities. Those are the liabilities that are going to be put on the backs of our children and our grandchildren. So kicking the can down the road is no longer an option.

Now, I want to get back to something the gentleman from Arkansas talked about earlier, and that is about making America competitive in the global marketplace. We live in a global economy. Nothing is going to change that, but what America has to do and what we have to do here in the House is to make America the most competitive country on the face of the Earth. We need to make America the best place and the safest place to do business, and that's what we were charged to do when we came in in this 112th Congress, and that's what we've been doing from day one.

Because when we came in here, we said we were going to do two things. We were going to get the American people back to work by creating jobs and pro-growth economic policies, and we were going to rein in our out-of-control Federal spending. And we've been doing that.

Since day one, week by week, we have been addressing our problem with out-of-control government spending. Sometimes it was millions of dollars here, other times it's billions, and still other times it's been trillion dollars of savings to be able to make our country prosperous again. That right there is the charge of my generation and our generation to return America's prosperity. That's what we're doing here in the House. That's what the Republican House majority has been doing since day one of the 112th Congress.

One of the things that we did just a few weeks ago was we passed a 2012 budget plan that sets our fiscal course on the right path. It sets us up so that we will have that prosperity, so that the crushing burden of government spending is not passed on to future generations. Immediately, practically before the vote was even cast, we heard from our friends on the other side of the aisle that we were starting to end Medicare as we know it. Funny thing how short their memory is, because Medicare as we know it was actually ended by the previous Congress when they passed ObamaCare.

And Medicare as we know it was ended in two different ways. First, they took over $500 billion out of Medicare to fund their government takeover of health care, and the second thing and the most dangerous thing that they did was they established the Independent Payment Advisory Board. What this is, a lot of people don't really know what it is, but it's a bureaucratic 15-person panel that will actually determine how we are going to provide health care to our seniors. Now, these are not elected officials, these are appointed by the President, and they will be making decisions on how to reduce our Medicare costs by actually preventing certain treatments to our patients, to our seniors. This will get in the middle of the doctor-patient relationship, which is one of the most important relationships that there is. We need to have the trust between our doctors and patients and not taking dictates from a 15-person panel of bureaucrats here in Washington, D.C.

The great thing is that there's really no oversight. Now, Congress can go in and say, well, we don't agree with the independent advisory board, but you know what it takes, it takes an act of two-thirds majority in the House to override one of their decisions. Now, I've only been here 4 months, but I can tell you, two-thirds majority is almost near impossible.

So this is what we have to do: we have to educate and tell everybody and get the facts out to the American people because, like the other gentleman from Arkansas said, after the 2012 budget was passed, I, too, had a teletown hall and one of my first questions was from a caller in my district who was on Medicare and asked, Are you really getting rid of Medicare for me because I rely on it. That's when I had to tell her the facts that, no, absolutely not. Those who are in or near retirement, their benefits will not change because they have planned for those benefits to be there. However, we are going to save Medicare from the implosion that will occur if we do nothing because in 9 years, 9 short years, Medicare will be bankrupt and the 2012 budget that the House Republicans passed will save Medicare bankruptcy, put us on strong fiscal footing going forward, and return America's prosperity to future generations.

I thank the gentleman for yielding.

Mr. GRIFFIN of Arkansas. Thank you so much to the gentleman from Arizona. I appreciate you making those clear points.

I want to go to the gentleman from Indiana who has risen.

Mr. ROKITA. Thank you. I want to thank the gentleman from Arkansas. I want to associate my comments with the ones just made by the gentleman from Arizona. They're excellent. I think they accurately stated, along with the other gentleman from Arkansas, why we're here as new Members: to grow this economy, make this in the 21st century the best place on Earth to grow a family, to grow jobs, to grow a business.

□ 1800

But you can't have that discussion if we're also not going to talk about how

big this government is, how much bigger it's going to get and who has to pay for it. The ''who has to pay for it,'' my good friend, is not necessarily us. It's our kids and our grandkids who are simply going to be left with the tab so that some of us can have more on our plates now. These were reckless promises made by politicians who came before us on this very floor, on that other floor and all around this town. The simple fact of the matter is they can't possibly be paid for.

What I'd like to do, as I continue to work with you on the floor tonight and rise again a little bit later, is, as a member of the Budget Committee, simply put on the floor some facts and figures so that we understand where we are as we go about talking of solutions.

We are $14 trillion, rounding, in debt right now—this hour, this day. If you look out into the future and you see our new red menace, the tidal wave of debt that is about to come crashing down on us, the total bill is nearly $100 trillion. The total cost year over year of waiting, of kicking that can down the road, as we've heard tonight, a road that's quickly coming to an end, is over $12 trillion. It's more expensive. Let's break it down, because I will be the first to admit on the floor of the House here tonight, sir, that I can't count to $1 trillion. I can't count that high. I can't comprehend what $1 trillion means, not to mention $14 trillion, not to mention $100 trillion.

$1 trillion is one thousand billion. $1 billion is one thousand million. Well now, maybe we're getting somewhere in breaking it down.

Let's break it down by hour. In the hour we're spending in talking with the American people about this serious problem, this country will borrow in this hour over $170 million—just in this hour. For every dollar this Federal Government spends, we are borrowing 42 cents of it.

Let's put it in terms of days. We've heard about Tax Day, that day every year when we find that Americans can finally keep what they earn, keep their own property and start working for themselves; but we also have a Debt Day now. Debt Day this year is July 27. Every day this Federal Government operates on and after July 27 it is operating on borrowed money.

Let's put it in terms of speed. Let's say we're driving down a highway and our historical debt is a car. It would be going down that highway at historical speeds of 65 miles an hour, and that's probably bad enough if the car is debt, but it has gotten a lot worse recently. Let's say there is another car coming up in our rear view mirror and that we look and it's coming up fast. Maybe the license plate reads—but we may not be able to read it—''hope and change,'' and it's coming up and it zooms right by us. How fast, sir, do we think that car had been going if the debt car that we'd historically been riding in had already been going 65 miles an hour? Would it be 70? 100? No. That car that just passed us by, that new debt car that we're currently spending on, is going over 7,000 miles an hour.

That's the challenge we're up against, and the only help that we've gotten from the other side in tackling this challenge is name-calling and demagoguery. It's old tactics. Yet I'm hopeful, sir. I'm hopeful because, every day that we get to talk about this and every day over the last couple of years that we've gotten to talk about this, we are educating our fellow citizens more. We are doing a great job. We are winning the argument. I think, at this time, we are ready to tackle this debt problem if we talk honestly and directly with the American people.

Mr. GRIFFIN of Arkansas. Thank you for that. Thank you to the gentleman from Indiana.

I think the point that you're making is that we first have to identify the problem, and the problem is a spending problem. We don't have a revenue problem. We have a spending problem. We are spending too much money. We have made promises that the government can't keep. Saying that we just need more revenue is like a gambler who's sitting at a slot machine, saying, ''I don't have a gambling problem. I just don't have enough money.'' We have a spending problem, folks, and that's why we have to talk about all of the different programs, and I have been one who has been willing to say we've got to look at everything at a time like this.

I want to yield to my friend from Illinois, but before I do, I want to point one thing out. You mentioned demagoguery. We're trying to responsibly address the spending problem in all parts of the budget, including Medicare, so I just want to run through a couple of attacks, a couple of misrepresentations that I've been hearing. Then I'd like to hear from my colleague from Illinois, but let me point this out.

The first thing that I heard was that our plan in the House is a voucher program, that premium support, which is the core of our Medicare reform for those under 55. For those 55 and over, there are no changes, but premium support is the core of those under 55. I stood here on the floor, and I said, This is a program much like the one Members of Congress have, much like the ones that Federal employees have. The gentleman from the other side of the aisle said, It's a voucher plan.

Is it or is it not? It's not a voucher plan, but you don't have to take my word for it.

What's interesting is that, back in 1999, President Clinton recognized that we had a Medicare problem, a spending problem within Medicare. So what did President Clinton do? He appointed a Medicare commission. Who led that commission? One of the co-chairs was a Democrat Senator from Louisiana, John Breaux. John Breaux was an advocate for something called ''premium support.''

So the plan that we're advocating, that we've passed in the House, was not created by a few in a back room last week or a couple of months ago. It's based on something that the Clinton Medicare commission discussed in 1999. I just want to point this out.

This is an excerpt from an op-ed written by Senator Breaux. He says, ''What exactly is a 'premium support model,' and what does my particular version do? 'Premium support' means the government would literally support or pay part of the premium for a defined core package of Medicare benefits.''

Look at this. This is the Democrat Senator, Clinton's co-chair of the Medicare commission. In 1999, he says, ''This is not a voucher program but an alternative to the current system. My plan combines the best that the private sector has to offer with the government protections we need to maintain the social safety net.''

It's pretty clear it's not a voucher program. No matter what you've heard, it's not a voucher program. I've said repeatedly that it's the type of plan that we have, and others have said, no, that's not true. Well, Senator Breaux thinks it's true. He says, ''I've proposed a premium support Medicare plan, modeled after the health care plan, serving nearly 10 million Federal workers, retirees and their families.'' So there is a lot of misinformation out there, and I ask folks to get the facts.

I would like to yield to the gentleman from Illinois.

Mr. DOLD. I thank the gentleman from Arkansas, and I thank my colleagues for coming down this evening to have this important discussion about the direction of our Nation.

I can tell you I've had an opportunity to talk to a number of Congressmen, several of them in the freshman class and who come from different backgrounds. By ''different backgrounds,'' I mean that they don't come from the traditional political realm. They come from business: those who have met a budget, who have met a payroll and who have created jobs.

□ 1810

There's no question that some of the big issues that we face today are about jobs and the economy. How do we jump-start the economy? How do we create more jobs? I think that certainly the Federal Government is going to play a role, and the role the Federal Government can play is to create an environment that allows the private sector to grow and to thrive.

We have heard tonight about our debt and our deficit. The deficit that we face right now is significant. We're doing about $1.5 trillion in deficit spending. The gentleman from Indiana talked about our debt and how fast we're mounting this debt. When I talk in my town hall meetings and I ask people does anybody have any idea what $1.5 trillion really means, I tell them that my daughter, who is 9, she knows what 1.5 is. She says it's a little bit more than one and not quite two. And I say, You know what, Harper?

That's exactly right. But when we say $1.5 trillion, it works out to be about $3.4 million a minute. Another way to look at it is $58,000 a second. We can't even say it fast enough. $58,000 a second is what we're spending in deficit spending right now.

Now, the chart that was up just a little bit before talked about the pie and what we were spending. The big thing that we're looking at in terms of the discretionary spending, our discretionary spending went up 84 percent over the last 2 years, 84 percent. Now, I know household incomes across my district and across America did not go up 84 percent, but let's be fair. A significant portion of that was the stimulus package. So if we strip out the stimulus and say that we're not even going to include that, discretionary spending over the last 2 years went up 24 percent. That's still a heck of a lot more than families that have tightened their belts all across America have dealt with over the last several years.

There is no question; we have a spending problem in Washington. We've had a spending problem in Washington for a long time on both sides of the aisle. And I'm here to say that we are prepared to say things have to change. I'm not here pointing my finger in any direction, but saying I know that my colleagues and I on both sides of the aisle are prepared to roll up our sleeves and get something done.

Mr. GRIFFIN of Arkansas. Would the gentleman yield for a question?

Mr. DOLD. I absolutely will yield.

Mr. GRIFFIN of Arkansas. Would you agree with me that there is no way to address the debt issue without entitlement reform, and that entitlement reform must include Medicare?

Mr. DOLD. There is no question in my mind. But the big issues that we face at this point in time have to be dealing with the mandatory spending, of which entitlement reform—and I had a town hall meeting just this weekend where somebody said that he doesn't like the idea of calling it an ''entitlement,'' seeing that he's paid into a system all of his life. He likes to, prefers to call it ''earned benefits.''

The long and the short of it is that the mandatory spending that's going on needs to be addressed. What we've done in this budget is try to address what's going on in terms of the mandatory spending. There is no question that it's going to spiral out of control. It's growing at a rate of 7.2 percent each year. It's growing by leaps and bounds and will eventually take over the entire Federal budget.

So we have to talk about Medicare. We talk about saving Medicare, which is critically important. In Lake County, part of my district, trying to find a physician that's willing to take additional Medicare patients is very difficult to find. The Mayo Clinic in Arizona is recently saying that they're not taking any more Medicare patients. This, to me, is alarming.

What we need to be doing today is trying to come together to have a fact-based conversation with the American public so that we can solve the big issues of our time. I'm fearful that I may be the first generation of Americans that leaves our country worse than the one I received from my parents and grandparents; and that, to me, is absolutely unacceptable.

We have to talk about how do we grow revenues. We're going to grow revenues on the backs of the private sector. We have to address the mandatory spending that's going on here in Washington.

And everything must be on the table. That means that defense has to be on the table. It means that agriculture has to be on the table, every single department. But what we do need is we do need to have a willing partner on the other side of the aisle that is willing to come to the table and have this discussion about what it is that we need to do to put ourselves on the right course.

We know that the attack ads have come in. They're saying that Medicare as we know it is going to end. Well, that's true. It's going to end because it's going to go bankrupt if we do nothing in 9 years. I believe that we have to strengthen Medicare for future generations.

The plan that's been put in place says to those seniors, those that have paid into the system for years and years, that we must keep our promises. So for those 55 and older, there are no changes. For those 54 and younger, many of them don't even believe that there is going to be a social safety net for them. I believe that we have to strengthen it. We have to strengthen it so that it is there for future generations.

So what we want to do today is make sure that we are coming to the table to have a fact-based conversation about the problems that we face. And I know that we have to have that serious conversation now. I came to Congress to be part of a solution.

The other night, I was tucking my 9-year-old into bed and she asked me quite simply, Why are you not here during the week, Daddy? And I had to tell her, It's because I am trying to make the country a better place for you and your brothers and sisters. She said, Is it working? I said, I certainly hope so. We're going to do everything we can to make sure that the next generation has a better and stronger America than the one that you and I know today.

So it is time for us to have this conversation. It is time for us to step up. And I certainly want to thank the gentleman from Arkansas for putting this time together. I look forward to coming back up again and having some more conversations about it. But the time is now. We cannot wait any longer.

Certainly taking time away from my business, from the employees and other family members, and one of the reasons that I decided to run—and I see my other colleague over here, a small business owner, one of the reasons he decided to run as well—is that the Federal Government was making it harder and harder for me to put the key in the door and open up my business each and every day. That's not what we want to do. They should be making it easier for us to put the key in the door. They should be making it easier to be able to provide benefits to those people with whom we work.

So with that, I appreciate the gentleman for the time.

Mr. GRIFFIN of Arkansas. I just want to point out that the gentleman from Illinois mentioned some of the nonsense, some of the attacks that the other side has been making on those of us who are trying to save Medicare and responsibly deal with the budget. The Union Leader newspaper took a look at some of the attacks and said, ''Ending Medicare''—the idea that we're trying to end it—''is a big scary lie.'' And PolitiFact, which is a Web site that takes a look at political attacks—it determines how much validity there is—it gave our colleagues on the other side, it gave their attacks the ''pants on fire'' rating—as in, ''liar, liar, pants on fire''—on their Truth-O-Meter. So there's a lot of misinformation out there.

I would like to now yield to my colleague from Pennsylvania.

Mr. KELLY. I appreciate that.

To my friend from Arkansas and the rest of my colleagues that are here tonight, I have to tell you, it's only been about 4 months since we all came here, and I think we all came for the right reason. We came for a cause and not a career.

I have got to tell you, the reason I am here tonight is because I had a telephone town hall today, and the folks that called me were seniors. The disturbing part about the conversations were that the most vulnerable folks out there, the people who lived within their means for the longest, made the most sacrifices, did the most to keep the promise that America holds for all of us, are the ones that are being attacked now. And they are not being attacked with facts; they are being attacked with fear.

I have friends who are Democrats, but I would ask them to please, if you can't confuse them, then try to convince them. If you don't have the right facts, then quit using fear. And if they're going to use fear to make these people not able to sleep at night, to make it uncomfortable for them to lay their head on the pillow at night, the same people that have done so much to make the country great, if you are going to continue to lie to them and tell them, Those Republicans are going to take away your health care; they're going to take away Medicare; they are going to take away Medicaid; they're going to ruin Social Security for you, please, please, play by the rules. Play by the rules. Do what's right. Do what's right for America.

This is not about Republicans. This is not about Democrats. This is about Americans. And this is especially about seniors. I am one right now. My birthday was just the other day. I am 63 years old. I don't think of myself as a senior. But you know what? The folks that I see after church on Sunday and who I have coffee with, they are seniors. They are in their seventies and they are in their eighties, and to have to sit there with them and tell them, We are not taking away your Medicare. We're the only ones that have a plan to save it.

□ 1820

We are not taking away your Social Security. We're the only ones that have a plan to make sure it's safe. If we can't be honest, if we can't look each other in the eye and say that we are here to fix it, that we are here to make America have the stability that it once had; if we can not tell our seniors, it's okay folks, we're not going to take anything from you, we're going to work together to get it fixed—and this is the thing that bothers me. After listening to those folks today on the phone, I am convinced that there is something seriously wrong within this House.

Mr. DUNCAN of South Carolina. Will the gentleman yield?

Mr. KELLY. I will yield.

Mr. DUNCAN of South Carolina. You know, you hit a point that seniors are thinking about. They're thinking that they're on a fixed income. They're looking at rising prices, whether it's at the gas pump—we talked today about solving American energy issues, but they're thinking about the rising commodity prices.

I brought with me a bank note, this is an official currency note from the Bank of Zimbabwe. If you look at it, and I know it's going to be difficult, but it's a $100 trillion bank note. A Wall Street Journal article said, How to turn $100 trillion into $5 and feel good about it. It's worth about $5 on eBay. They quit printing them in 2009.

It drives home the point that the policies of this administration are increasing the cost of commodities, the cost of fuel, devaluing our currency, and that applies to health care as well.

Seniors are concerned. They've got every right to be concerned. One thing about the Republican budget, and one thing that the gentleman from Arkansas is trying to point out, that we're trying to solve the problems of this Nation here in this body. This Republican freshman class is taking the bull by the horns to bring home the issue to the American people and let them know we're trying to solve these problems. So I commend him.

Mr. KELLY. I appreciate that. If I may, and I'm going to wrap up. We came here for a cause. We did not come here for a career. And if you cannot win the debate by using facts, and if you have to use fear, then shame on you. Shame on you. Go home. Go home. If you don't want to fix it, if you don't want to play by the rules, if you don't want to make America sleep safely again and sleep soundly, then go home.

There is a level of fairness that needs to be played by. And I will tell you this, I have never in my life been subjected and have watched seniors been put through so much, and it's not necessary.

If it's about your party, and if it's about trying to convince them, then doggone it, you're using the wrong message. Let's make sure that we fix it for the future, because it's there for our seniors, and it's there for our children.

Mr. GRIFFIN of Arkansas. Thank you very much for that.

I now yield to the lady from New York.

Ms. HAYWORTH. Mr. Speaker, I want to commend my colleagues from South Carolina and from Arkansas for putting together this hour, which is of so much value.

I am here as a physician who's also a Member of Congress. I've had the privilege of taking care of elderly patients for 16 years in private practice and in hospital settings, and I have two parents whom I cherish who have been Medicare recipients for many years.

And the facts of the case, as our colleague from Pennsylvania has aptly pointed out, we have to go by the facts of the case. And as a doctor, that's what we always did, and approach them with compassion and sensitivity to be sure.

But the facts of the case are that we currently have roughly 10,000 Americans, baby boomers, now entering Medicare eligibility every day. On average, each of them will have contributed approximately $110,000 in payroll taxes over their lifetimes, and that's a lot of money. There's no question. But, Medicare will spend, on average, it's projected, approximately $330,000 on their care. As all of us can tell, unfortunately, that's not something that we can sustain. That's not something that our children and our grandchildren will be able to pay for. That is what is threatening the future for everyone, including our seniors and including all of us who will be senior citizens, Good Lord willing, by and by.

We know that in the Affordable Care Act measures were taken to control the cost of Medicare. One of the measures, in fact, took funding away from Medicare, roughly half a trillion dollars. So we know we need to do something about it.

The way the Affordable Care Act approaches it is to have the Independent Payment Advisory Board, or IPAB, which is a board of bureaucrats that's going to decide how money is spent on our seniors' care. I, as a doctor, and as a daughter, would much prefer to see us have that choice. That's why premium support makes sense.

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

Mr. GRIFFIN of Arkansas. Thank you, Mr. Speaker.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE SECRETARY OF DEFENSE

Mr. MCKEON (during the Special Order of Mr. GRIFFIN of Arkansas), from the Committee on Armed Services, submitted a privileged report (Rept. No. 112–77) on the resolution (H. Res. 208) directing the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya, which was referred to the House Calendar and ordered to be printed.

THE ECONOMY AND THE STABILITY OF THE MIDDLE CLASS

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

Mr. TONKO. Mr. Speaker, the opportunity this evening for the Democratic Caucus in the House to address this budget and to go forward with a discussion on our stand on the issues and solutions that we're proposing is an important opportunity for us to be able to dialogue here amongst each other on the House floor and also to share that messaging with the viewing public.

Certainly, the general public out there is watching many of these proposals. They are concerned about the stability of the middle class. They're concerned about the economy, concerned about job creation.

We are now well into the 112th session of Congress. We watch as many weeks and months have passed without one single measure that would increase jobs in this country coming before the House. Nothing that deals with the economy, nothing that deals with the retention of jobs or the job creation situation has been produced here as legislation and voted upon on the House floor, a rather dismal track record when the clarion call, the message that resonated from the voting booth to these Halls of Congress on the Hill in Washington was very clear: Start growing the economy, stop shrinking the middle class, and people are concerned about the opportunities that will be passed by. As we walk through these very difficult times, it is about job creation and retention.

There's also a concern that there has been this very strong attempt to make the comfortable even more comfortable with the new Republican majority in the House. And we'll talk about that. Let's talk about it.

We have a situation where people will allow for corporate loopholes that cost

our economy money. They'll allow for a continuation of millionaires and billionaires to receive tax cuts; they'll advance the reducing of Medicaid, where two-thirds of those dollars go toward sustaining the elderly in health care settings; and they want to end Medicare. And all of this is professed to be some sort of savings in Federal Government.

Well, that is only part of the story. The real truth is that these savings quickly dissipate. They're gone because they are used as payment for tax cuts for millionaires, handouts to the oil companies that sit on historic profit that has been realized, $1 trillion nearly in profit realized by the big oil companies of this Nation, and that is the vulgar outcome that has so infuriated the middle class.

As I travel to my district, I hear repeatedly about the concerns to end Medicare. People will say, we're not ending it, we're fixing it; that we're not really providing for an end, we're offering, at first what was a voucher, now it's called ''a transformation.''

Look, as we shift risk from the government to the individual senior household, we are ending a benefit that has lasted for some four and-a-half decades, that came about for the very reasons that seniors could not access an affordable health care plan, that there was cherry-picking going on, that only the easiest to insure would be covered, that those who might have come with some preexisting condition would be passed by, and where the notion of an affordable health care insurance premium, a policy that was unaffordable, was just beyond the grasp of our Nation's seniors. And so it's why the program grew in strength and popularity, and why it has provided stability for our Nation's seniors.

Now, when we look at what's happening here, we'll talk about the many dynamics, but there are those who professed very boldly that what we're doing here is exactly what the Congress has in terms of an insurance policy.

Well, Congress has about 72 cents of its premium costs covered. With this plan, with this voucher plan initiated in this Republican budget approved in this House, the Republicans suggest with their plan that it would be every 32 cents on a dollar covered with their voucher program. And just what guarantee is there that the senior who shops will, in fact, land a policy that will cover them? So it's very concerning.

We just recently did a mailing that informed people of the various reforms that are being proposed. We also solicited their input on what priorities they believe we should hold in our hearts and minds here as we move forward, and we've received a great supply of information already in the very infant days in responding.

□ 1830

As they come in, they keep growing more and more one-sided.

Let me just hold up what the first few days has produced. We have one pile here of speaking out against the Medicare end. This is one copy. We have yet a second pile all received in the first few days of people receiving their mailing. We saw those two bulky piles. This is the response in favor of. Well beyond 90 percent of the returns to date is: don't mess with benefits.

Now, mindful, when we were addressing the Affordable Care Act, when we were holding town forums, when we were holding some 3,000 to 4,000 forums across this country discussing the health care reforms, how to improve it, what exactly is included, what the priorities ought to be, there were clarion calls of ending Medicare, of death panels, and all sorts of risks to the seniors, and denying access and affordability. Well, we proved that that was not the case, that it was misinformation.

This one walks right into that argument, because it ends Medicare. It ends Medicare and it turns it into a voucher system, and it has everyone shopping in the private sector insurance market to get their coverage. We can't allow this to happen.

We have seen, since the initiation of Medicare, the growth in premiums in the private sector market, and that equates to some 5,000 percent. That's a huge increase. But there are friends out there that helped to bring the wrong candidates to this House, and I think it's time for them to come forward, as they believe, to get some sort of return on that investment.

Well, we cannot afford to have that investment come down onto the senior community, because we know it will be devastating. So we are going to continue to do battle to fight that Medicare issue. To end Medicare would be devastating to our Nation's seniors. Can we make it stronger? Absolutely. Can we provide more stability? Absolutely. That began in the ACA, the Affordable Care Act. We are going to continue to work on it. But seniors did not tell me—and I talked to my colleagues, they did not tell colleagues across this Nation: go back to Washington. We want to return to Washington. End our Medicare program. They said absolutely the reverse, and they knew they were benefited by it.

There are a number of others that attacked the middle class, working families of this country. We are going to work to make certain that there is not an attack on the middle class, because that attack drains worthy programs of dollars and then gets transferred over to payments for millionaire tax cuts, billionaire tax cuts, Big Oil handouts, and corporate loopholes to be paid for.

We are joined this evening by a very good friend who has entered the House this year as a freshman Member. He is the former mayor of Providence, Rhode Island. He now represents Rhode Island's First Congressional District. He has been an outspoken voice. I am impressed with DAVID CICILLINE's absolute impassioned voice to save Medicare. He has been outspoken on the House floor, and he has been outspoken in our caucus. It is a pleasure, Representative CICILLINE, to have you here this evening to talk about this Medicare situation and perhaps what you are hearing in your district.

Mr. CICILLINE. I thank the gentleman for his kind words and for giving me an opportunity to be a part of this discussion tonight and for your leadership on your importance of preserving Medicare for seniors in this country. I hear from constituents in my district about the importance of strengthening and protecting Medicare.

To give you an idea of how important this issue is in Rhode Island, more than 170,000 Rhode Islanders rely upon Medicare for a reliable, quality, and low-cost hospital and medical insurance as well as prescription drug coverage. More than 65,000 seniors and people with disabilities in Rhode Island rely upon Medicaid coverage for their long-term care.

When I participated in the debate, and actually when I listened during the debate on this very floor about the Republican budget proposal and about what it did to Medicare, my friends on the other side of the aisle said this will strengthen Medicare. And I thought, how could they make that claim? Because I knew what their proposal did was ending Medicare as we know it, as a guarantee for people 55 and under; and it ended this important safety net and turned it into a voucher system for our seniors.

Now, I unfortunately no longer have my grandparents; they have all passed. But the idea that my grandmother or grandfather in their later years would have to go into the private insurance market and buy insurance because they would have lost the protection of Medicare is something which I think nobody should be prepared to accept.

What is even more disturbing is that what the Republicans passed in that budget when they ended Medicare as we know it also resulted in increased costs for our seniors. See, the difference is nothing in their proposal will reduce costs of health care. That's really what we need to do. We don't need to shift the cost to our seniors and visit that problem upon them, because then they have the burden of enduring additional health care costs. We need to obviously eliminate fraud and waste and abuse, invest in wellness and prevention, invest in information technology, all the things that will drive down health care costs. But shifting the burden to our seniors should not be the answer.

The nonpartisan Congressional Budget Office—this isn't Republicans and Democrats. This is nonpartisan—they said that this Republican budget, which was passed by the Republicans, would actually increase health care costs for our seniors, provide less costs and be more expensive, and it would restore the doughnut hole and make prescription drugs more expensive for our

seniors. And in addition to that, when you take their budget proposal in the aggregate, it would add $8 trillion to the deficit over the next 10 years. So it doesn't even reduce the deficit.

We all recognize we have got to reduce the deficit; we have to cut spending. We have to be serious about it, but we can't do it at the expense of our seniors, of protecting Medicare, strengthening Medicare so that our seniors have access to quality health care, and that's a responsibility that we have.

There are lots of ways that we have to look at every part of this budget, eliminate fraud and waste, get rid of programs that don't work, be serious about looking at our military spending and what is happening in Afghanistan; we are spending $2 billion a week or more than that now. Look at the billions of dollars that we are giving in subsidies to big oil companies. They proposed in their budget another tax cut for the richest Americans, the millionaires and billionaires. At the same time, we are ending Medicare as we know it. It is the wrong priorities. We can do better than this. Our seniors deserve better than this.

I thank the distinguished gentleman from New York for giving me an opportunity to share my observation that Rhode Island seniors are depending on me and this Congress to protect and strengthen Medicare. They expect us to deal with this deficit in a responsible way, be serious about budget cutting, but maintain our commitment to our seniors.

Mr. TONKO. Thank you, Representative CICILLINE. And, again, thank you for your outspokenness, because we need to make certain that all of America is involved in this dialogue, because this is a critical tipping point in this Nation's history. We can raid on the middle class and cut domestic programs that feed their very heart and soul, or we can do it intelligently, where we share the pain.

Speaking of sharing the pain, a budget, as you indicate, is nothing more, nothing less than our values, our principles, our priorities. And we have seen where the priorities lie with the majority of this House. They have said it is about Big Oil first; it is about corporate loopholes first. It is about millionaires and billionaires first. The people now see this. They see this because they know they are going to have to pay two times what they pay today for Medicare coverage out of their pocket. They know it's shifting risk from government to the senior citizen household, the senior citizen individual. They know that, by the year 2030, triple the amount of money, plus the risk of going out there and making certain that you can find a carrier that will cover you, because they will put your coverage at the whims of the insurance company. If they want to cover some of your health care needs, they will. If not, they won't. And that is really what will ache here. What really happened was that we are taking this moral compass that has been expressed by a program like Medicare and denouncing it, saying that, look, go fend for yourself, find your program.

What I find most generous about my district seniors, and I'm certain this is across the country, coast to coast, they are saying: I'm not just talking about myself or my generation. I am talking about my children and grandchildren. We know what comfort, what security, what stability this brought our household.

□ 1840

What comfort does it bring to adult children to know that their relatives, their parents are sitting in a situation that is responding with dignity?

And when you talk about the principles, about the priorities, look at the road to ruin. They call it the ''path to prosperity'' with the Ryan plan with the Republican budget. The road to ruin, as I refer to it, really takes money from our seniors on Medicare, $4.3 trillion, that then goes and transfers itself over to, guess what? $4.2 trillion worth of benefits for Big Oil and millionaires and billionaires.

So the scales are balanced in terms of where the dollars are, but the real pain here is that they get emptied from the seniors' coffers, programs that address a basic core need of health care, and then get emptied into the pockets of millionaires and billionaires and Big Oil.

I know our friend from California, Representative JOHN GARAMENDI, who is always leading us on the floor with wonderful, interesting discussion, has something to say about big oil companies, and it speaks to this flipping from one side of the scale to the other, where an equal amount of money found in savings by cutting the middle class, by cutting our seniors is now going to be spent. It is not savings. It was accruing the dollars necessary to just transfer over in some sort of way and some sort of painful way that finds itself with oil companies, millionaires and billionaires.

Representative GARAMENDI, please.

Mr. GARAMENDI. Mr. TONKO, thank you very much for what you are doing, bringing up this critically important issue. As you were saying, nothing is more important than the question of who we are as Americans and our values; what is it that we really care about and how do we structure, how do we create a society that reflects those values.

Before 1964, the largest segment of the American population that was in abject poverty were seniors. They had no health care. They couldn't get insurance. They were basically the poor of the poor. But as a result of the fundamental goodness of America, Medicare was created, a medical insurance program for seniors so that they would have available to them doctors' services and hospital services. And it worked.

Now, I was the insurance commissioner in California for 8 years, elected statewide by 34 million people to oversee, to regulate the insurance companies. And in that process we were looking and watching the Medicare program. It wasn't private insurance, but it was part of the health insurance system; and we knew that it worked.

It is exceedingly efficient. It works for less than 2 percent. You got a nationwide insurance policy. Wherever you are in America, you get the exact same insurance policy. Doctors know how to bill; hospitals know how to bill. It is efficient; it is effective. It works. More than that, it is an expression of the basic goodness of America.

I was surprised, shocked, angered when the Republican budget came forward and proposed that Medicare be terminated for all who want to live to the age of 65. Terminated. Ended. That wasn't all that the Republicans proposed. They proposed that not only would it be terminated, but that all future Medicare enrollees would be given a voucher worth about one-half the cost of insurance and told to go to the insurance companies and buy a policy.

Wait a minute. Wait a minute. Time out, Mr. Republican. Time out. What are you saying? You are going to take the population that has preexisting conditions—there are very few that are 65 years of age that don't have preexisting conditions—and you are going to turn them over to the most voracious sharks in this Nation, the health insurance companies? No way. No way. They are going to get chewed up, spit out and uninsured, or else charged a small fortune. This is the most un-American, the most inhumane thing that could be imagined for seniors, for tomorrow's seniors. We cannot let it happen.

Then, on top of that, in the very next breath they proposed to continue billions of dollars of subsidies, taking money literally out of the pockets of seniors and working men and women and giving it to Big Oil, who happens to have big profits, just as you have on your card up there. Not only Big Oil, but the wealthiest people in America, people whose incomes are $1 million, $10 million, $1 billion a year income, and give them an additional tax break, so that in 10 years it is $4 trillion of tax breaks to the big oil companies and those, not millionaires, but those whose annual income is in the millions. What is going on here?

Mr. TONKO. Representative GARAMENDI, if you will suffer an interruption and yield, you talk about those Big Oil profits. You talk about the trillions they are willing to spend. And then they have the audacity to say it is a spending problem.

Well, where are we spending? We are making the comfortable more comfortable. With those Big Oil handouts, up to 90 percent, according to studies released, up to 90 percent are going toward bonuses for executives in the oil industry—up to 90 percent. What quantifiable societal good is there from

these handouts? They are mindless. And today, today, someone from the industry was quoted as saying to not offer these handouts is un-American. It is unbelievable.

Mr. CICILLINE. If the gentleman will yield, I think what is just shocking is that that claim was made today, and really what is un-American is to end Medicare. The reality is Medicare reflects our values as a country. We decided as a Nation that we wanted to ensure that our seniors in their final years, that they have lived a life and played by the rules, done what is right, that they can live with security and dignity and without the fear, the anxiety of worrying how they would have access to basic health care, because we decided as a country that we wanted to ensure, to guarantee that our seniors could live with dignity and with proper health care.

The idea of ending that and requiring them to go buy it with a voucher, that is un-American.

Mr. TONKO. Right. And when you look at the statistics, the median household salary for our seniors is $19,000; the average individual salary is $19,000. When you look at the onerous outcome of having to reach for thousands more dollars out of your pocket on a base of a median of $19,000, when we are looking at millionaires and billionaires getting even more assistance, that is spending. So let's not get off track here. It is spending.

Where are we going to invest? Investing in health care, a basic core need, when premiums in the last decade have risen over 130 percent and where the administrative costs of the private sector and insurance are higher, where they are much lower in Medicare, where the advertising costs aren't there, where we know we have had coverage. And now we are going: here is your voucher payment. It is not going to be indexed appropriately so that with time it becomes less and less valuable.

This is the kind of un-American behavior that we are witnessing here and that people get upset about saying they are lies, they are fear tactics. This is what is happening. It ends Medicare.

Once you remove the risk that falls with government and transfer it over to our Nation's seniors, you have ended the core principle. When you deny a given bit of certainty and stability to our seniors, you have ended Medicare. When you are going to inflate the cost of health care, you have ended Medicare. And we have now taken that money and transferred it over to the big oil companies.

Representative GARAMENDI.

Mr. GARAMENDI. Thank you for yielding. If you add to that destruction, the termination of Medicare, the way in which the Republicans have already voted for on this floor to end the Health Care Reform Act, which regulated the insurance companies and said the insurance companies could no longer discriminate based upon preexisting conditions, discriminate based upon age and whether you are a woman or a man, all of those protections that are in the health care reform law would be terminated.

So not only are you taking the Medicare program and ending it, giving the seniors a voucher that is perhaps half of the cost of a health insurance policy, you are eliminating the restrictions that were placed on the insurance companies for discriminating against people that have preexisting conditions.

□ 1850

So you've literally taken these people and thrown them to the sharks. On top of that, the rest of the proposal was to take the Medicaid program, which is health insurance for impoverished children, and give a block grant to the State that's worth about half of the cost, a $700 billion cut out of that program for children's health care, and you say, What's this? This is not us. This is not America. These are harsh, cruel programs that are being foisted upon the American citizens.

Mr. TONKO. Representative GARAMENDI, if you will, that Medicaid cut also will impact the Nation's seniors because when they're in institutional settings we know about 66 percent of the expenditure is for our seniors. Again, we understand the compassion that is required. We know the American spirit to respond to those who have served society so well. And in their golden years they need the assistance. But every attempt that is being made here, we have tried every which way to inform the public of the attack on Medicare, the attack on Social Security, to privatize Social Security. This is about giving Big Oil, big insurance companies, big banks more business. This is like cashing in on being good to some people here. That is not how this government should be guided. It should be guided on the principles of providing the basic core needs in a way that's most effective, most efficient.

We have even attempted—the House was addressing the Republican version of the budget. I introduced an amendment on the Budget Committee where I serve and presented it before the Budget Committee, and it went down by party vote to stop the attack on Medicare, to end Medicare. There was an absolute amendment that said, Let's pull out ending Medicare from your budget plan. It was denied. Then, I traveled to the Rules Committee and attempted once more before the bill came to the House, Let's stop the effort to end Medicare. It was denied at the Rules Committee again with the Republican majority at the Rules Committee.

So now we're visiting this situation. And the budget was approved in this House with this raid on the middle class and the attack on the values of the middle class, of working families. It is really disturbing that the most comfortable continue to get that effort made their way. And especially when history speaks—and speaks so abundantly well to us. It should resonate. When we put people to work with FDR's programs back years ago, decades ago, the result was 8.5 million people put to work and public projects built that still serve us well today. JFK investing in global technology to win the space race. Those are examples of things that worked. LBJ promoting a Medicare program. Now we're repeating this driving the car into the ditch scenario. Reaganomics and its trickle-down didn't work. The Bush II Presidency and its cuts to the millionaire, billionaire companies didn't work. Why would we revisit that as we crawl out of the most painful recession and propose ending Medicare—ending Medicare—denying dignity to our Nation's seniors and avoiding the fundamental responsibility of good government, efficient government, which is what I think the voters asked for in November, not this sort of pain.

Representative CICILLINE.

Mr. CICILLINE. I thank the gentleman. In addition to that, the other part of the Republican budget that passed in this Chamber was also to restore the doughnut hole; to make prescription drugs more expensive for our seniors and to eliminate the free preventative care. I know, from talking to seniors in my own district, there are too many seniors faced with a choice of, do I buy my groceries, or do I buy the prescription drugs that are necessary to keep me healthy. No senior in America should be faced with that choice. And this bill, this budget that the Republicans passed, will raise prescription costs for our seniors.

Mr. TONKO. Thank you.

Representative GARAMENDI, we have about 4 minutes remaining in our one-half hour here of dialogue.

Mr. GARAMENDI. I'll take a lightning minute here.

It really comes down to a question of: Where do you stand? Who do you stand for? It's very, very clear. If there's ever a dichotomy and a clear opportunity to see where you stand, it is in the Republican budget. Let's be very clear. It terminates Medicare; gives seniors a voucher that is worth perhaps half of the cost of insurance; takes $700 billion out of Medicaid. And that is, as you said, the long-term care for seniors in nursing homes. And it continues the tax cuts for people whose income is millions, billions; continues the tax subsidies for Big Oil—$4 billion, $5 billion a year to companies that have made over a trillion dollars in the last decade. And just in this quarter, Exxon, $10.7 billion; Oxy, $1.6 billion; Conoco, $2.1 billion. This is one quarter, 3 months of earnings. Billions and billions of dollars. And then they want to continue.

Where do you stand? Do you stand for the working men and women, the seniors, those people that need to be able to get health care, or do you stand for the very, very rich and the big oil companies? The Republicans have made it

clear. There's a difference here between where we stand as Democrats and where they stand as Republicans.

Mr. TONKO. Thank you, Representative GARAMENDI. I appreciate you and Representative CICILLINE joining in this important half-hour of discussion. But I can clearly state that no one that I talked to in this House, no Representative, was hearing advocacy to end Medicare during our campaigns last year. I didn't hear one individual tell me that—senior, non-senior. I didn't hear anyone ask me to give more profits, more handouts, to big oil companies. I didn't hear one person say, Protect the corporate loopholes for corporations out there. I didn't hear anyone say, Hand more tax cuts to millionaires and billionaires.

I did hear, Make my budget work at home. I need the basics. I did hear, I can't survive with the situation as it is. I did hear, We need jobs. I did hear, Start growing our economy. Stop shrinking the middle class.

Well, evidently this majority was not listening. There was anger—undeniable anger, understandable anger—that existed out there. But this is not this quantification that they were looking for. They did not want to see this as a result, as an outcome. I think we need to continue to fight this effort to end Medicare, and we're going to continue that fight.

With that, I thank the gentlemen for joining me in this half hour.

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

OBAMACARE

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

Mr. KING of Iowa. It's a privilege to be recognized to address you here on the floor of the United States House of Representatives, in this great deliberative body. I came here to talk about a different subject matter. But after I listened to my colleagues for a little while, I believe it's pretty important that we set some of this record straight. I don't know where they would be satisfied. It seems as though the attack is on anybody that's in free enterprise and the support goes to anything that is government. Anything that raises taxes and grows government is good, and anything that taxes free enterprise, and especially profits—those evil profits—are bad. That's the theme that I hear from the gentlemen who spent the previous half hour or hour demagoguing the issue of Big Oil and big insurance companies. This is particularly appalling to me when I walk in here on the floor and I hear a statement made by the gentleman from California saying this: You're going to turn them over to the most voracious sharks in the country—the health insurance companies. Well, if it happens to be that the health insurance companies are operating without competition, keeping their prices down, why doesn't the gentleman or others that might believe that engage in the health insurance industry?

The President of the United States made it very clear. He said he wanted more competition in the health insurance industry. He wanted to create a government-run, government-owned health insurance industry as part of ObamaCare. And he didn't realize, I don't think, when he uttered that statement, at least before ObamaCare was passed and began to knock the competition out of the way, that there were 1,300 health insurance companies in America—1,300—and over 100,000 policy varieties that one could choose from depending on the State that you might live in.

That's a lot of companies, and they've all been shot down here with a blanket allegation that they're voracious sharks. How can anybody be a voracious shark if there are 1,300 companies to compete against and 100,000 policies to choose from? Surely, there's something there that would satisfy the gentleman from the perspective of that array of variety that was available before the President decided he wanted to make the 1,301st insurance company be the Federal Government and perhaps give us a half-dozen or so policy varieties with a community rating that compressed it down, that raises the health insurance premiums for the youngest, lowest income people among us, and subsidizes the premiums for the highest income people among us.

□ 1900

That's ObamaCare, Mr. Speaker, and it clearly is. The gentlemen seemed to have forgotten what they all worked together to do to America over the last 19 months. They worked to impose ObamaCare on 300 million Americans, 306 or so million Americans, and they come here on the floor tonight to talk about the effort on the part of Republicans to try to save this Republic from the voracious appetite of government, the voracious shark of government that feeds upon the sustenance of the American people, that puts into debt every single person, every man, woman and child in America, and puts the mortgage on their head the day they are born.

Last fall, I talked about my granddaughter, my most recent granddaughter, Reagan Ann King. She's about 7 months old now, 6 to 7 months old. On the day she was born, her share of the national debt was $44,000. Welcome to America; welcome to the world; welcome into life. You owe Uncle Sam $44,000, and the interest is building. The interest is building, and this young lady is going to have to work a long time to pay that off.

I hear the same Members over here, at least from the same party, talking about the average debt that a college graduate has, that student loans are costing too much money. They had to confiscate all the access to the marketplace for the free market on student loans and turn it completely into a government-run operation because they believed that somebody was making money off the interest, and they lamented that an average student loan when someone graduated from college was in the area of maybe $20,000 to $40,000. But it doesn't concern them that their policy and the President of the United States and the former Speaker, NANCY PELOSI, and the majority leader of the United States Senate, HARRY REID, the three of them, the ruling troika, President Obama, NANCY PELOSI and HARRY REID, could get in a phone booth and do what they would to America, and they have driven up this national debt and deficit to the point where it is appalling to the fiscally responsible Americans who pay their bills on time with the paycheck that they have with the amount that's left after they pay their taxes and their payroll.

They want more government, more taxes, more irresponsibility. They want the nonproductive sector of the economy to feed on the productive sector of the economy, and they stand here and talk about a company that they claim made over, maybe the aggregate of all these companies, made over a trillion dollars in profits in the last decade. I'd like to see that data. And perhaps, if they have anybody on that side of the aisle that's ever actually engaged in business, they would do a calculation to see what the return on investment was, what was the capital investment that returned that kind of an investment, if those numbers would actually hold up under scrutiny, and I suspect they won't. Then, if they're going to do a legitimate measure, they would also take a look and see what have been the windfall profits of the Federal Government in collecting royalties off the product that has been produced by these companies that are doing high-risk exploration in deep waters to make sure, yes, for a profit—they should have a profit—but they also are making sure that there is cheaper energy here in the United States certainly than there would be otherwise if we didn't have these companies exploring for oil in places like the gulf coast and up in the Bakken region, and if we didn't have some kind of support here in Congress to open up offshore drilling, drilling on the non-national park public lands in America.

We're an energy-rich nation. We have a large share of the world's energy and a smaller percentage of the world's population, and we have that energy, I suspect, because we've actually explored for it, identified it, measured it and quantified it. But, of course, that stuff escapes the people on the other side that are making these arguments for political reasons.

The talking points of the Democrats are now, demagogue the Republican budget, attack the Republicans and accuse them of threatening senior citizens, and they completely deny the

fact that people 55 and up in the Republican budget are expressly protected from any kind of budgetary changes. It is truly an entitlement for those 55 and up.

I'm not going to take the stand that we should then transfer that all the way down and guarantee my little granddaughter, Reagan Ann King, that her anticipated Medicare and Social Security benefits will be what she expects them to be on the day she's born with her $44,000 worth of national debt that she has to pay off. Are we going to guarantee her that she gets her retirement benefits under Social Security in the amount that has been calculated in the actuarial tables and a promise? Is that an entitlement? Are we going to guarantee her the level of Medicare? Are we going to take away any incentive for all children born in America to establish themselves, to protect themselves, to plan for their own retirement, their own future, and perhaps be responsible enough to take themselves off the entitlement rolls so that there can be a future for America?

This economy collapses unless we address it. If we don't have the will, if we're going to listen to this kind of talk and cower before that and misdirect the American people with statements that clearly cannot be supported by the facts and think somehow there's a solution, my question is: What's your solution? More debt, more deficit, more demagoguery? For what? You'll put America into debt to exchange it for more political power? We saw what you did with political power and the American people rejected it in a resounding election just last November, and the large super-Democrat majority in this Congress turned completely over to a large Republican majority instead. Eighty-seven freshmen Republicans. You should be able to understand, none of them got elected because they want to grow government or increase the debt and deficit. Not one. Every one ran on the repeal of ObamaCare.

While I'm on the subject, Mr. Speaker, I would make this point. Of all that was said about what it is that allegedly Republicans would do with seniors, here's what ObamaCare exactly does with seniors. It cuts Medicare by $532 billion, a direct assault on seniors, a direct assault on their Medicare. Now. It's not a delay. It's as soon as they can get this monstrosity implemented, and they believe that they're going to take that money and roll it over into something else, and it was part of the smoke and mirrors to come up with a CBO score that they could allege that it was actually going to be a money saver.

But the American people threw a lot of people out of office last November because they knew when the President of the United States, the Speaker of the House and the Majority Leader all say the same thing, we're going to insure 30 million more people with ObamaCare and it's going to be at no cost, 30 million more people insured at no cost, the American people know that's false. No matter how many times it's repeated, they know that that's false. You can't get more for less. Things cost money.

And they could understand this. That if you take the 306 or so million Americans and if you're concerned that there is a percentage of them that are uninsured, we should only be concerned about the Americans that were uninsured and remain uninsured, I might add, that don't have affordable options.

If Bill Gates is uninsured, I don't have any heartburn over that. Bill Gates can manage his own health care. He can be self-insured. He may well be, for all I know. If Warren Buffett is uninsured, I'm not concerned about that. He can manage his own health care. If somebody that's making $174,000 is uninsured, I'm not concerned about that person because they're making enough money to take care of their own health insurance. And on down the line. To what level?

But the people that they're trying to argue were uninsured, this larger number of around 46 million uninsured Americans, when you start subtracting from that those that are eligible for Medicaid but don't bother to sign up, those that are eligible under their employer but opt out, those who are here in the United States illegally. I don't want to cover them, Mr. Speaker. As you begin subtracting from the 46 million and you get down to the number of those Americans that are uninsured and do not have affordable options, that number turns out to be not 46 million but 12.1 million. That's making $75,000 or less. That's the measure. Those who are uninsured and don't have an affordable option.

Now, 12.1 million is still a lot of people, but it only amounts to less than 4 percent of the U.S. population. And ObamaCare completely transforms the best health care system in the world, the best health care delivery system in the world, and the best health insurance system in the world to try to get at a small percentage of the less than 4 percent of Americans who were uninsured without affordable options.

What do we have today? Do you hear any Democrats coming to the floor to tell us how many people are uninsured in America after ObamaCare was passed?

□ 1910

I can offer this guarantee. It's more. There are more that are uninsured today than there were on the day that ObamaCare was passed because more employers became more doubtful about what it would be that would be imposed upon them. There are fewer employees today than there would be if ObamaCare had never passed because the companies don't have the confidence that they can operate within the environment of an implemented ObamaCare.

And I listen to demagoguery on big insurance companies, Big Oil, big banks. Well, America is set up on competition, and if these companies have such a market share and such an advantage that now they can take unreasonable profits from the marketplace, somebody's going to get in the market and they're going to start a bank and oil company or insurance company.

But here's what I'm for within the area of health insurance. I want to allow people to buy insurance across State lines. I want the people in New Jersey, the young man that's buying a typical policy, in good health, roughly at age 23, for $6,000 a year—that's before ObamaCare passed—I want him to be able to go to Kentucky and buy that similar typical policy for a 23-year-old healthy male in Kentucky for about $1,000 a year. Isn't that a good solution? That way your 1,300 health insurance companies that we had are competing all against each other instead of being isolated within the States, operating under individual State mandates. And they can then afford policies that can have higher deductibles, higher copayments and significantly lower premiums.

And I want to see people get off the entitlement rolls, both of Social Security and of Medicare, and this can be done. And, Mr. Speaker, I will take you quickly down the path of how we get there with Medicare and HSAs.

Under the HSA legislation that was passed in 2003 under Medicare part D, a young couple, let's just say, they presumably fell in love and got married at age 20 and went to work on their life's work. I can do the math work with round figures. And over the course of 45 years of work, from 20 until 65, they maxed out on their health savings account. They started at $5,150 a year for that couple, and then it grows by COLA on up and just continues as long as there is a cost-of-living allowance that increases it. And if you subtract from that amount $2,000 a year that would come out of their health savings account in what we might call typical expenses of health care, going to the doctor, doing those things that you don't want to put on your insurance policy and if you compounded the balance of that health savings account at 4 percent, which is historically accurate—and I did this math before we had the downturn over the last 2½ years—it comes up to this.

That couple would arrive at Medicare eligibility age 65 with a health savings account that had $950,000 in it. $950,000, Mr. Speaker. Now, the liability, the present value, present negative value of an individual that arrives at Medicare eligibility age today is about $72,000. That's the average that the Federal Government would be paying for health care benefits for the duration of the life of the individual after they reach 65 Medicare eligibility, $72,000. So the couple then would be at $144,000, and you have to adjust it for inflation, but I just go without tonight for the purposes of mental figuring.

So you would take the $950,000 and you subtract $144,000 to take care of

what would be the premium for a Medicare replacement policy, a paid-up Medicare replacement policy similar to an annuitized health care plan for life. And now you're in this area of—let's just say $806,000 would be the balance in your health savings account, $806,000. And what's the Federal Government's interest in that health savings account after that point? They want to tax it as regular income as it comes out of that account as being spent by the individual, or they want to tax it as death tax later on if the people, once they pass away, to tax it on the way to their heirs, the death tax.

Why wouldn't this Federal Government offer to the people that have their health savings account, why wouldn't it offer them this? Buy a Medicare replacement policy, and you can keep the change tax free and you can will it to your children or you can use it as a pension plan.

Now, we're already solving this situation of Social Security, Medicare by allowing HSAs to grow and let people manage their own lives. That's the kind of thing that we need to have going on for solutions, not demagoguery, not trying to conflate the philosophy of a budget that's designed to get us to balance.

Where's your balanced budget over there on that side of the aisle? Is there a single one of you that will stand up and tell me that you have offered a balanced budget? You didn't even offer a budget when NANCY PELOSI was Speaker the last year or two here, and now you're here attacking this budget. You don't have a plan. You don't have a platform to stand on to criticize this platform, and you had plenty of opportunity to offer your own. But there's no balanced budget that's being offered on this side of the aisle. That's clear. That's why no one responds to me, or I'd yield to someone who wanted to allege that Democrats offered a balanced budget. If they did, it would be with—what's that word? The voracious shark of tax increases would be what would happen, Mr. Speaker.

So I think perhaps we've dispatched what took place in the previous half hour or an hour, and I will then now, without segue, transition into the subject matter that I came here to talk about. That's this.

Day before yesterday, I listened to the President's speech that he gave in El Paso, Texas, and it was surprising in a way, a bit shocking in a way. It was a political speech on immigration. I mean, that's clear. And the people that analyzed it came to the same conclusion that I did, Mr. Speaker.

But as I listened to the President of the United States, who was standing in El Paso very near the border of the United States, begin to ridicule people who want border security, well, first, he uttered the breathtaking statement that the border fence is, quote, basically complete, close quote. Mr. Speaker, the border fence is basically complete, uttered by the President of the United States? I have a few data points I think he should go back and revisit.

One of them is, Mr. President, there are 2,000 miles of southern border, about 4,000 miles of northern border. But just dealing with the southern border, 2,000 miles of southern border.

Now, whatever it was that Janet Napolitano told you, Mr. President, here are the facts on the border fence as of today, as constructed. Out of the 2,000 miles, there are 350 miles of pedestrian fence. That's called primary fencing. That's a fence that you don't just walk through. It's a bit of a barrier. They get climbed all the time, but it's a single fence. Often it's a chain-link fence. I don't know if they're referring to the barbwire fence. I suspect not, because I think actually we've got a little bit more of that on the border. Even the Federal Government, the Department of Homeland Security claims the primary fencing, pedestrian fencing is 350 miles out of the 2,000 miles. Now, they add this all up and they say we've got all of these miles of fencing, but if it's double fencing or triple fencing, they count each mile of it even if it's layered. Then, if that's the case, it's all done, it's a triple fencing, then we've got 6,000 miles of fence, Mr. Speaker, but that isn't the case at all.

Here's the comparison. 350 miles of primary fencing or pedestrian fencing. Now, we know that a single fence doesn't do us a lot. It slows some traffic down and it gives a line of demarcation. Double fencing slows them down a lot better, and it sets up kind of a no man's land we can patrol and sometimes catch illegals inside of that before they climb the second fence and go off into the underbrush.

So of the secondary fencing they have, there's not 350 miles of that. Remember, 2,000-mile border. Secondary fencing, 36.3 miles. Now, remember the primary fencing, 350 miles; the secondary fencing, 36.3 miles. I'm going to tell you that we don't have a lot of effectiveness until we get to at least the secondary fencing component of this.

So of 2,000 miles of border, 36.3 miles of secondary fencing, 36.3 miles is kind of what you can say is somewhat built, but a lot of it requires also triple fencing. And I've been down to visit the triple fencing, and that exists in a number of places and it exists very effectively in some areas of Arizona, in the southwest corner of Arizona, of course on the Mexican border.

Now, when you look at the border, out of the 2,000-mile border, the fence that is—they call it tertiary, that's the third layer of fence. I have 350 miles of primary fencing, 36.3 miles of double fencing; and of that 36.3 miles, 14.3 miles are triple fencing.

□ 1920

The triple fencing, as far as I know, has never been defeated by anyone. They go around it. They may tunnel under it sometimes, but they've not defeated the fencing, and it's been pretty effective. But if you've got effective fencing at 14.3 of the 2,000 miles and within 220 yards of that triple fencing—and by the way, there is triple fencing in El Paso—the President is standing within 220 yards of triple fencing in El Paso, arguing that the fencing is basically complete, and he's ridiculing Americans who want border security by saying—now I'm just going to include myself in this—that we'll never be satisfied, that we keep raising the bar. Well, no. I always set the bar up pretty high. I don't think I need to raise it.

It reminds me of the way Margaret Thatcher once responded to a student when she was in Iowa and she was asked the question, What have you changed your mind on since you left office? She thought a little bit, and she said, Goodness. I was in office 11½ years. My principles were very soundly based. I saw no reason to change them.

Well, the principle that I've laid out for border security, as far as infrastructure on the border, is this: We've got 2,000 miles on the southern border through which comes 90 percent of the illegal drugs consumed in America. I don't suggest that we have to build 2,000 miles of triple fencing. I want to build a fence, a wall, and a fence. Yes, that's effective. It's cost-effective as well. I only suggest that we build that fence until they quit going around the end, Mr. Speaker. That will be the measure. That's how we'll know if it's effective. If they're going around the end, we'll extend it a few more miles. If they keep going around the end, we'll keep building. If the illegals are still entering the United States, then we'll build it from Brownsville all the way up to San Diego or to Tijuana if you prefer.

The President said the fence is basically complete, that he's basically got 14.3 miles of completed fencing on 2,000. I don't think anybody is going to think that that's a very basic completion. I should have, perhaps, done this math, but if I just do 14.3 miles and if I divide that by 2,000 miles, I get—let me see—seven-tenths of 1 percent of completion. That would be the President's idea of basically complete. Seven-tenths of 1 percent of the entire 2,000-mile border has triple fencing on it and 2½ times more than that, so maybe you'd have, oh, let's say, 18 or 19—1.9 percent completed if you'd just consider the double fencing instead of the triple fencing.

And the President is making fun of people who might want a moat?

I have a picture here. I've flown that within the last couple of months in a helicopter to evaluate the border, almost all of it, all the way from El Paso across all of New Mexico and almost all of Arizona—I know I've flown all of it at one time or another—and it occurred to me that the President was standing pretty close to the moat at the time, 220 yards away from right there at the border. Not only does it have the triple fencing that Janet

Napolitano made fun of—she said, If you show me a 20-foot fence, I'll show you a 21-foot ladder—but in El Paso, here's what we have:

We have the Rio Grande River, moat No. 1, with water in it, flowing down. You have a fence. You have a patrol road. You have another fence. Then you have a canal that has a fairly fast current in it and a lot of water with concrete sides and bottom. Then you have another fence, so you have triple fencing. If anybody is going to come into the United States into El Paso, they've got to get across the river—sometimes swim, most of the time wade—climb a fence, avoid the Border Patrol that has a patrol road and stations posted along inside the column of the two fences, climb a second fence, get into the canal, swim the canal, get up over the top of the next fence and into El Paso.

Mr. President, it's not happening in El Paso because fences work. By the way, the natural water streams there have been really useful as well, and I think that, if I had any staff that stood me up within 220 yards of a structure like that to make fun of it, I'd probably have different staff the next day. I hope he takes note of that, Mr. Speaker. I make these points that the immigration situation in the United States is this:

We have a GAO study, and this study that just emerged here a few weeks ago tells us that there are a number of people who die in the Arizona desert while sneaking into the United States. The loss of every one of those personal lives is a tragedy, and it's of high proportion to their families, but I began asking the question: How many Americans die at the hands of those who do get into the United States? That study report comes out and tells us this:

In the Federal, State and local prisons in America—and this is a very minimum number. This is a floor, not a ceiling. We know the number is higher. We know it's no lower than this—there are currently incarcerated 25,064 criminal aliens who were arrested for homicide and who are currently incarcerated in those prisons that I mentioned in the United States. That's 25,064 homicide victims at a minimum that we know of, and that's some of the price for our not securing our border.

If we had 100 percent enforcement on our border and 100 percent enforcement over people in the United States illegally, then theoretically at least all 25,000 of those people would be alive. They would not be under the ground in the United States—one coffin at a time, one obscure village at a time, one tragedy in a family at a time. It's more than 25,000, certainly, which is a number that soars when you think of it, a number of multiples of the victims of September 11, and we sit here and say, Well, you know, it's only people who want to come here to make a better life.

It's not only that to the families who have lost victims to this.

I just sat down and had a discussion within the last couple of hours with Tiffany Hartley, whose husband was a victim of the vicious murder out on the jet skis on Falcon Lake, which is just north of McAllen, Texas, on September 30 of last year.

The tragedy of his death, the unwillingness on the part of this administration to go in and investigate his death, to find the perpetrators who killed her husband, and come to the truth of that incident is inexcusable and unconscionable. The Justice Department needs to drill in with this. They need to turn up their diplomatic pressure. The State Department, Hillary Clinton, needs to connect with the Mexican consul. Let's get to the bottom of this. Let's get the facts as they stand. Let's find out who investigated what and when, and let's take a look at the communications as they go back and forth so we can get a sense of the level of focus that maybe existed or maybe didn't exist.

I'm calling upon Eric Holder to take a look at the murder of David Hartley. Do so for Tiffany. Help her get some closure.

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

A SLAP IN THE FACE TO LAW ENFORCEMENT OFFICERS—SUM TOTAL OR NOT

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

Mr. NUGENT. Mr. Speaker, I rise today to get something off my chest.

Last night, the President hosted a poetry event at the White House. The invitation of one of his guests has sparked a lot of anger, and let me explain why.

The musician wrote a song in which he vocally supports a convicted cop killer and her escape from jail. Oh, by the way, she's still at large, living in Cuba, living the good life. It may not mean much to some, but I've got a serious problem with this.

Before coming to Congress, I spent 37 years as a cop. I lost friends in the line of duty, and I'm not the only one. As we speak here right now, police officers—thousands of them—are coming to Washington, D.C., to go to the Law Enforcement Officers Memorial. Tomorrow night, those men and women will attend a candlelight vigil to honor those law enforcement officers killed in the line of duty. This is the 23rd Annual Candlelight Vigil at the National Law Enforcement Officers Memorial. This year, it will also include a 36-year-old father of three, who was struck down last Tuesday night.

The White House press secretary said the President opposes the lyrics in question but that they do not represent the sum total of the artist's work.

Mr. Speaker, I'm sure I don't care. It's not the point.

The point is that you've got thousands of men and women in law enforcement who put their lives on the line every day for this great Nation, just like our troops, and the President invited to the White House someone who supports and glorifies a convicted killer of a police officer—an officer who volunteered to protect his community. He was a husband and a father. The loss was not only to that community but to America.

Our law enforcement officers are the first line of defense for America. Mr. President, can you not see what this means to the people who put their lives on the line every day? It's a slap in the face—sum total or not.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Friday, May 13, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1552. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Gypsy Moth Generally Infested Areas; Additions in Indiana, Maine, Ohio, Virginia, West Virginia, and Wisconsin [Docket No.: APHIS-2010-0075] received April 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1553. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Citrus Canker, Citrus Greening, and Asian Citrus Psyllid; Interstate Movement of Regulated Nursery Stock [Docket No.: APHIS-2010-0048] (RIN: 0579-AD29) received May 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1554. A letter from the Secretary, Air Force, Department of Defense, transmitting a report detailing an Average Procurement Unit Cost and a Program Acquisition Unit Cost breach for the Global Hawk program, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

1555. A letter from the Under Secretary, Department of Defense, transmitting a report on Additional Assignment Pay or Special Duty Pay for Afghanistan, pursuant to Public Law 111-84, section 619; to the Committee on Armed Services.

1556. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Minimizing the Use of Materials Containing Hexavalent Chromium (DFARS Case 2009-D004) (RIN: 0750-AG35) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1557. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Glenn F. Spears, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1558. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Chances

in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1559. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to South Africa pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1560. A letter from the Secretary, Department of Health and Human Services, transmitting Annual Report to Congress on Food Facilities, Food Imports, and FDA Foreign Offices Provisions of the FDA Food Safety and Modernization Act, pursuant to Public Law 111-353, section 201(b); to the Committee on Energy and Commerce.

1561. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Connecticut: Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision [EPA-R01-OAR-2010-0996, A-1-FRL-9286-4] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1562. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Multi-walled Carbon Nanotubes; Significant New Use Rule [EPA-HQ-OPPT-2009-0686; FRL-8865-2] (RIN: 2070-AB27) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1563. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District (ICAPCD) [EPA-R09-OAR-2007-1073; FRL-9292-4] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1564. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2010-0430; FRL-9292-7] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1565. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — WISCONSIN: Incorporation by Reference of Approved State Hazardous Waste Management Program [FRL-9293-9] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1566. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Editorial Corrections to the Export Administration Regulations [Docket No.: 100709293-1073-01] (RIN: 0694-AE96) received May 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1567. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Wassenaar Arrangement 2010 Plenary Agreements Implementation: Categories 1, 2, 3, 4, 5 Parts I and II, 6, 7, 8 and 9 of the Commerce Control List, Definitions, Reports [Docket No.: 110124056-1119-01] (RIN: 0694-AF11) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1568. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

1569. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's annual report for FY 2010 prepared in accordance with the and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1570. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting in accordance with the provisions of section 17(a) of the Federal Deposit Insurance Act, the Chief Financial Officers Act of 1990, Pub. L. 101-576, and the Government Performance and Results Act of 1993, the Corporation's 2010 Annual Report; to the Committee on Oversight and Government Reform.

1571. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's annual report for Fiscal Year 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1572. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's annual report for Fiscal Year 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1573. A letter from the General Counsel, Recovery Accountability and Transparency Board, transmitting the Board's Annual No FEAR Report to Congress for Fiscal Year 2010; to the Committee on Oversight and Government Reform.

1574. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting a reassessment of the allocation of Federal and non-Federal costs for construction of the Cerrillos Dam; to the Committee on Transportation and Infrastructure.

1575. A letter from the Director, Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's ''Major'' final rule — Caregivers Program (RIN: 2900-AN94) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1576. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — May 2011 (Rev. Rule. 2011-11) received April 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1577. A letter from the Administrator, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at San Francisco International Airport will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers, pursuant to 49 U.S.C. 44920(d); to the Committee on Homeland Security.

1578. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Status on Medicare Contracting Reform Implementation'', pursuant to Public Law 108-173, section 911(a); jointly to the Committees on Energy and Commerce and Ways and Means.

1579. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Self-Certification and Employee Training of Mail-Order Distributors of Scheduled Listed Chemical Products [Docket No.: DEA-3471] (RIN: 1117-AB30) received May 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and the Judiciary.

1580. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs: Changes Affecting Hospital and Critical Access Hospital Conditions of Participation: Telemedicine Credentialing and Privileging [CMS-3227-F] (RIN: 0938-AQ05) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

1581. A letter from the Acting Asistant Secretary, Legislative Affairs, Department of State, transmitting a report on the Millenium Challenge Corporation's (MCC) activities for fiscal year 2010, pursuant to Public Law 108-199, section 613; jointly to the Committees on Foreign Affairs, the Judiciary, Ways and Means, Natural Resources, and Oversight and Government Reform.

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:

Ms. ROS-LEHTINEN: Committee on Foreign Affairs. House Resolution 209. Resolution directing the Secretary of State to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of State, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya; with amendments (Rept. 112–76). Referred to the House Calendar.

Mr. McKEON: Committee on Armed Services. House Resolution 208. Resolution directing the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya; with amendments (Rept. 112–77). 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. LARSEN of Washington:

H.R. 1858. A bill to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, and for other purposes; to the Committee on Natural Resources.

By Mr. CAMPBELL (for himself and Mr. PETERS):

H.R. 1859. A bill to ensure the availability of reasonably priced conventional mortgages to borrowers in all economic cycles by encouraging private sector capital to support the secondary mortgage market, limiting the role of the Federal government and the exposure of taxpayers, and other purposes; to the Committee on Financial Services.

By Mr. SMITH of Texas (for himself, Mr. COHEN, Mr. COBLE, and Mr. HASTINGS of Florida):

H.R. 1860. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on the Judiciary.

By Mr. MURPHY of Pennsylvania (for himself, Mr. WALZ of Minnesota, Mr. SHUSTER, Mr. COSTA, Mr. PAULSEN, Mr. DONNELLY of Indiana, Mrs. CAPITO, Mr. STIVERS, Mr. CRITZ, Mr. MEEHAN, and Mr. BOSWELL):

H.R. 1861. A bill to greatly enhance America's path toward energy independence and economic and national security, to conserve energy use, to promote innovation, to achieve lower emissions, cleaner air, cleaner water, and cleaner land, to rebuild our Nation's aging roads, bridges, locks, and dams, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Oversight and Government Reform, Energy and Commerce, Ways and Means, Science, Space, and Technology, Transportation and Infrastructure, the Budget, the Judiciary, Rules, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself, Ms. DEGETTE, Mr. DENT, Mr. GERLACH, Mr. HOLT, Ms. FUDGE, Mr. BUTTERFIELD, and Mr. LANGEVIN):

H.R. 1862. A bill to launch a national strategy to support regenerative medicine through funding for research and commercial development of regenerative medicine products and development of a regulatory environment that enables rapid approval of safe and effective products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUINTA (for himself and Mr. BASS of New Hampshire):

H.R. 1863. A bill to amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service Department of Veterans Affairs medical center in the State or receive comparable services provided by contract in the State, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COBLE (for himself and Mr. JOHNSON of Georgia):

H.R. 1864. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on the Judiciary.

By Mr. GIBBS (for himself, Mr. ALTMIRE, Mr. JORDAN, Mr. HOLDEN, Mr. DUNCAN of Tennessee, Mr. BARTLETT, Mr. MANZULLO, Mr. BISHOP of Utah, Mr. WALBERG, Mr. BARTON of Texas, Mr. CHAFFETZ, Mr. GOHMERT, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. STIVERS, Mr. BROUN of Georgia, Mr. LATOURETTE, Mr. MCCLINTOCK, Mr. LATTA, Mrs. MILLER of Michigan, Mr. AUSTRIA, and Mr. TIBERI):

H.R. 1865. A bill to protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CHAFFETZ:

H.R. 1866. A bill to require Members of Congress to disclose delinquent tax liability and to require an ethics inquiry into, and the garnishment of the wages of, a Member with Federal tax liability; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Ms. HIRONO, Mr. GRIJALVA, and Mr. LOEBSACK):

H.R. 1867. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Education and the Workforce.

By Mrs. CAPITO (for herself, Mr. CRITZ, Mr. BUCSHON, Mr. TERRY, Mr. RAHALL, and Mr. HOLDEN):

H.R. 1868. A bill to require the inclusion of coal-derived fuel at certain volumes in aviation fuel, motor vehicle fuel, home heating oil, and boiler fuel; to the Committee on Energy and Commerce.

By Mr. LARSON of Connecticut (for himself, Mr. ROSKAM, Mr. POLIS, and Mr. PAULSEN):

H.R. 1869. A bill to amend the Internal Revenue Code of 1986 to establish lifelong learning accounts to provide an incentive for employees to save for career-related skills development and to promote a competitive workforce through lifelong learning; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY of Virginia (for himself, Mr. BISHOP of New York, Mr. WAXMAN, Mr. MARKEY, Ms. ESHOO, and Mr. LARSON of Connecticut):

H.R. 1870. A bill to safely increase domestic oil and gas production, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Science, Space, and Technology, Energy and Commerce, Transportation and Infrastructure, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas:

H.R. 1871. A bill to amend the Internal Revenue Code of 1986 to prevent the extension of the tax collection period merely because the taxpayer is a member of the Armed Forces who is hospitalized as a result of combat zone injuries; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 1872. A bill to require the Administrator of the Environmental Protection Agency to consider the impact on employment levels and economic activity prior to issuing a regulation, policy statement, guidance, or other requirement, implementing any new or substantially altered program, or issuing or denying any permit, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. JACKSON of Illinois, Mr. GRIJALVA, Ms. LEE of California, Mr. FILNER, Mr. MCNERNEY, Mr. SERRANO, Mr. NADLER, Ms. WATERS, Mr. PRICE of North Carolina, Ms. TSONGAS, Mr. BRADY of Pennsylvania, Mr. SCOTT of Virginia, Ms. SCHAKOWSKY, Mr. GONZALEZ, Mr. LYNCH, Ms. WASSERMAN SCHULTZ, Mr. BRALEY of Iowa, Mr. VAN HOLLEN, Ms. NORTON, Mr. AL GREEN of Texas, Mr. DOYLE, Ms. HIRONO, Mr. LOEBSACK, Ms. WILSON of Florida, Mr. BOSWELL, Ms. ZOE LOFGREN of California, Mr. MCDERMOTT, Mr. CONYERS, Ms. JACKSON LEE of Texas, Mr. HASTINGS of Florida, Ms. CHU, Ms. BALDWIN, Mrs. NAPOLITANO, Mrs. MALONEY, Mr. ELLISON, Mr. HONDA, Mr. STARK, Mr. HEINRICH, Mr. KUCINICH, Ms. SUTTON, Mr. CARNAHAN, Mr. VISCLOSKY, Mr. PIERLUISI, Ms. RICHARDSON, Mr. GUTIERREZ, Mr. TOWNS, Mr. KILDEE, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Ms. WOOLSEY, Ms. CLARKE of New York, Ms. BASS of California, Ms. PINGREE of Maine, Mr. DEUTCH, Mr. BLUMENAUER, Mr. DOGGETT, Mr. LANGEVIN, Mr. WATT, Mr. FRANK of Massachusetts, Mr. SARBANES, and Mr. RYAN of Ohio):

H.R. 1873. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. BISHOP of Utah (for himself, Mr. CHAFFETZ, and Mr. MATHESON):

H.R. 1874. A bill to amend title 5, United States Code, to increase the maximum age limit for an original appointment to a position as a Federal law enforcement officer in the case of any individual who has been discharged or released from active duty in the armed forces under honorable conditions, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE (for himself, Mr. LARSON of Connecticut, Mr. BISHOP of New York, and Mr. CONNOLLY of Virginia):

H.R. 1875. A bill to lower gas prices by making investments in cleaner vehicle technologies and infrastructure; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. GEORGE MILLER of California, Ms. CASTOR of Florida, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. BRADY of Pennsylvania, Mr. JACKSON of Illinois, Mr. CONNOLLY of Virginia, Ms. RICHARDSON, Mr. CONYERS, Ms. TSONGAS, Ms. LINDA T. SÁNCHEZ of California, Ms. MOORE, Mr. STARK, Mrs. CHRISTENSEN, Mrs. CAPPS, Mr. OLVER, Mr. ACKERMAN, Ms. LEE of California, Ms. SPEIER, Mrs. MALONEY, Mr. FILNER, Ms. CLARKE of New York, Ms. BASS of California, Mr. SERRANO, Mr. SCHIFF, Mr. SARBANES, Mr. LUJÁN, Mr. TONKO, Ms. FUDGE, Ms. BALDWIN, Mr. TOWNS, Ms. NORTON, Mr. LANGEVIN, Mr. ISRAEL, Mr. COURTNEY, Mr. HOLT, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. NADLER, Mr. VAN HOLLEN, Mr. GRIJALVA, Mr. KILDEE, Mr. ELLISON, Ms. SCHWARTZ, Mr. HONDA, Ms. BROWN of Florida, Ms. HIRONO, Mr. CLAY, Mr. KUCINICH, Mr. BACA, Mr. HASTINGS of Florida, Mr. BISHOP of New York, Mr. PALLONE, Ms. PINGREE of Maine, Mr. MCGOVERN, Mr. FATTAH, Mr. MORAN, Mr. SHERMAN, Mr. BLUMENAUER, Ms. WOOLSEY, Ms. MCCOLLUM, Mrs. MCCARTHY of New York, Ms. ESHOO, Mrs. DAVIS of California, Ms. ZOE LOFGREN of California, Ms. EDWARDS, Mr. WAXMAN, Mr. SCOTT of Virginia,

Mr. PRICE of North Carolina, Ms. CHU, Mr. MARKEY, Mr. TIERNEY, Mr. MURPHY of Connecticut, Mr. HINCHEY, Mr. PASTOR of Arizona, Ms. WASSERMAN SCHULTZ, Ms. BERKLEY, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Mr. CARNAHAN, Mr. LARSON of Connecticut, and Mr. RYAN of Ohio):

H.R. 1876. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER:

H.R. 1877. A bill to direct the Secretary of Defense to prohibit family members of individuals detained at Naval Station, Guantanamo Bay, Cuba, from visiting such individuals; to the Committee on Armed Services.

By Mr. KISSELL:

H.R. 1878. A bill to require that the same access to transportation and public accommodations that is afforded to individuals with disabilities who use service animals under the Americans with Disabilities Act be afforded to certified trainers of service animals; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself, Mr. DICKS, Mr. INSLEE, Mr. SMITH of Washington, Mr. MCDERMOTT, Mr. GRIMM, Mr. KEATING, Mr. SIRES, Ms. PINGREE of Maine, Mr. BUTTERFIELD, Mr. BISHOP of New York, and Mr. CONNOLLY of Virginia):

H.R. 1879. A bill to promote secure ferry transportation and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. LEE of California (for herself, Mr. GRIJALVA, Mr. MORAN, Mr. CONYERS, Mr. MEEKS, Ms. NORTON, Mr. TOWNS, Mr. COURTNEY, Ms. SCHAKOWSKY, Mr. FRANK of Massachusetts, Ms. WILSON of Florida, Mr. COHEN, Ms. RICHARDSON, Mr. NADLER, Mrs. MALONEY, Mr. SERRANO, Mr. RANGEL, Mr. STARK, Ms. BORDALLO, Ms. BASS of California, Mr. ACKERMAN, Ms. BALDWIN, Mr. BECERRA, Ms. BERKLEY, Mr. BISHOP of Georgia, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Ms. DEGETTE, Mr. CROWLEY, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DELAURO, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HOLDEN, Mr. HONDA, Ms. JACKSON LEE of Texas, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. LANGEVIN, Mr. LEVIN, Mr. MCNERNEY, Ms. MOORE, Mrs. NAPOLITANO, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. REYES, Mr. RICHMOND, Mr. RAHALL, Ms. ROYBAL-ALLARD, Mr. DAVID SCOTT of Georgia, Ms. SEWELL, Ms. SPEIER, Mr. THOMPSON of Mississippi, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WEINER, Ms. WOOLSEY, Mr. MCDERMOTT, Ms. PINGREE of Maine, Mr. DOYLE, Mr. TIERNEY, Mr. SCHIFF, Mr. OLVER, Mr. RUSH, and Mr. JACKSON of Illinois):

H.R. 1880. A bill to require, on the occasion of the 30th anniversary of the first reported cases of AIDS, reporting on the implementation of the National HIV/AIDS Strategy and on the status of international progress towards achieving universal access to HIV/AIDS treatment, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUJÁN (for himself, Mrs. CHRISTENSEN, Ms. BERKLEY, Mr. HASTINGS of Florida, Mr. HOLT, Ms. MOORE, Mr. CONNOLLY of Virginia, Mr. CARSON of Indiana, Mr. WU, Mr. LARSON of Connecticut, Ms. RICHARDSON, Ms. LEE of California, Mr. COSTELLO, Mr. ELLISON, Mr. HINOJOSA, Mr. JACKSON of Illinois, Mrs. NAPOLITANO, Mr. PAYNE, Mrs. CAPPS, Mr. GRIJALVA, Mr. BUTTERFIELD, Mr. POLIS, Mr. SABLAN, Mr. RYAN of Ohio, and Mr. OLVER):

H.R. 1881. A bill to require the Secretary of Energy, in coordination with the Secretary of Labor, to establish a program to provide for workforce training and education, at community colleges, in sustainable energy; to the Committee on Education and the Workforce.

By Mr. OWENS:

H.R. 1882. A bill to ensure that local educational agencies and units of local governments are compensated for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian; to the Committee on Natural Resources.

By Mr. PIERLUISI (for himself, Mr. ISSA, Mr. SERRANO, Ms. ROS-LEHTINEN, Mr. GRIMM, Mr. JONES, Mr. BURTON of Indiana, and Mr. YOUNG of Alaska):

H.R. 1883. A bill to amend the Internal Revenue Code of 1986 to regulate the subsidies paid to rum producers in Puerto Rico and the Virgin Islands, and for other purposes; to the Committee on Ways and Means.

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

H.R. 1884. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself, Mr. COLE, Mrs. BLACKBURN, Mr. BOREN, Mr. BARTLETT, Mr. CARTER, Mr. GALLEGLY, and Mr. BENISHEK):

H.R. 1885. A bill to require that State and local pretrial services agencies receiving federal financial assistance report to the Department of Justice on defendants released by such agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL (for himself, Mr. TOWNS, Ms. CLARKE of New York, Ms. MCCOLLUM, Mr. RUSH, Mr. GRIJALVA, Mr. STARK, Ms. RICHARDSON, Ms. LEE of California, Ms. BASS of California, and Mr. POLIS):

H.R. 1886. A bill to allow travel between the United States and Cuba; to the Committee on Foreign Affairs.

By Mr. RANGEL (for himself, Mr. TOWNS, Ms. CLARKE of New York, and Ms. MCCOLLUM):

H.R. 1887. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Oversight and Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. JONES, and Ms. MCCOLLUM):

H.R. 1888. A bill to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, Agriculture, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHULER:

H.R. 1889. A bill to amend the Internal Revenue Code of 1986 to suspend the excise tax on highway motor fuels, and for other purposes; to the Committee on Ways and Means.

By Ms. TSONGAS:

H.R. 1890. A bill to amend the Outer Continental Shelf Lands Act to require, as a condition and term of any exploration plan or development and production plan submitted under that Act, that the applicant for the plan must submit an oil spill containment and clean-up plan capable of handling a worst-case scenario oil spill, and for other purposes; to the Committee on Natural Resources.

By Mr. BISHOP of Utah (for himself, Mr. BROUN of Georgia, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. DUNCAN of South Carolina, Mr. GOHMERT, Mr. GRAVES of Georgia, Mr. GRIFFITH of Virginia, Mr. LAMBORN, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. MANZULLO, Mr. WALBERG, and Mr. WALSH of Illinois):

H.J. Res. 62. A joint resolution proposing an amendment to the Constitution of the United States to give States the right to repeal Federal laws and regulations when ratified by the Legislatures of two thirds of the several States; to the Committee on the Judiciary.

By Mr. SESSIONS:

H. Con. Res. 50. Concurrent resolution providing for a conditional adjournment of the House of Representatives; considered and agreed to.

By Mr. POMPEO (for himself, Mr. MCCLINTOCK, and Mr. LABRADOR):

H. Res. 267. A resolution expressing the sense of the House of Representatives that the United States should end all subsidies aimed at specific energy technologies or fuels; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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. LARSEN of Washington:

H.R. 1858.

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

Under Article 1, Section 2 of the Constitution, ''the House of Representatives shall be composed of Members chosen every second Year by the People of the several States.'' As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress.'' I was elected in 2010 to serve in the 112th Congress as certified by the Secretary of State of Washington state.

Article III, Section 2 states that the Supreme Court has ''the judicial power'' that ''shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States.'' Article II, Section 1 of the Constitution provides that the Supreme Court is the supreme law of the land when stating ''The judicial power of the United States, shall be vested in one Supreme Court.''

The power of judicial review of the Supreme Court was upheld in Marbury v Madison in 1803, giving the Supreme Court the authority to strike down any law it deems unconstitutional. Members of Congress, having been elected and taken the oath of office, are given the authority to introduce legislation and only the Supreme Court, as established by the Constitution and precedent, can determine the Constitutionality of this authority.

By Mr. CAMPBELL:

H.R. 1859.

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

Clause 3 of section 8 of article I of the Constitution of the United States.

By Mr. SMITH of Texas:

H.R. 1860.

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

The Commerce Clause; section 5 of the 14th Amendment

By Mr. MURPHY of Pennsylvania:

H.R. 1861.

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

This bill is enacted pursuant to the power granted to the Congress under Article I, Section 8, Clause 3 of the United States Constitution, and Article IV, Section 3, Clause 2 of the United States Constitution.

By Mr. BILBRAY:

H.R. 1862.

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

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

By Mr. GUINTA:

H.R. 1863.

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

Article 1, Section 8 of the United States Constitution, the bill is authorized by Congress' power to ''provide for the common Defense and general Welfare of the United States.''

By Mr. COBLE:

H.R. 1864.

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

The Commerce Clause (Article I, Section 8, Clause 3)

By Mr. GIBBS:

H.R. 1865.

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

Article I, Section 8 of the United States Constitution and the Second Amendment which states: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. CHAFFETZ:

H.R. 1866.

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

Article I, Section 8, Clause 1

By Mr. GEORGE MILLER of California:

H.R. 1867.

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

Art. 1 sec. 8, clause 1 and 3

By Mrs. CAPITO:

H.R. 1868.

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

Interstate Commerce Clause: Article 1, Section 8, Clause 3.

By Mr. LARSON of Connecticut:

H.R. 1869.

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

Article I, Section 8, Clause 1

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

By Mr. CONNOLLY of Virginia:

H.R. 1870.

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

Artice 1

By Mr. SAM JOHNSON of Texas:

H.R. 1871.

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

Article I, Section 8, Clause 1

By Mrs. CAPITO:

H.R. 1872.

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

Article I, Section 8, Clause 3 (Interstate Commerce Clause) in conjunction with Article I, Section 8, Clause 18 (Necessary and Proper Clause).

Article I, Section 9, Clause 7 (Spending Clause).

Article III, Section 2 (Judicial Power).

By Mr. JOHNSON of Georgia:

H.R. 1873.

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

Article I, Sec. 8, Cl. 3

By Mr. BISHOP of Utah:

H.R. 1874.

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

''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution which grants Congress the power to provide for the general welfare of the United States; to make rules for the government and regulation of the land and naval forces; to provide for organizing the militia, and to make Rules for the Government and Regulation of the land and naval Forces, and to make all laws necessary and proper for carrying out the foregoing powers.''

By Mr. CICILLINE:

H.R. 1875.

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

Article I, Section 8

By Ms. DELAURO:

H.R. 1876.

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

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

By Mr. HUNTER:

H.R. 1877.

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

Article I, Section 8, Clause 1 states that ''Congress shall have the power to . . . provide for the common defense and general welfare of the United States; . . .'' In addition Article I, Section 8, Clause 10 states that Congress shall have the power ''to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;'' Also, Article I, Section 8, Clause 11 grants Congress the power ''to . . . make rules concerning captures on land and water;''.

By Mr. KISSELL:

H.R. 1878.

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

Enforcement—14th Amendment Section 5

By Mr. LARSEN of Washington:

H.R. 1879.

Regulation—Article 1, Section 8 Clause 3

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

Under Article 1, Section 2 of the Constitution, ''the House of Representatives shall be composed of Members chosen every second Year by the People of the several States.'' As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress.'' I was elected in 2010 to serve in the 112th Congress as certified by the Secretary of State of Washington state.

Article III, Section 2 states that the Supreme Court has ''the judicial power'' that ''shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States.'' Article II, Section 1 of the Constitution provides that the Supreme Court is the supreme law of the land when stating ''The judicial power of the United States, shall be vested in one supreme Court.''

The power of judicial review of the Supreme Court was upheld in Marbury v Madison in 1803, giving the Supreme Court the authority to strike down any law it deems unconstitutional. Members of Congress, having been elected and taken the oath of office, are given the authority to introduce legislation and only the Supreme Court, as established by the Constitution and precedent, can determine the Constitutionality of this authority.

By Ms. LEE of California:

H.R. 1880.

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

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LUJÁN:

H.R. 1881.

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

Article 1 Section 1

By Mr. OWENS:

H.R. 1882.

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

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

By Mr. PIERLUISI:

H.R. 1883.

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

The constitutional authority on which this bill rests is the power of the Congress to: (1)

provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; (2) to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and (3) to make all needful Rules and Regulations respecting the Territories of the United States, as provided for under Article IV, Section 3, Clause 2 of the Constitution.

By Mr. PITTS:

H.R. 1884.

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

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

By Mr. POE of Texas:

H.R. 1885.

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

Article I, Section 8, Clause 1

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

By Mr. RANGEL:

H.R. 1886.

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

From the U.S. Constitution:

Article I, Section 8, Clause 3

The Congress shall have power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

From the Universal Declaration on Human Rights:

Article 13

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and return to his country.

By Mr. RANGEL:

H.R. 1887.

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

Article I, Section 8, Clause 3

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

By Mr. RANGEL:

H.R. 1888.

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

Article I, Section 8, Clause 3

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

By Mr. SHULER:

H.R. 1889.

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

Article I, Section 8, Clause 1

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

By Ms. TSONGAS:

H.R. 1890.

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

Article 1, Section 8, Clause 3 of the Constitution

By Mr. BISHOP of Utah:

H.J. Res. 62.

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

The constitutional authority of Congress to enact this legislation is provided by Article V 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. 100: Mr. HARRIS, Mr. COFFMAN of Colorado, and Mr. GOSAR.

H.R. 104: Mr. BOSWELL.

H.R. 198: Mr. MURPHY of Pennsylvania.

H.R. 272: Mr. PAUL.

H.R. 298: Mr. FARENTHOLD, Mr. CONAWAY, Mr. BURGESS, Mr. NEUGEBAUER, Mr. BRADY of Texas, and Mr. CANSECO.

H.R. 300: Ms. CLARKE of New York.

H.R. 365: Mr. LATOURETTE.

H.R. 401: Mr. DAVID SCOTT of Georgia and Ms. RICHARDSON.

H.R. 459: Mr. KELLY.

H.R. 539: Ms. SCHAKOWSKY and Mrs. NAPOLITANO.

H.R. 615: Mr. CALVERT, Mr. ISSA, and Mr. COBLE.

H.R. 639: Mrs. CAPITO, Mr. CAPUANO, Mr. CLEAVER, Mr. DENT, Mr. FORBES, Ms. FUDGE, Mr. LANGEVIN, Mr. LOBIONDO, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. SCOTT of Virginia, Mr. SCOTT of South Carolina, Mr. THOMPSON of Mississippi, Mr. THOMPSON of Pennsylvania, Mr. WILSON of South Carolina, Mr. WITTMAN, and Mr. YOUNG of Alaska.

H.R. 674: Mr. JOHNSON of Ohio, Mr. WALSH of Illinois, Mrs. MYRICK, Mr. BACHUS, Mr. GIBSON, Mr. GARDNER, Mr. GOSAR, Mr. CRAVAACK, and Mr. RIGELL.

H.R. 718: Mr. GARAMENDI, Mr. KUCINICH, Mr. THOMPSON of Pennsylvania, Mr. FORBES, and Ms. ZOE LOFGREN of California.

H.R. 719: Mr. SCHOCK and Mrs. BACHMANN.

H.R. 721: Mr. PENCE.

H.R. 733: Mr. FATTAH.

H.R. 735: Mr. GUTHRIE.

H.R. 800: Mr. BARTLETT.

H.R. 807: Mr. JACKSON of Illinois.

H.R. 843: Mr. HULTGREN and Mr. WALZ of Minnesota.

H.R. 864: Mr. WU.

H.R. 886: Mr. DIAZ-BALART, Mr. BERG, Mr. BOREN, Mr. DONNELLY of Indiana, Mr. CHANDLER, Mr. MICHAUD, Mr. COOPER, Mr. PETERSON, Mr. CARDOZA, Mr. FARR, Mr. SCHRADER, Mr. ALTMIRE, Mr. BARROW, Mr. AUSTIN SCOTT of Georgia, Mr. CASSIDY, Mr. ALEXANDER, Mr. PRICE of Georgia, Mr. GRIMM, Mr. BROOKS, Mr. DUNCAN of South Carolina, Mr. WOODALL, and Mrs. EMERSON.

H.R. 891: Mrs. CAPPS and Mr. JONES.

H.R. 956: Mr. POE of Texas.

H.R. 975: Ms. NORTON, Ms. CLARKE of New York, Mr. RANGEL, Mr. RUSH, Ms. LEE of California, Ms. JACKSON LEE of Texas, and Mr. JACKSON of Illinois.

H.R. 997: Mr. PLATTS, Mr. LUCAS, and Mr. BARLETTA.

H.R. 998: Mr. HEINRICH.

H.R. 1031: Mr. NUNES.

H.R. 1041: Mr. BISHOP of New York.

H.R. 1044: Mr. YOUNG of Florida.

H.R. 1070: Mr. MARCHANT.

H.R. 1075: Mr. LARSON of Connecticut.

H.R. 1093: Mr. COBLE, Mr. MCHENRY, Mr. STUTZMAN, Mr. TURNER, Mr. DAVIS of Kentucky, and Mr. ISSA.

H.R. 1114: Mr. OWENS.

H.R. 1120: Mr. CUMMINGS, Mr. RUSH, Mr. WEINER, and Mr. RANGEL.

H.R. 1154: Mr. FARENTHOLD, Mr. KINGSTON, and Mr. WALZ of Minnesota.

H.R. 1193: Mr. KING of New York.

H.R. 1195: Mr. DAVIS of Illinois.

H.R. 1206: Ms. JENKINS and Mr. MATHESON.

H.R. 1211: Mr. YOUNG of Florida.

H.R. 1242: Mrs. LOWEY.

H.R. 1259: Mr. JORDAN and Mr. YOUNG of Florida.

H.R. 1262: Mr. DOGGETT and Mr. ALTMIRE.

H.R. 1269: Ms. CLARKE of New York, Ms. BROWN of Florida, Ms. RICHARDSON, Mrs. NAPOLITANO, Mrs. EMERSON, and Mrs. CHRISTENSEN.

H.R. 1274: Mr. BARLETTA.

H.R. 1288: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1332: Mr. LYNCH, Mr. PLATTS, Mr. WESTMORELAND, Mr. WELCH, Ms. ROYBAL-ALLARD, Mr. OWENS, Mr. BISHOP of Georgia, Mr. WITTMAN, Mrs. NAPOLITANO, Mr. PASCRELL, Ms. PINGREE of Maine, Mr. YARMUTH, Mr. TURNER, Mr. BACA, and Mr. LUCAS.

H.R. 1351: Ms. HIRONO, Mr. SERRANO, Mr. BACA, Mr. KEATING, Mr. RUSH, Mr. MICHAUD, Mr. MCNERNEY, Mr. PERLMUTTER, Mr. PLATTS, Mr. BLUMENAUER, Mr. LARSEN of Washington, Mr. FITZPATRICK, Mr. FATTAH, Mr. SIRES, Ms. CLARKE of New York, Mr. GERLACH, Mr. BOSWELL, and Mr. PETERS.

H.R. 1366: Ms. CLARKE of New York and Mr. NADLER.

H.R. 1380: Ms. JACKSON LEE of Texas, Mr. CICILLINE, Mr. TIBERI, Mr. AKIN, and Mr. FRANKS of Arizona.

H.R. 1383: Mr. CONYERS.

H.R. 1386: Mr. WELCH and Mr. RUPPERSBERGER.

H.R. 1391: Mr. GRIFFIN of Arkansas and Mr. CRAWFORD.

H.R. 1398: Mr. LUETKEMEYER.

H.R. 1402: Ms. WOOLSEY.

H.R. 1425: Mr. WALSH of Illinois and Mr. CHABOT.

H.R. 1429: Mr. VAN HOLLEN.

H.R. 1466: Mr. HASTINGS of Florida and Ms. NORTON.

H.R. 1498: Mr. GENE GREEN of Texas, Mr. MICA, Mr. HARPER, Mr. GERLACH, and Mr. HUNTER.

H.R. 1501: Mr. BACHUS, Mr. FORBES, and Mr. GUTHRIE.

H.R. 1515: Mr. COHEN.

H.R. 1523: Ms. ROYBAL-ALLARD.

H.R. 1527: Mr. FORBES.

H.R. 1530: Mr. FORTENBERRY.

H.R. 1574: Mr. HIGGINS, Mr. STARK, and Ms. EDWARDS.

H.R. 1585: Mr. MACK.

H.R. 1586: Mr. DANIEL E. LUNGREN of California.

H.R. 1588: Mr. NUGENT, Mr. TURNER, Mr. KINZINGER of Illinois, and Mr. CRAWFORD.

H.R. 1614: Mr. RUPPERSBERGER.

H.R. 1619: Mr. MURPHY of Connecticut.

H.R. 1626: Mr. RIGELL, Mrs. ADAMS, Mr. WALDEN, Mr. LONG, and Mr. FORBES.

H.R. 1635: Mr. BONNER.

H.R. 1639: Mr. RIVERA.

H.R. 1646: Mr. JONES.

H.R. 1648: Ms. WOOLSEY, Mr. COHEN, Ms. CHU, Mr. GARAMENDI, and Mr. LANGEVIN.

H.R. 1666: Mr. BLUMENAUER, Mr. THOMPSON of Mississippi, and Mr. CONNOLLY of Virginia.

H.R. 1704: Mr. ANDREWS, Mr. BACA, Ms. BORDALLO, and Mr. INSLEE.

H.R. 1705: Mr. ROSKAM.

H.R. 1723: Mrs. BLACKBURN.

H.R. 1741: Mrs. BLACKBURN, Mr. ROHRABACHER, and Mr. FORBES.

H.R. 1748: Ms. BERKLEY, Mr. CONNOLLY of Virginia, Mr. CICILLINE, and Ms. MATSUI.

H.R. 1801: Ms. JACKSON LEE of Texas.

H.R. 1815: Mr. BUTTERFIELD, Mr. WATT, Mr. JACKSON of Illinois, Mr. CLEAVER, Mr. COSTELLO, Mr. CARDOZA, Ms. HANABUSA, Mr. RICHMOND, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. SHIMKUS, Mr. STARK, Mr. HOYER, Mr. GONZALEZ, Mr. SCHIFF, Mr. BISHOP of New York, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of South Carolina, Mr. ACKERMAN, Mr. NEAL, Ms. SEWELL, Mr. CICILLINE, Ms. DEGETTE, Mr. MANZULLO, Mr. CONNOLLY of Virginia, Mr. BECERRA, Mr. WELCH, Mr. LEVIN, Ms. CASTOR of

Florida, Mr. NADLER, Mrs. DAVIS of California, Ms. WILSON of Florida, Mr. DINGELL, Ms. LORETTA SANCHEZ of California, Ms. MOORE, Mr. QUIGLEY, Mr. HIGGINS, Mr. CLAY, Mr. WU, and Mr. COHEN.

H.R. 1817: Mr. MCGOVERN.

H.R. 1831: Mr. HONDA.

H.R. 1833: Mrs. CAPPS.

H.R. 1842: Mr. GUTIERREZ, Mr. FARR, Mr. HEINRICH, Ms. BERKLEY, Ms. ZOE LOFGREN of California, Mr. DOGGETT, Mr. POLIS, and Mr. CONYERS.

H.J. Res. 13: Mr. TIBERI.

H.J. Res. 42: Mr. SMITH of Texas.

H.J. Res. 56: Mr. HARRIS and Mr. JORDAN.

H. Con. Res. 25: Mr. BRADY of Texas.

H. Con. Res. 39: Mr. MCCOTTER.

H. Res. 20: Mr. ANDREWS, Ms. CHU, Mr. CARSON of Indiana, Mr. CLEAVER, Mr. CLAY, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DOGGETT, Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. GARAMENDI, Mr. INSLEE, Mr. LEWIS of Georgia, Ms. MATSUI, Ms. PINGREE of Maine, Ms. SLAUGHTER, Mr. THOMPSON of Mississippi, Mr. TIERNEY, and Mr. WATT.

H. Res. 25: Mr. HINCHEY, Mr. KILDEE, Mr. REHBERG, Mr. HUIZENGA of Michigan, Mr. CULBERSON, Mr. MARINO, Ms. ROYBAL-ALLARD, Mr. ROE of Tennessee, Ms. ZOE LOFGREN of California, and Mr. CHANDLER.

H. Res. 95: Mr. RUPPERSBERGER.

H. Res. 137: Mr. SERRANO.

H. Res. 242: Mrs. BACHMANN, Ms. BERKLEY, Mr. CARDOZA, Mr. COOPER, Mr. CROWLEY, Mr. FILNER, Mr. GRIJALVA, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANGEVIN, Mr. LEWIS of Georgia, Ms. MOORE, Ms. RICHARDSON, Ms. SEWELL, Ms. SPEIER, and Ms. WILSON of Florida.

H. Res. 244: Mr. PALLONE and Mr. TOWNS.

H. Res. 254: Mr. LATOURETTE and Mr. FARENTHOLD.

H. Res. 256: Mr. FRANK of Massachusetts and Mr. PAULSEN.

H. Res. 265: Ms. RICHARDSON.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Father Steven E. Boes, the national executive director of Boys Town in Boys Town, NE.

The guest Chaplain offered the following prayer:

Creator God, we ask Your blessing upon the men and women of the Senate. Give them the wisdom of Father Edward Flanagan, the founder of Boys Town, who taught America that ''there are no bad boys; only bad environment, bad training, and bad example.'' Help us as a nation to save children by healing families so that they can provide the good environment, training, and example our young people need to be healthy, productive citizens. Please inspire our Senators to work together to strengthen our families and communities so that our children can become stronger in body, mind, and spirit.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK BEGICH led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 12, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

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

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

WELCOMING FATHER BOES

Mr. NELSON of Nebraska. Mr. President, I rise to thank Father Steven Boes for delivering the opening prayer this morning.

Father Boes has been a priest of the Archdiocese of Omaha since 1985. He has more than 20 years experience as a counselor and youth advocate in Nebraska.

Father Boes served 8 years as director of the St. Augustine Indian Mission and School in Winnebago, NE. He established programs to help Winnebago and Omaha children preserve their traditional language, spirituality, and culture while preparing them for higher education.

In 2005, Father Boes was named the executive director of Boys Town, one of the largest childcare organizations in America. Boys Town provides compassionate, research-proven treatment for children with behavioral, emotional, and physical problems. Father Boes is the fourth priest to succeed Father Edward Flanagan, the founder of Boys Town.

As a young priest in Omaha, Father Flanagan had grown discouraged in his work with transient men. His frustration led him to borrow $90 to rent a drafty downtown boarding house and open his first home for boys in 1917. Youngsters from all over Omaha soon began showing up at the doorstep of Father Flanagan's Home for Boys. Father Flanagan said:

When the idea of a boys' home grew in my mind, I never thought anything remarkable about taking in all of the races and all of the creeds. To me, they are all God's children. They are my brothers. They are children of God. I must protect them to the best of my ability.

In 1921, Father Flanagan moved his boys home to a farm just outside of Omaha, and it soon became known as the Village of Boys Town. By the 1930s, hundreds of boys lived there. The world learned of Father Flanagan's success in 1938 when he was played by Spencer Tracy in the ''Boys Town'' Hollywood movie.

Boys Town began admitting girls in 1979 and established programs at more than one dozen sites across the country in the mid-1980s.

Under the leadership of Father Boes, Boys Town has focused on implementing its unique integrated continuum of care to strengthen a child's mind, body, and spirit. Father Boes is also expanding Boys Town's role in advocating for changes to our childcare system, which is often fragmented, expensive, and ineffective. He has called for smarter investments and earlier interventions for at-risk children, which can prevent much more expensive problems for society if those children fall through the cracks. For instance, keeping a 14-year-old from dropping out of high school will end up saving taxpayers about $500,000 over that child's lifetime. Keeping him from becoming a career criminal will save as much as $5 million.

Almost a century ago, Father Flanagan said:

There is nothing the matter with our growing boys that love, proper training, and guidance will not remedy.

Father Boes continues to carry out that mission of healing today.

I thank Father Boes—I know we all do—for his devotion to building healthy, positive lives for children, and I thank Father Boes for his words here

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

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this morning. May they indeed guide us to do what is right for America and the world.

Thank you, Mr. President.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, I appreciate the comments of my friend, the senior Senator from Nebraska.

Following any leader remarks, the Senate will be in morning business until 1 p.m. today. The Republicans will control the first 30 minutes and the majority will control the next 30 minutes.

Following morning business, the Senate will be in executive session to consider the nomination of Michael Francis Urbanski to be U.S. District Judge for the Western District of Virginia. There will be 1 hour of debate on that. So at approximately 2 p.m. there will be a vote on the confirmation of the Urbanski nomination.

MEASURE PLACED ON THE CALENDAR—S. 953

Mr. REID. Mr. President, I am told that S. 953 is at the desk and due for a second reading.

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

The assistant legislative clerk read as follows:

A bill (S. 953) to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

OIL SUBSIDIES

Mr. REID. Mr. President, as I speak, the heads of the five largest oil and gas companies in the world are testifying across the street. With the country watching, these extremely wealthy CEOs of extremely profitable corporations are trying to explain to the Senate and, most importantly, to the American people why they still need taxpayer handouts. I don't envy them because it is an impossible position to defend.

Think about this: In just the first 3 months of this year, the oil industry made $36 billion in profits alone—not revenues, profits. That is $12 billion a month. That is $3 billion a week. In anyone's book, that is pretty good money. Meanwhile, the American taxpayers are giving these same successful companies $4 billion a year. So when we take these companies' profits and add in the handout you, I, and every taxpayer give them, America is saying to big oil: You make $3 billion a week for 52 weeks, and we will basically give you a 53rd week for free. Even in the strongest economies, that seems unnecessary. In this recovering economy, it is downright indefensible.

Defending these tax breaks is such a hard thing to do that the big oil bosses have called for backup. Most of our Republican colleagues have eagerly answered the call publicly already. But there is something I learned in the courtroom a long time ago: When you try to defend the indefensible, you are left with not much of a case. That is why the Republican defenders of big oil have resorted to simply making things up. They will tell us that without this taxpayer-funded bonus, gas prices will go up. They say that because they know it is a scary thought. Gas prices are already high. But there is a big problem with their argument: It is false. It is not true.

Big oil subsidies don't have a thing to do with the prices at the pump. A report released yesterday by a nonpartisan, independent agency says as much. Experts at the Congressional Research Service who wrote this report don't mention it just once, they write it over and over again. Here is one way CRS says it:

There is little reason to believe that the price of oil or gasoline consumers face will increase.

Here is another:

Available output and prices should be unaffected.

Here is one more from the independent, nonpartisan expert report: Taking away big oil's tax breaks will have ''no effect on the price of gasoline.'' I repeat—no effect on the price of gasoline.

Little reason to believe prices will increase; prices should be unaffected; no effect on the price of gasoline—their words, not mine.

So the American people should know this: Every time you hear someone defend taxpayer gifts to oil companies by scaring you about gas prices, they are not telling the truth. Every time you hear someone say we need to find better uses for taxpayer money but we also need to keep giving billions and billions of dollars of that same money to oil companies, ask yourself how it is possible that both are true.

I am pleased to see that some of my Republican colleagues are coming around. The Speaker of the House recently said these companies should be paying their fair share. Yesterday, the senior Senator from Arizona admitted that subsidies are likely unnecessary. Even the former head of Shell, one of the five companies testifying today, agrees.

If we are serious about reducing the deficit, this is an easy place to start. It is, in effect, a no-brainer. Taxpayer giveaways to companies pulling in record profits are the epitome of wasteful spending. So this is the Democrats' idea: Let's use the savings from these taxpayer giveaways to drive down the deficit, not drive up oil company profits. There are no gimmicks in this legislation. It simply says, let's apply this money to the deficit. These CEOs and their companies are free to make as much money as they ethically can, and that is the way it should be in our great country. They just don't need the help of the taxpayers of our country. They don't need our help. And the country could sure use that extra $4 billion a year. It is such an obvious solution that it should have happened years ago.

Here we are with one side saying that black is black and the other side still insisting that black is blue. This debate would be a lot easier if the Republicans just came out and said what they really mean. They should simply say openly that they want to protect their friends in big oil. I don't agree with it, but that is their right. Instead, they are peddling misinformation and scare tactics. Republicans should at least have the decency to admit it and then let the American people decide who is best representing their interests.

RECOGNITION OF THE MINORITY LEADER

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

DEBT AND SPENDING

Mr. McCONNELL. Mr. President, anyone who cares about the future of our country should pay attention to the debate we are having right now in Washington. The outcome of this debate will determine whether America goes the way of debt-ridden countries in Europe where unemployment is permanently high and expectations are permanently low or whether we will claim our role as a place where people are rewarded for hard work and for taking risks.

This debate is important for other reasons too. Last month, one of the major ratings agencies gave the United States a negative outlook. It said that because of our debt, we stand a one-in-three chance of being downgraded. The consequences of that would be truly devastating, and so would the impact on our ability to govern. If we allow it to happen, we will be admitting that America cannot solve its problems. I won't accept that.

The fact that we have a crisis is not in doubt. Right now, America is taking in about $2.2 trillion each year in tax revenues, and each year we are spending about $2.2 trillion on mandatory spending programs and net interest on our debt.

What that means is that all of the other spending—every single discretionary dollar we spend right now on

roads, schools, defense, food safety, environmental protection—all of it, every single penny is borrowed money. We do not have a dime to spend above and beyond the dimes we have to spend by law. If that is not a fiscal crisis, I do not know what is.

The Democrats' solution to this crisis is simple: raise the debt limit—raise the debt limit—so we can maintain the status quo. In fact, the chairman of the President's Council of Economic Advisers said in a speech yesterday that it would be ''quite insane'' to do anything about the deficit while increasing the debt ceiling. That from the chairman of the President's Council of Economic Advisers yesterday.

The problem with that is it is not a solution. It is the avoidance of a solution, and that is not what the American people want. The American people spoke loudly and clearly in November. They want to see changes around here. Washington is mortgaging their future and their children's future by spending too much. They did not speak out last November because they expected Republicans to come here and raise taxes. They sent Republicans here to get our fiscal house in order, and that is what we intend to do.

Americans are still outraged that Washington did not do something to prevent the last financial crisis—a crisis most people did not see coming. Failing to prevent one that every one of us knows is coming is, of course, totally inexcusable.

So my message has been clear: Failing to do something about the debt would be far worse in the long run than failing to raise the debt limit, and that is why I am repeating my plea to the Democrats this morning: The time to avert this crisis is right now. The window is closing. We cannot raise the debt ceiling, as the President has requested, without major spending cuts now.

Some have suggested we use triggers. Well, the triggers have already been pulled. What good is a fire alarm that goes off after the building burns down? Agreeing to a trigger is to deny this crisis. We need to face this problem now—not tomorrow, not after the President leaves office, not after the markets collapse, not after hell breaks loose, not after we lose another 3 million jobs and the housing market collapses again—now, right now. Anything less would be a dereliction of duty and a signal to the world that America does not have the will to fix its problems. Republicans refuse to accept that.

That has been my message all along. That is a message we will be taking down to the White House later this morning.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 1 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from Arizona.

Mr. McCAIN. Mr. President, I ask unanimous consent to be recognized for the duration of my remarks.

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

USE OF TORTURE

Mr. McCAIN. Mr. President, the successful end of the 10-year manhunt to bring Osama bin Laden to justice has appropriately heightened the Nation's appreciation for the diligence, patriotism, and courage of our Armed Forces and our intelligence community. They are a great credit and inspiration to the country that has asked so much of them and, like all Americans, I am in their debt.

But their success has also reignited debate over whether the so-called enhanced interrogation techniques of enemy prisoners, including waterboarding, were instrumental in locating bin Laden and whether they are necessary and justifiable means for securing valuable information that might help prevent future terrorist attacks against us and our allies and lead to the capture or killing of those who would perpetrate them. Or are they, and should they be, prohibited by our conscience and laws as torture or cruel, inhuman, and degrading treatment.

I believe some of these practices—especially waterboarding, which is a mock execution, and thus to me indisputably torture—are and should be prohibited in a nation that is exceptional in its defense and advocacy of human rights. I believe they are a violation of the Detainee Treatment Act of 2005, the Military Commissions Act of 2006, and Common Article Three of the Geneva Conventions, all of which forbid cruel, inhuman, and degrading treatment of all captured combatants, whether they wear the uniform of a country or are essentially stateless.

I opposed waterboarding and similar so-called enhanced interrogation techniques before Osama bin Laden was brought to justice, and I oppose them now. I do not believe they are necessary to our success in our war against terrorists, as the advocates of these techniques claim they are.

Even more importantly, I believe that if America uses torture, it could someday result in the torture of American combatants. Yes, I know al-Qaida and other terrorist organizations do not share our scruples about the treatment of enemy combatants, and have and will continue to subject American soldiers and anyone they capture to the cruelest mistreatment imaginable. But we must bear in mind the likelihood that someday we will be involved in a more conventional war against a state and not a terrorist movement or insurgency and be careful that we do not set a standard that another country could use to justify their mistreatment of our prisoners.

Lastly, it is difficult to overstate the damage that any practice of torture or cruel, inhuman, and degrading treatment by Americans does to our national character and historical reputation—to our standing as an exceptional nation among the countries of the world. It is too grave to justify the use of these interrogation techniques. America has made its progress in the world not only by avidly pursuing our geopolitical interests, but by persuading and inspiring other nations to embrace the political values that distinguish us. As I have said many times before, and still maintain, this is not about the terrorists. It is about us.

I understand the reasons that govern the decision to approve these interrogation methods, and I know those who approved them and those who employed them in the interrogation of captured terrorists were admirably dedicated to protecting the American people from harm. I know they were determined to keep faith with the victims of terrorism and to prove to our enemies that the United States would pursue justice tirelessly, relentlessly, and successfully, no matter how long it took. I know their responsibilities were grave and urgent, and the strain of their duty was considerable. I admire their dedication and love of country. But I dispute that it was right to use these methods, which I do not believe were in the best interests of justice or our security or the ideals that define us and which we have sacrificed much to defend.

I do not believe anyone should be prosecuted for having used these techniques in the past, and I agree that the administration should state definitively that no one will be. As one of the authors of the Military Commissions Act, which I believe prohibits waterboarding and other ''enhanced interrogation techniques,'' we wrote into the language of the law that no one who used them before the enactment of the law should be prosecuted. I do not think it is helpful or wise to revisit that policy.

Many advocates of these techniques have asserted their use on terrorists in our custody, particularly Khalid Sheikh Mohammed, revealed the trail to bin Laden—a trail which had gone cold in recent years but would now lead to his destruction. The former Attorney General of the United States, Michael Mukasey, recently claimed that ''the intelligence that led to bin Laden . . . began with a disclosure from

Khalid Sheikh Mohammed, who broke like a dam under the pressure of harsh interrogation techniques that included waterboarding. He loosed a torrent of information—including eventually the nickname of a trusted courier of bin Laden.'' That is false.

With so much misinformation being fed into such an essential public debate as this one, I asked the Director of Central Intelligence, Leon Panetta, for the facts, and I received the following information:

The trail to bin Laden did not begin with a disclosure from Khalid Sheikh Mohammed, who was waterboarded 183 times. We did not first learn from Khalid Sheikh Mohammed the real name of bin Laden's courier, or his alias, Abu Ahmed al-Kuwaiti—the man who ultimately enabled us to find bin Laden. The first mention of the name Abu Ahmed al-Kuwaiti, as well as a description of him as an important member of al-Qaida, came from a detainee held in another country. The United States did not conduct this detainee's interrogation, nor did we render him to that country for the purpose of interrogation. We did not learn Abu Ahmed's real name or alias as a result of waterboarding or any ''enhanced interrogation technique'' used on a detainee in U.S. custody. None of the three detainees who were waterboarded provided Abu Ahmed's real name, his whereabouts, or an accurate description of his role in al-Qaida.

In fact, not only did the use of ''enhanced interrogation techniques'' on Khalid Sheikh Mohammed not provide us with key leads on bin Laden's courier, Abu Ahmed, it actually produced false and misleading information. Khalid Sheikh Mohammed specifically told his interrogators that Abu Ahmed had moved to Peshawar, got married, and ceased his role as an al-Qaida facilitator—which was not true, as we now know. All we learned about Abu Ahmed al-Kuwaiti through the use of waterboarding and other ''enhanced interrogation techniques'' against Khalid Sheikh Mohammed was the confirmation of the already known fact that the courier existed and used an alias.

I have sought further information from the staff of the Senate Intelligence Committee, and they confirmed for me that, in fact, the best intelligence gained from a CIA detainee—information describing Abu Ahmed al-Kuwaiti's real role in al-Qaida and his true relationship to Osama bin Laden—was obtained through standard, noncoercive means, not through any ''enhanced interrogation technique.''

In short, it was not torture or cruel, inhuman, and degrading treatment of detainees that got us the major leads that ultimately enabled our intelligence community to find Osama bin Laden. I hope former Attorney General Mukasey will correct his misstatement. It is important that he do so because we are again engaged in this important debate, with much at stake for America's security and reputation. Each side should make its own case but do so without making up its own facts.

For my part, I would oppose any legislation, if any should be proposed, that is intended to authorize the administration to return to the use of waterboarding or other methods of interrogation that I sincerely believe are torture or cruel, inhuman, and degrading, and as such unworthy of and injurious to our country. This debate is ongoing, but I do not believe it will lead to a change in current policy prohibiting these methods.

Perhaps this is a debate for the history books. But it is still important because Americans in a future age, as well as their leaders, might face these same questions. We should do our best to provide them a record of our debates and decisions that is notable not just for its passion but for its deliberativeness and for opinions that were formed by facts, and formed with scrupulous care by both sides for the security of the American people and the success of the ideals we cherish. We have a duty to leave future American generations with a history that will offer them not confusion but instruction as they face their crises and challenges and try to lead America safely and honorably through them. Both sides cannot be right, of course, but both sides can be honest, diligent, and sincere.

Let me briefly elaborate my reasons for opposing the return to these interrogation policies.

Obviously, to defeat our enemies we need intelligence, but intelligence that is reliable. We should not torture or treat inhumanely terrorists we have captured. I believe the abuse of prisoners harms, not helps, our war effort. In my personal experience, the abuse of prisoners sometimes produces good intelligence but often produces bad intelligence because under torture a person will say anything he thinks his captors want to hear—whether it is true or false—if he believes it will relieve his suffering. Often, information provided to stop the torture is deliberately misleading, and what the advocates of cruel and harsh interrogation techniques can never prove is that we could not have gathered the same intelligence through other more humane means—as a review of the facts provides solid reason to be confident that we can. The costs of assuming otherwise can be hugely detrimental.

It has been reported, and the staff of the Senate Intelligence Committee confirms for me, that a man named Ibn al-Sheikh al-Libi had been captured by the United States and rendered to Egypt where we believe he was tortured and provided false and misleading information about Saddam Hussein's weapons of mass destruction program. That false information was ultimately included in Secretary of State Colin Powell's statement to the U.N. Security Council and, I assume, helped influence the Bush administration's decision to invade Iraq.

Furthermore, I think it is supremely unfair to the men and women in our intelligence community and military who labored for a decade to locate Osama bin Laden to claim falsely that they only succeeded because we used torture to extract actionable intelligence from a few detainees several years ago. I have not found evidence to suggest that torture—or since so much of our disagreement is definitional, interrogation methods that I believe are torture and which I believe are prohibited by U.S. law and international treaty obligations we are not just a party to but leading advocates of—played an important part in finding and killing bin Laden. Rather, I think his death at the hands of the United States argues quite the contrary, that we can succeed without resort to these methods.

It is also the case that the mistreatment of enemy prisoners endangers our own troops who might someday be held captive. While some enemies, and al-Qaida surely, will never be bound by the principle of reciprocity, we should have concern for those Americans captured by more conventional enemies if not in this war then in the next. Until about 1970, North Vietnam ignored its obligations not to mistreat the Americans they held prisoner, claiming that we were engaged in an unlawful war against them and thus not entitled to the protections of the Geneva Conventions. But when their abuses became widely known and incited unfavorable international attention, they subsequently decreased their mistreatment of our POWs.

Some have argued if it is right to kill bin Laden, then it should also be right to torture him had he been captured rather than killed. I disagree. First, the Americans who killed bin Laden were on a military mission against the leader of a terrorist organization with which we are at war. It was not a law enforcement operation or primarily an intelligence operation. They could not be certain that bin Laden, even though he was unarmed, did not possess some means of harming them—a suicide vest, for instance—and they were correctly instructed to take no unnecessary chances in the completion of their mission.

Second, bin Laden was a mass murderer. Had we captured him, he would have eventually received the ultimate sanction for his terrible crimes, as captured war criminals in previous wars have. But war criminals captured, tried, and executed in World War II, for instance, were not tortured in advance of their execution, either in retaliation for their crimes or to elicit information that might have helped us locate, apprehend, and convict other war criminals. This was not done because civilized nations have long made a distinction between killing and injuring in the heat of combat, on the one hand, and the deliberate infliction of physical torture on an incapacitated fighter on the other.

This distinction is recognized not only in longstanding American values

and practices but also in the Geneva Conventions that provide legal protections for our own fighting men and women.

All of these arguments have the force of right but, ultimately, even they are beside the most important point. There are many arguments to be made against torture on practical grounds. As I have said, I believe torture produces unreliable information, hinders our fight against global terrorism, and harms our national interest and reputation. But, ultimately, this debate is about far more than technical or practical issues. It is about far more than whether torture works or does not work. It is about far more than utilitarian matters.

Ultimately, this is about morality. What is at stake is the very idea of America—the America whose values have inspired the world and instilled in the hearts of its citizens the certainty that no matter how hard we fight, no matter how dangerous our adversary, in the course of vanquishing our enemies, we do not compromise our deepest values. We are America, and we hold our ourselves to a higher standard. That is what is at stake.

Although Osama bin Laden is dead, America remains at war, and to prevail in this war we need more than victories on the battlefield. This is a war of ideas as well, a struggle to advance freedom in the face of terror in places where oppressive rule has bred the malevolence that feeds the ideology of violent extremism. Prisoner abuses exact a terrible toll on us in this war of ideas. They inevitably become public, and when they do they threaten our moral standard and expose us to false but widely disseminated charges that democracies are no more inherently idealistic and moral than other regimes.

I understand that Islamic extremists who resort to terror would destroy us utterly if they could obtain the weapons to do so. But to defeat them utterly, we must also prevail in our defense of the universal values that ultimately have the greatest power to eradicate this evil ideology.

Although it took a decade to find him, there is one consolation for bin Laden's 10-year evasion of justice. He lived long enough to see what some are calling the Arab spring, the complete repudiation of bin Laden's world view and the cruel disregard for human life and human dignity he used to advance it. In Egypt and Tunisia, Arabs successfully reclaimed their rights from autocracies to determine their own destiny without resort to violence or the deliberate destruction of innocent life. Now Arabs are trying valiantly, by means as just as their cause, to do the same in Syria and elsewhere.

As the United States discusses and debates what role we should play to influence the course of the Arab spring, can we not all agree that the first and most obvious thing we can do is stand as an example of a just government and equal justice under the law, as a champion of the idea that an individual's human rights are superior to the will of the majority or the wishes of the government?

Individuals might forfeit their life and liberty as punishment for breaking laws, but even then, as recognized in our Constitution's prohibition of cruel and unusual punishment, they are still entitled to respect for their basic human dignity, even if they have denied that respect to others.

I do not mourn the loss of any terrorist's life, nor do I care if in the course of serving their malevolent cause they suffer great harm. They have earned their terrible punishment in this life and the next. What I do mourn is what we lose when by official policy or official neglect we allow, confuse, or encourage those who fight this war for us to forget that best sense of ourselves, that which is our greatest strength; that when we fight to defend our security, we also fight for an idea, not a tribe, not a land, not a king, not a twisted interpretation of an ancient religion, but for an idea that all men are endowed by their Creator with inalienable rights.

It is indispensable to our success in this war that those we ask to fight it know that in the discharge of their dangerous responsibilities to our country, they are never expected to forget they are Americans and the valiant defenders of a sacred idea of how nations should be governed and conduct their relations with others—even our enemies.

Those of us who have given them this onerous duty are obliged by our history and the many terrible sacrifices that have been made in our defense to make clear to them that they need not risk our country's honor to prevail, that they are always—through the violence, chaos, and heartache of war, through deprivation, cruelty and loss they are always Americans, and different, stronger, and better than those who would destroy us.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The majority leader is recognized.

Mr. REID. Mr. President, in 1982, I was elected to the U.S. House of Representatives. I was elected along with the now-senior Senator from the State of Arizona, JOHN MCCAIN. We were both part of that class of 1982.

I have given a lot of speeches on this Senate floor. So has my friend from Arizona and so have all of us. Frankly, most of the speeches we give may have a little bite for a day or two. But the speech just given by my friend, the senior Senator from Arizona, will be forever remembered in our country and in this body.

Senator MCCAIN and I have had our differences over the years. That does not take away from the fact that we are friends. We love prizefighting, and we love our States that are neighbors, Arizona and Nevada. He has an admirable record representing his party and running for the Presidency of the United States and chairman of a number of committees during his tenure in the Senate. We came to the Senate together, in addition to the House of Representatives.

I want the record to reflect my admiration and respect—as I believe the whole Senate's respect—for the speech given by this fine man from Arizona. No one in the Senate—no one, without any qualification—could have given the speech that was given today. Why? Because he speaks with knowledge—personal knowledge—that I am sure he still remembers in those dark nights when he is trying to rest about his having been tortured. Here is a man who, after having been tortured brutally, solitary confinement for not a week, not a month but years, was given permission by the North Vietnamese to go home: We will let you go home.

He said: I am not going home unless I go home with my colleagues who are in prison with me. Think about that—that concentration camp, basically.

I wish I had the ability to express in words my admiration for what he has just said because the things we do when it comes to our evil enemy, to say that all holds are barred does not work. The easy thing to do would be to say we should treat them as poorly as they treat us. But it takes a resume and courage to stand and speak as my friend from Arizona did today.

Mr. MCCAIN. Mr. President, may I thank my very honorable friend and adversary for his kind remarks. I will always remember them. I thank him.

Mr. REID. Mr. President, I will end my remarks today by reading three paragraphs from an op-ed that is running all over the country today, in newspapers all over America, an op-ed written by Senator JOHN MCCAIN:

> As we debate how the United States can best influence the course of the Arab Spring, can't we all agree that the most obvious thing we can do is stand as an example of a nation that holds an individual's human rights as superior to the will of the majority or the wishes of government? Individuals might forfeit their life as punishment for breaking laws, but even then, as recognized in our Constitution's prohibition of cruel and unusual punishment, they are still entitled to respect for their basic human dignity, even if they have denied that respect to others.
>
> All of these arguments have the force of right, but they are beside the most important point. Ultimately, this is more than a utilitarian debate. This is a moral debate. It is about who we are.
>
> I don't mourn the loss of any terrorist's life. What I do mourn is what we lose when by official policy or official neglect we confuse or encourage those who fight this war for us to forget the best sense of ourselves.
>
> Through the violence, chaos and heartache of war, through deprivation and cruelty and loss, we are always Americans, and different, stronger and better than those who would destroy us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I will speak in morning business. Before I do

that, I wish to associate myself with the remarks of the Senator from Nevada in paying tribute to the Senator from Arizona. Senator MCCAIN's words were both eloquent and profound, and they reflect not only his strong beliefs but his own personal experience and also reflect something else that has been consistent in everything he has done in the Senate; that is, his respect and deep regard for the men and women of the military services. His reflections today remind us of what they have done and of the high standards of conduct they expect of themselves and that we have to recognize also. Again, I join Senator REID in saluting Senator MCCAIN for his words but, as he does so many times, for also being the conscience of the Senate on so many important topics.

TAX SUBSIDIES

Mr. REED. Mr. President, I want to talk about the provisions my colleagues and I have introduced to ensure that the large oil companies of this Nation which are receiving great tax subsidies no longer receive taxpayer money to subsidize their profits, and to target those savings towards deficit reduction, which is one of the great tasks before us.

We are seeing an extraordinary runup in gas prices. In Rhode Island, the prices are exceeding $4 a gallon. These high gas prices threaten our economic recovery and they also put a brake on the expansion in job growth which is so necessary for all of our citizens. In fact, it is estimated that because of these gas prices, U.S. households will pay about $825 more in 2011 for gasoline than they did last year. That is a big bite out of the discretionary spending available to moderate-income families across this country.

One aspect of this runup in gas prices is the role of speculation. I am pleased that the President responded to a letter I led suggesting the appointment of a task force to look into this. He created the Oil and Gas Price Fraud Working Group, and under the leadership of Attorney General Eric Holder, they are looking seriously at the speculative aspects of the runup in gas prices. Some economists estimate that excessive speculation can drive up prices by as much as $1 a gallon. In fact, the huge retreat in the commodities market for oil last week suggests that much more than just simple supply and demand is responsible for these huge price increases, and we have to look carefully at this.

I am pleased to be a cosponsor, along with Senator MENENDEZ and several of my colleagues, of the Close Big Oil Tax Loopholes Act. It is extraordinarily ironic—and that is a mild term—to see the oil industry receiving huge subsidies at a time when market prices are producing what you would think would be the major incentive oil and gas companies need to explore and develop, and that incentive is the rather substantial given prices at the pump throughout the Nation. In fact, these prices have transformed and turned themselves into huge profits for the industry. ExxonMobil, for example, posted its biggest first-quarter profit in 8 years, with net income rising 69 percent, to $10.7 billion. In fact, the combined profits of the big five oil companies were more than $30 billion for the first quarter. Those are the kinds of rewards in the marketplace that suggest to everybody that the need for subsidies from the government is nonexistent. Indeed, what we have seen, rather than using the subsidies and these excess profits to go out and intensify the search for new oil, is that most of this has gone to providing dividends or stock buybacks to stockholders. That is a legitimate use of corporate money, but it really undercuts this notion that these subsidies are so essential for the companies to be competitive and also necessary for the kind of activity they are undertaking to search for and develop new oil resources.

There are so many aspects of the bill that I think are positive. They have been, in part or in whole, debated before. The bill ends a deduction the oil industry receives for the production of oil that is meant to assist American manufacturers, not oil producers. Some suggest that the oil companies only discovered this tax loophole after the fact but exploited it very aggressively, that it was intended for small companies that are producing physical products that could be shipped around the country; not for bringing in oil, reprocessing it, refining it, and getting a tax break. There are so many other irrational aspects of these subsidies that, again, the subsidies themselves have been called for a serious review, evaluation, and indeed elimination.

The other factor that compels us to take this step today is that we have to begin to reduce the deficit. All of the resources that are being saved, we hope through this legislation, will be targeted to deficit reduction. We can continue to provide the necessary support for our economy through a healthy oil and gas system, but not to subsidize an industry that does well in the marketplace, and we ought to use those funds to reduce the deficit.

There is another aspect not directly related to the provisions Senator MENENDEZ and I support, but relates to this debate. At the same time as the big oil companies defend these subsidies, they are also pushing for increased offshore drilling, but are unwilling to help ensure that it is safe. For example, we have tried to get the oil and gas industry to at least pay more for the inspections that are so necessary on these offshore platforms to provide for safety and prevent another Deepwater Horizon explosion. The administration has proposed an increase in fees oil companies pay for rig inspections from the present fee of $3,250 to $17,000, and the companies have balked at this. Here is an industry that is deriving huge tax subsidies, and obviously the example of the devastating Deepwater Horizon explosion and spill has raised serious concerns about the ability to manage and safely develop some of these offshore platforms, and essentially they are saying: No, we are not going to pay more for the inspection fees that are necessary.

The total increase is minimal. In fact, let me give a comparison. BP, British Petroleum, would be asked to pay about $1.5 million in fees, if this new fee structure were in effect, for their offshore platforms. That would represent about 0.01 percent of the $10.9 billion in revenues from the Gulf of Mexico last year. Yet the companies are saying no. When it comes to paying their fair share for inspections that directly benefit them, provide further confidence to the public that their operations are successful, and give them, frankly, more confidence in allowing or encouraging further offshore drilling, they say no. But when it comes to tax subsidies that benefit their bottom line, they say yes, yes, yes.

I think what we have to do is press forward to ensure that these tax subsidies are revoked, and dedicate these tax subsidies to deficit reduction. In that way, we can let the market decide on the success or failure of these companies. That is one of the mantras I hear so often from many here, particularly from my colleagues on the other side of the aisle. I think it can be done without in any way impacting the cost of fuel in the United States.

I think, frankly, what we are seeing—going back to my initial point—is that there are factors beyond tax subsidies that are driving up the cost of fuel: speculation; issues of the international exchange; the value of the dollar. But it is quite clear, given our dependency—and we have to get off that dependency on oil—that there will be a robust market for petroleum products in this country for the foreseeable future. That market alone justifies increased exploration, research, and other activity, and it will reward the companies. These subsidies are not necessary. Instead of wasting taxpayer money on subsidizing big oil profits, it is time we close these loopholes and return the savings to the American taxpayer. With that, I urge rapid support and favorable support of Senator MENENDEZ's legislation.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

USE OF TORTURE

Mr. DURBIN. Mr. President, there was a column written in this morning's

Washington Post which was extraordinary. It was written by one of our Republican colleagues, Senator JOHN MCCAIN of Arizona.

JOHN MCCAIN and I came to the House of Representatives in the same year—1983. Though he came to the Senate first, we have worked on many things together over the years. We have our differences, that is for sure. But there are times when JOHN does extraordinarily good things, and this morning was one of them. He wrote a column in the Washington Post about the issue of torture. It is an issue that has been in the headlines for the last 2 weeks, after the capture and killing of Osama bin Laden and the questions raised as to whether so-called enhanced interrogation techniques, or torture in another parlance, were used to obtain information that led to Osama bin Laden.

A few years ago, that issue came up on the floor of the Senate. I had strong feelings about it. But Senator MCCAIN stepped up and led the effort to put the Senate and our government on record that we were opposed to the use of torture. No person is better qualified in this Congress to speak to it than Senator MCCAIN. He was a victim of torture himself when he served in the U.S. Navy during the Vietnam war. He was shot down as a naval aviator and spent more than 5 years in prison. I cannot imagine what that must have been like. Couple that with the severe physical injuries he still labors with today and the torture—mental and physical—that accompanied it, and no person is as well qualified as Senator MCCAIN to speak to it.

This morning, in the Washington Post, he once again stated what may not be the popular view but I believe is the right view—that the United States should make it clear we do not accept torture as a standard for our conduct when it comes to dealing with our enemies. For the longest time, that has been our standard. It was only relaxed or changed after 9/11, when some in a previous administration argued that was the only way to get information from these hard-core terrorists.

Senator MCCAIN made a good point in his article this morning in the Washington Post. He asked Leon Panetta, head of the Central Intelligence Agency, whether there was any linkage to these enhanced interrogation techniques and the information that led to the disclosure of the messenger who was then linked to Osama bin Laden which led to his capture. Leon Panetta said no, and MCCAIN revealed that in his article. In fact, the information which came out of waterboarding one of these terrorists ended up being just plain wrong. Senator MCCAIN made the point in his article, when you are being tortured, you will say almost anything to make the torture stop. You will lie, if you have to, just to make it stop. That is what happened here.

So I wish to commend him. It was courageous for him to write that article this morning—not very popular but right. I wish to thank JOHN on behalf of both sides of the Senate aisle for his leadership and for having the courage to speak out on such an important issue relative to the values of America and who we are.

He ended his column talking about how we would expect our troops to be treated if they were taken prisoner. If anyone tortured an American soldier, I don't know of a single American who wouldn't step forward and say it is an outrage. Well, if we are going to stand for humane treatment, sensible treatment of detainees, then we are doing it not only to protect our values but to protect our men and women who serve this country both in the intelligence agencies and in the military services.

OIL SUBSIDIES

Mr. DURBIN. Mr. President, an issue is going to come up next week which is very important for every American family and business; that is, the issue of gasoline prices. I have been across my State, and as I mentioned on the floor earlier, my expert on gasoline prices is my wife. When I speak to her in the morning in Springfield, IL, she will tell me the latest in gasoline prices. Last week, it was $4.20 a gallon. I don't know what it is this week. But what she asks me is—as everyone in Illinois must ask—what are you going to do about it?

It turns out we are going to do something. It may not have a direct impact on gas prices, but it certainly has a direct impact on our policy toward oil companies. You see, American families are being clobbered three times by high prices at gasoline stations: first, at the pump; second, when we give $4 billion in subsidies every year in the Tax Code to oil companies; and third, when we have to borrow the money from China to give to these oil companies and we end up paying interest to China—ourselves, our children, and our grandchildren.

Paying three times for outrageous gasoline prices is an outrage itself. The big oil companies have made almost $1 trillion in profits over the last 10 years—over $35 billion in the first 3 months of this year. Some of these oil companies are breaking records on Wall Street for corporate profits. The Wall Street Journal also reported last week that the CEOs of oil and gas companies who are appearing before the Senate Finance Committee today had the highest median compensation—at $13.7 million annually in 2010, up 17.3 percent from the year before.

In addition to the profits, the oil industry receives over $4 billion in tax giveaways each year. Instead of using that money to lower prices at the pump, these giveaways have merely been used to pad the profits and the compensation of the oil companies and their executives. Yesterday, Senator MENENDEZ introduced a bill, which I am cosponsoring, to end the special treatment of tax breaks given to the five largest oil companies in America. This would save Americans over $4 billion a year, and it is our goal to use that money to reduce our Nation's deficit.

Americans across the board agree it is time to end this corporate welfare for the big oil companies. In a recent poll, three out of four Americans support eliminating tax credits for the oil and gas industries to reduce the Federal deficit. We have to deal with our deficit that is growing at an unsustainable rate, and I am hoping this will be a commonsense, good-faith, bipartisan agreement to end these subsidies. We can take the taxpayer dollars flowing to the oil companies and give them, instead, to those who are dealing with our deficit to reduce it.

Incidentally, we are not talking about business expenses at these oil companies, which is what many of these executives would like to have people think. These are subsidies used to increase profits and reduce their tax burden. Last year, Exxon had an effective tax rate on its U.S. income of 16 percent—less than half the corporate tax rate. According to the Congressional Budget Office, the average American has an effective tax rate of over 20 percent. So Exxon was actually paying a lower tax rate on their profits than the average American pays on their income.

In addition, the big five oil companies have used 71 percent of their profits not for exploration and production, which is what they would like you to think, but rather for boosting share prices. Actually, they used only 12 percent of their prices for exploration and new development. In other words, these oil companies spend almost six times as much on dividends and stock buybacks as they do in looking for new sources of oil. The primary use of these subsidies is not to discover new oil, it is to discover new record-breaking profits.

It is time for government handouts to these extremely profitable, well-established companies to come to an end. Ending them will not raise gas prices, as some Republicans have argued. We are dealing with a world market for oil. The price is set by the global market. Gasoline prices have risen significantly, even with these subsidies in place. Removing them will not change these prices.

The Congressional Research Service has said the effects of removing the subsidies would be very small. According to the Department of the Treasury, removing them would cause the loss of less than one-tenth of 1 percent of the global oil supply and have little or no impact on prices in the United States.

In addition, removing oil subsidies reduces U.S. oil production by less than one-half of 1 percent, and it will increase exploration and production costs by less than 2 percent for companies that are making record-breaking profits.

Removing these subsidies will not affect the price of gasoline, nor will increasing our domestic production. That is the other thing. Remember the chant ''drill baby drill''? It was all over the place during the last Presidential campaign. In fact, domestic oil production in 2010 was at the highest it has been in 7 years. Even with production strongly increasing, oil prices keep going up, and so do gas prices.

Keep in mind, the United States has less than 2 percent of the world's proven oil reserves and every year we use 25 percent of the world's oil production. Even though we have increased production, we still see prices going up. Our fuel price would not be altered by increased drillings. We would still need to import over 50 percent of our oil.

As has been said many times: We can't drill ourselves out of this problem. We simply don't have enough oil. The only way to end our dependence and insulate ourselves from high gas prices is to finally develop for America a national energy policy. Other countries have one. We don't. We need a sound, comprehensive policy that includes plans for energy efficiency and new renewable sources. Increased drilling is not going to significantly reduce gas prices.

Actually, Congress has taken another step to help consumers bring prices under control at the gas pumps. Last year, Congress voted to reform the swipe fee that big banks get paid from merchants on debit card transactions. So every time you fill the tank and swipe your debit card, you are paying, on average, 40 cents or more to the bank for the swiping of that card. What we have done is to say the Federal Reserve should establish a reasonable and proportional level for that fee. They think it should be much less than 40 cents.

The big banks and credit card companies are screaming bloody murder. The notion that the gas company, the convenience store, the retailer, the restaurant, the hotel would not have to pay these high swipe fees means a loss in profits to the big banks. But what it means to consumers is more competition in price and lower prices. As long as you have a competitive market—one gas station across the street from another—when you reduce the cost to the owner of the gas station, you are more likely to see a reduction in the prices charged to consumers.

I received a letter on Tuesday from 52 national, regional, and State trade associations representing virtually all the gas retailers in America. They made it clear swipe fees inflate gasoline prices and that because the gas retailing industry is extremely competitive, lower swipe fees will produce savings that will be passed on to consumers.

The big banks and credit card companies are trying to stop this reform. You can understand that. These credit card companies and big banks make over $1 billion a month on what they charge for our using a debit card. If you bring it down to an actual reasonable and proportional cost, they will make less, merchants will get more, and consumers will pay less.

There is a movement to try to delay this for a so-called study of 30 months. I did the calculation. Thirty months times the profits the big banks and credit card companies will take out of the existing swipe fee comes to about $40 billion that is going to be taken out of the American economy if we agree to a 2½- or 3-year delay of this. That is not fair to consumers, it doesn't help the economy, and it doesn't help bring down gasoline prices.

American families can't afford to continue paying for high gasoline prices at the pump, in subsidies to oil companies, and in interest paid on money borrowed from other governments to help us pay these subsidies. It is time to end these handouts to the big profitable oil companies. It is time to rein in the swipe fee that is benefitting the biggest banks in America as well as the credit card companies. It is time to finally focus on families and consumers across America who have a challenge today because of this increase in cost.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated May 10, 2011.

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

MAY 10, 2011.

Hon. RICHARD DURBIN,
Majority Whip, U.S. Senate,
Washington, DC.

DEAR SENATOR DURBIN: Our associations represent virtually every part of the retail industry selling motor fuels in the United States. Like many Americans, we are concerned about the price of gasoline today. Not only are rising prices bad for our customers, but when the price of gasoline rises, retailers make less money. That might not make sense at first glance, but the retail sale of gasoline is extremely price competitive. Retailers put their prices on large signs that motorists can see as they drive. Studies have shown that customers will drive out of their way just to save one or two cents per gallon. As a result, when the wholesale price of gasoline rises, retailers cannot raise prices to consumers fast enough to keep pace.

This is one of the many reasons why the swipe fees paid by our industry are so offensive. Swipe fees are fixed centrally by the credit card giants for both debit and credit cards as a fixed fee plus a percentage of the transaction. That means the fee retailers pay to sell gasoline goes up every time the price of gasoline goes up. While gasoline retailers make less money on rising prices, they pay higher and higher fees. That simply is not fair.

With gasoline nearing $4 per gallon, debit swipe fees average about 6 cents per gallon—and credit swipe fees are about 8 cents per gallon. Our customers worry about every extra penny they pay for gasoline and 6 to 8 cents extra is far too much money. To put these huge fees in perspective, consider that every penny per gallon change in the retail price of gasoline costs consumers an additional $3.75 million per day or $1.38 billion each year.

The surest and swiftest way to reduce gas prices, however, is to let the Durbin amendment and the Federal Reserve's rule implementing it take effect on time. Doing that will reduce the fees gasoline retailers pay, and the EIA definitively concluded in a 2003 report that gasoline retailers pass through 100 percent of cost reductions in the form of lower gasoline prices. That means lower debit swipe fees will lead to lower gas prices.

Senator Tester's bill (S. 575) would do the opposite. It would stop swipe fee relief for two years and keep pushing up gas prices. That same 2003 EIA study found that cost increases get passed along in the form of higher gas prices. Therefore, a vote for S. 575 is a vote for two years of higher gas prices than anyone should be paying.

There are many reasons why reform is needed now to limit the price-fixing by credit card giants and banks on debit swipe fees. While some of those reasons might be subject to debate, it is hard for any of us in the business of gasoline retailing to understand why—given the pricing pressures we and our customers all face today—any Senator would vote for two years of higher gas prices when some relief is only a couple of months away. We urge you in the strongest terms to vote against S. 575, a bill that will keep gas prices too high.

Sincerely,

NACS—National Association of Convenience Stores; NATSO—National Association of Truck Stop Operators; PMAA—Petroleum Marketers Association of America; IGMA—Society of Independent Gasoline Marketers of America; P&CMA—Petroleum & Convenience Marketers of Alabama; APMA—Arizona Petroleum Marketers Association; AOMA—Arkansas Oil Marketers Association, Inc.; CIOMA—California Independent Oil Marketers Association; CWPMA—Colorado Petroleum Marketers and Convenience Store Association; ICPA—Independent Connecticut Petroleum Association FPMA—Florida Petroleum Marketers & Convenience Store Association, Inc.; GOA—Georgia Oilmen's Association; HPMA—Hawaii Petroleum Marketers Association; IPM&CSA—Idaho Petroleum Marketers and Convenience Store Association; IPMA/IACS—Illinois Petroleum Marketers Association/Illinois Association of Convenience Stores; IPCA—Indiana Petroleum Marketers and Convenience Store Association, Inc.; PMCI—Petroleum Marketers & Convenience Stores of Iowa; PMCA—Petroleum Marketers and Convenience Store Association of Kansas; KPMA—Kentucky Petroleum Marketers Association; LOMACS—Louisiana Oil Marketers and Convenience Store Association; MODA—Maine Energy Marketers Association; MPAMACS—Michigan Petroleum Association/Michigan Association of Convenience Stores; MAPDA—Mid-Atlantic Petroleum Distributors' Association; MPM—Minnesota Petroleum Marketers Association; MPMCSA—Mississippi Petroleum Marketers & Convenience Stores Association; MPCA—Missouri Petroleum Marketers and Convenience Store Association; MPMCSA—Montana Petroleum Marketers and Convenience Store Association; NCPA—Nebraska Petroleum Marketers & Convenience Store Association; NPM&CSA—Nevada Petroleum Marketers & Convenience Store Association; NEFI—New England Fuel Institute; IOMANE—Independent Oil Marketers Association of New England; FMANJ—Fuel Merchants Association of New Jersey; NMPMA—New Mexico Petroleum Marketers Association;

ESPA—Empire State Petroleum Association, Inc. (NY); NCPCM—North Carolina Petroleum & Convenience Marketers; NDPMA—North Dakota Petroleum Marketers Association; OPMCA—Ohio Petroleum Marketers & Convenience Store Association; OPMCA—Oklahoma Petroleum Marketers & Convenience Store Association; OPA—Oregon Petroleum Association; PPMCSA—Pennsylvania Petroleum Marketers & Convenience Store Association; SCPMA—South Carolina Petroleum Marketers Association; SDPPMA—South Dakota Petroleum and Propane Marketers Association; TFCA—Tennessee Fuel & Convenience Store Association; TPCA—Texas Petroleum Marketers and Convenience Store Association; UPMRA—Utah Petroleum Marketers and Retailers Association; VFDA—Vermont Fuel Dealers Association; VPCGA—Virginia Petroleum, Convenience and Grocery Association; WOMA—Washington Oil Marketers Association/Pacific Northwest Oil Heat Council; WPMA—Western Petroleum Marketers Association; OMEGA—West Virginia Oil Marketers and Grocers Association; WPMCA—Wisconsin Petroleum Marketers & Convenience Store Association; CWPMA—Wyoming Petroleum Marketers and Convenience Store Association.

THANKING MAYOR RICHARD M. DALEY

Mr. DURBIN. Mr. President, if you were to have visited the city of Chicago in the last 50 years and someone had asked you the name of the mayor and you said Daley, you would have been right about 90 percent of the time because for 42 of the last 55 years there has been a Richard Daley as mayor of Chicago. Monday marks the end of that era, when Richard M. Daley steps down as the current mayor after six terms in office. He has led Chicago for 22 years and 8 months, 5 months longer than his dad and longer than any mayor in Chicago's history.

I know Rich Daley pretty well. We started together in politics. He was a State senator and I was a staff attorney to the Illinois State Senate back in 1970s. Back then, he was a young father with a young family, brand new to public life. I worked for him on the Senate Judiciary Committee and I got to know him sitting next to him for many hours of hearings, watching his reaction to ideas, measuring the man.

He and his wife Maggie were going through a tough time then. They had a little baby who was very sick and eventually passed away. It was an emotionally draining experience for the whole family and those of us who worked closely with him felt the sense of loss that he and his family experienced. But he is an extraordinary man.

Richard Michael Daley was born in 1942, the fourth of seven children, and the eldest son of Richard J. Daley and Sis Daley. His father, who ran Chicago from 1955 until his death in 1976, was one of the most powerful big city mayors America has ever known.

Rich Daley grew up in a modest red brick house in Bridgeport, a storied Irish neighborhood of blue-collar bungalows on the south side of Chicago. The famine Irish immigrants who settled the neighborhood in the 19th century called it ''Hardscrabble.''

Rich Daley's mom and dad taught the kids that family always comes first. His father, even as mayor, made a practice of eating dinner every night at home with his family, with very few exceptions.

Mayor Daley introduced his kids to politics at an early age. Often after dinner he bundled them up and put them in the car and took them to ward meetings he was attending, so I guess politics is in the Daley blood.

One brother, Bill, is now President Obama's Chief of Staff. He served as U.S. Commerce Secretary under President Clinton. Another brother, John Daley, is a Cook County commissioner. In Chicago's De La Salle High School, which Rich Daley attended, his nickname was ''Mayor.'' No surprise. In his yearbook he said his ambition was to become a ''great lawyer and a politician.''

His family name may have helped open some doors to his dreams, but then he had to make a name for himself. As he once told a reporter, his father said to him: ''I can put you on the ballroom floor, but you have to dance yourself.''

He started his political life as a delegate to the convention that rewrote Illinois' constitution in 1970. Two years later, he was elected to the Illinois State Senate in a landslide. As a senator, he steered to passage important mental health and nursing home reforms. He pushed for laws to combat child abuse and drug abuse—and against a sales tax on food and medicine.

In 1980, he was elected Cook County State's attorney. As the county's chief prosecutor, he earned a reputation for law and order. He tripled the number of African-American prosecutors in the office and was reelected twice. He first ran for mayor in 1983. After finishing last in a three-way primary, he considered getting out of politics. Thank goodness, he changed his mind. He got a second chance to run for mayor in 1989, in a special election to finish the unexpired term of Chicago's beloved first African-American mayor, Harold Washington. That time, he won with 56 percent of the vote, and took the oath of office on April 24, 1989, his 47th birthday. He would go on to be reelected five times, never with less than 60 percent of the vote.

Richard Daley's vision has always been clear: To make Chicago one of the best cities in the world. And he has pursued that goal with fierce determination. His leadership helped transform Chicago from a rustbelt manufacturing center to a cultural and commercial center that the Global Cities Index calls the sixth-most global city in the world, alongside New York, London, and Hong Kong.

Richard Daley is funny, blunt, impatient, emotional, and notoriously demanding—especially of his staff. Like his father, he is a hands-on manager. Whenever he sees anything that needs attention—a pothole, graffiti—he makes a note on a blue slip of paper and then calls department heads to make sure the problems are fixed.

His tenure includes some disappointments—most recently, the city's failed bid to bring the 2016 Olympic and Paralympic Games to Chicago. But we gave it our best try. But it also includes far more remarkable successes.

He travelled the world promoting Chicago. He helped bring new jobs and new vitality to the Greater Loop, the economic heart of Chicago. The Daley years brought the expansion of McCormick Place, the ongoing modernization of O'Hare International Airport, the redevelopment of Soldier Field, home of the Chicago Bears, and the transformation of Navy Pier into one of the city's top tourist attractions. Mayor Daley pushed bravely for sensible gun laws. It is understandable. Too many times he has had to attend the funerals of policemen and other people in the city who were gunned down by gun violence from gangs and other sources.

Mayor Daley has worked relentlessly to make Chicago the most livable big-city in America and the most environmentally friendly city in the world. During his tenure, Chicago created a comprehensive plan to help lower greenhouse gas emissions and address climate change. The city planted more than 600,000 trees and built more than 600 green roofs covering more than 7 million square feet, more than any other city in America. New flower beds now line the sidewalks and medians.

Downtown, a 24-acre expanse that was once an eyesore of tangled rail lines is now Millennium Park, one of the most magnificent city parks in the world, an emerald-green showcase for music, recreation, art and design.

In 1995, Mayor Daley made his boldest and riskiest political move. He asked the State legislature for control and responsibility of Chicago's public schools. When a political ally told him that taking on the schools ''could be the end of your career,'' the mayor replied, ''If I can't do that for the children of Chicago, then I should not be mayor.'' Underperforming schools were closed, new schools were opened. Test scores went up, and dropout rates were down, and some of the most innovative educators in America led the Chicago public school system forward. The mayor would be the first to tell you we still have a long way to go. But were it not for his determination and his accepting the responsibility the school system would not be as good as it is today.

In 1999, the city took control of the Chicago Housing Authority, razed some of the most notorious public high-rises in the country—places like the Robert Taylor Homes and Cabrini-Green—and replaced them with mixed-income housing—safe, clean houses.

Richard Daley's greatest success is the sense of common purpose he has

given Chicago. A recent Chicago Tribune summed it up well. It said:

What distinguished Richard M. Daley from many big-city mayors is his remarkable if impossible-to-complete work to barrow racial chasms that, during the 1980s, threatened to swallow Chicago. He has done that not with anguished speeches or paeans to social justice, but by projecting a strong sense of fairness in the way he does his job. As a result, he has persuaded many Chicagoans, of many hues, to pull together in the same direction: Up.

Edward Bedore, who served as budget director under both Mayor Daleys, told the Sun Times: ''One was a builder, the other completed the house.''

In 2005, Time magazine named Richard Daley one of ''the five best big-city mayors.'' NPR's Scott Simon said it well: ''He was his father's son, but he became his own man.''

Among Mayor Daley's most cherished childhood memories is going to the White Sox games with his dad and brothers at Comiskey Park. One of my favorite memories of Richard Daley also involves the White Sox. It was October 26, 2005—Game 3 of the 2005 World Series, White Sox against the Houston Astros.

Mayor Daley was in Washington for business and I had invited him and the members of the Illinois congressional delegation to my office in the Capitol to watch the game. Everyone came, including our new Senator, now the President of the United States.

What a game. The White Sox finally won it 7–5 with a home run in the 14th inning. They would go on to win the series. That game was the longest World Series game in history: 5 hours 41 minutes. As the night wore on, almost everybody trailed away—but not Rich Daley. I have a photo of the handful of us who stuck it out until the very end. Standing in the middle, the happiest man in the photo, is Mayor Daley.

That's the Richard M. Daley way: No matter how long it takes, you give it your all until the game is won.

On Monday, Chicago will enter a new era: The post-Daley era. We will welcome a passionate, talented, new mayor, Rahm Emanuel. Like so many other cities, Chicago is struggling involving the recession and a large deficit. Fortunately, Mayor Emanuel will also inherit a legacy of unity and progress that that will continue to benefit Chicagoans for generations to come.

As one reported noted, ''The Daley name is so synonymous with Chicago politics, it might as well be stitched into the city flag.''

The legacy Rich Daley has created in Chicago is going to live on, in the improved lives of the people who live in that great city. His legacy will live on in the wonderment of so many people who visit and whose first words about the city are always, ''I couldn't get over how clean it is.'' I tell you it doesn't happen by accident. It takes the leadership of a mayor and a great first lady, Maggie Daley, who made it happen.

To quote from the Tribune editorial which I mentioned earlier, ''When this community, this Nation, needed to know that a city could come back from economic decline and tribal conflict, he delivered. For that, Mayor Daley, we thank you.''

I also want to offer my personal thanks for his friendship and the great opportunity to work together over the years. Loretta, my wife, and I had an opportunity a couple of weeks ago to go out to dinner with the mayor and Maggie. It is something we have been planning for a long time and we had a great night. We were over on Clark Street at the Naha Restaurant. The windows were open and I watched as everybody walked on by and stopped to look inside at the mayor and the first lady. They know him because he is Chicago.

I also want to say kind words about the Daley children, Nora, Patrick, Elizabeth, and Kevin, for sharing their husband and father with us.

I will close by saying that we attend the same church in Chicago. It is called Old Saint Pat's. Last St. Patrick's Day was the mayor's big day. Maggie, who has been struggling with some health issues, made it that day and the church was packed. Everybody was wearing shamrocks and green ties. The Irish dancers were there for a great celebration of Saint Patrick's Day. Luckily for the Daleys, their grandkids were also there, little kids scrambling all over the church pews, waiting in anxious anticipation for the end of the mass because at the end of the mass the mayor's favorite, the Shannon Rovers bagpipe band, marched right up the front aisle of the church and the kids were brimming with excitement as they came up the aisle.

I captured a picture on my cell phone, which I sent to the mayor and his wife, of their grandkids in anticipation of the bagpipe band arriving. I value it and I am sure that family values it too. We value Mayor Daley and his great family. They have made Chicago a better place and the United States a better nation.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 964 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Washington.

DEFICIT REDUCTION

Mrs. MURRAY. Madam President, I come to the floor today to support the Close Big Oil Tax Loopholes Act and to talk about the devastating effect that high prices at the pump are having on families in my home State of Washington.

Middle-class families and small business owners are still struggling. Our economy is just starting to turn around, but so many families are still fighting to stay in their homes, so many small business owners are still struggling to keep their doors open, and so many workers are still desperately trying to get back on the job. All of this is happening while we are here debating in Congress about the best ways to cut spending responsibly and rein in the deficit.

This is a serious issue. We need to get it done. But I feel very strongly that before we make budget cuts that slash support for our middle-class families, we should look at ways to responsibly reduce the deficit that do not hurt the families who are struggling the most. To me, one of the most commonsense actions we can take is to end the wasteful subsidies that we, the taxpayers, are forced to hand over to the big oil companies every year. It is a no-brainer.

Anyone who is serious about reducing the deficit should support this effort. It is as simple as that. The big oil companies are already making billions of dollars in profits from families in America who are paying now sky-high prices at the pump. In fact, the five biggest oil companies have made nearly $1 trillion in profits—$1 trillion in profits—in the last decade and $36 billion in the first 3 months of this year alone.

But the big oil companies are not just making money hand over fist from families paying sky-high prices at the pump. They also have the gall to come back to those same taxpayers and demand billions more in subsidies that add directly to their profits. It does not make any sense, and it has to end.

I think my colleagues in the Senate who oppose this legislation need to explain to the American people why they think big oil companies need even bigger profits and why they think American taxpayers should continue to pad their coffers with unwarranted subsidies at the very time we are fighting to rein in the deficit.

But in addition to ending those wasteful subsidies to the big oil companies, we also have to act to end the speculation that is a big part of what is pushing prices at the pump higher and higher. At a time when our household budgets are already stretched so thin, speculators continue to drive up those prices and volatility in the oil markets. That is one of the reasons I was so angry and disappointed that the House Republican budget proposal slashed the funding for the Commodity Futures Trading Commission. That is the very agency that is charged with protecting consumers from excessive speculation in the markets. How can they do their job and protect consumers if they are not there?

I think that says a lot about our very different priorities in Congress. The House majority has pushed to slash spending by crippling agencies that middle-class families depend on for basic protections, while Democrats are here trying to reduce the deficit responsibly by ending subsidies to the big oil companies that do not need them.

I urge our colleagues to put taxpayers in the middle class ahead of Big Oil, to end those wasteful giveaways to oil companies, and to use that money to pay down the deficit in a responsible way.

I thank Senators MENENDEZ, MCCASKILL, TESTER, and BROWN for their great work on this issue.

Once again, I support the Close Big Oil Tax Loopholes Act. I am going to keep fighting to end the oil and gas speculation that is hurting so many families in my home State of Washington and across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I wish to thank the Senator from Washington State for her leadership on this issue and for her eloquent remarks just now, as well as other Senators who have championed this cause, as I have, over years when we have fought rising gasoline prices in the State of Connecticut relentlessly and tirelessly, and now I rise here in support of this legislation, the Close Big Oil Tax Loopholes Act, which would fundamentally restore fairness to our markets and tax system.

Over the last decades, the big five oil companies have taken home about $1 trillion in profits while enjoying tens of billions of dollars in taxpayer subsidies, giveaways, sweetheart deals, and preferences which undermine the credibility of our tax system and our economy in the eyes of ordinary Americans. Ordinary Americans, in fact, are still struggling to make ends meet, to stay in their homes, to keep their families together, and to find jobs.

In Connecticut, the price of gasoline now has risen to more than $4.25 a gallon from about $3 just a year ago. There are a number of ways to combat the spiraling cost of gasoline, including going after some of the illegal manipulation and speculation that may be occurring. I have proposed some measures—for example, a Department of Justice investigation that for the first time would effectively and comprehensively pursue the traders and hedge funds that are at an alltime high in their energy positions.

But the ending of giveaways and subsidies is about the fairness of our economic system and our Tax Code. Our families and businesses in Connecticut are paying these higher costs for gasoline but at the same time are providing subsidies that are in no way needed for exploration or refining or any part of the business of these big five oil companies. They have made over $30 billion in profits in the first quarter of this year alone, representing a 50-percent increase in profit from last year. Big Oil doesn't need help from American taxpayers to make unprecedented profits. For better or worse, they know how to do it without corporate welfare, and we ought to end the corporate welfare that makes our job of cutting the deficit and reining in the debt and reducing the size of government all the more difficult.

This call ought to be an easy one. We have difficult choices ahead in cutting spending and perhaps increasing revenue, but this one should be easy for us. I hope it will attract bipartisan support because there is truly nothing partisan about this kind of corporate welfare.

Despite claims to the contrary, ending these subsidies will not increase prices at the pump. It will impose basic fairness because Americans will no longer pay out of pocket for these tax breaks and giveaways to some of the most profitable companies in the world. It will not add to prices at the pump.

In my home State of Connecticut and across the country, people are rightly concerned about reducing our debt and deficit, and we will make those difficult choices just as Americans are making difficult choices in tightening their belts and their budgets as they struggle to find jobs and make ends meet. But as resources remain scarce for some of our most vital programs, we can ill-afford this kind of corporate welfare.

I urge my colleagues to seize this moment, to cut these subsidies, and to protect the hard-earned dollars of American taxpayers. Taxpayers in Connecticut and throughout the country basically want fairness—shared sacrifice, truly shared sacrifice—and I urge my colleagues to demonstrate to the American people that we are serious about tackling unfair giveaways and to take this step toward restoring fairness.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CHILDREN'S RESEARCH HOSPITALS

Mr. BROWN of Ohio. Madam President, I just met in a room near the Senate floor with doctors and others from three of America's great children's hospitals: Rainbow Children's Hospital in Cleveland, Nationwide Children's Hospital in Columbus, and Cincinnati Children's Hospital. I think Ohio leads the Nation in the number of children's hospitals and, frankly, I think the quality of children's hospitals.

There are so much we need to do—I know the Presiding Officer from North Carolina sits on the Health, Education, Labor, and Pensions Committee and has had an interest in this—where we don't quite focus enough attention on children's health. In the past, when we did research in this country—and we are only now beginning to change this—we used to think about children as just small adults, and if you needed X milligrams in a prescription for a 150-pound adult, for a 30-pound child you gave them one-fifth as much. We now realize that is not the way we should do research or practice medicine. So we have seen a lot of progress, and much of that comes from the activism, if you will, of doctors and nurses and administrators at Nationwide Children's in Columbus, Cincinnati Children's, and Rainbow Children's in Cleveland, affiliated with the University Hospital.

We have been able, through a longtime program—about a dozen years old now—to do something called children's gradual medical education in training pediatricians. We have also seen it find its way into making pharmaceuticals—something called 340B—and getting pharmaceuticals, particularly for orphan drugs and rare diseases, to children's hospitals, which helps many small children in this country.

We are also working on legislation—and Kit Bond, the Republican Senator from Missouri who retired in January, and I worked on this—to really focus on pediatric research and designate a handful of children's hospitals—maybe 15 or 20—around the country, some of the best research hospitals, to get them more focused on children's research because even though we have done better, we are not doing well enough, and this is an opportunity to do that.

So I wanted to share on the floor with my colleagues the importance of this legislation, the importance of that focus on children's hospitals, the importance of training pediatricians, and the importance of children's hospitals overall to our Nation's health, especially as regards the future of our Nation and our children.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

FIXING THE DEFICIT

Mr. SANDERS. Madam President, everybody knows this country faces a major deficit crisis and we have a national debt of over $14 trillion. What has not been widely discussed, however, is how we got into this situation in the first place. A huge deficit and huge national debt did not happen by accident. It did not happen overnight. It happened, in fact, as a result of a number of policy decisions made in recent years and votes that were cast right here on the floor of the Senate and in the House.

Let's never forget, as we talk about the deficit situation, that in the year

2000, when President Clinton left office, this country had an annual Federal budget surplus—let me underline that, a surplus—of over $200 billion with projected budget surpluses as far as the eye could see. That was when Clinton left office.

What has happened in the ensuing years? How did we go from huge projected surpluses into horrendous debt? The answer, frankly, is not complicated. The CBO has documented it. There was an interesting article on the front page of the Washington Post on April 30, a few weeks ago, talking about it as well. Here is what happened. It is not complicated.

When we spend over $1 trillion on wars in Afghanistan and Iraq and we forget to pay for those wars, we run up a deficit. When we provide over $700 billion in tax breaks to the wealthiest people in this country and we forget to pay for those tax breaks, we run up a deficit. When we pass a Medicare Part D prescription drug program written by the drug companies and the insurance companies that does not allow Medicare to negotiate prescription drug prices and ends up costing us far more than it should—$400 billion over a 10-year period—and we don't pay for that, we run up the deficit. If we more than double military spending since 1997, excluding the wars in Afghanistan and Iraq, and we don't pay for that, we drive up the deficit.

Yesterday, my good friend from Alabama, Senator JEFF SESSIONS—and he is a good friend—came to the floor and suggested that Senator BERNIE SANDERS was one of those big government types. I would say to my friend, Senator SESSIONS, and all of those others who are now wanting to make savage cuts in programs for working families, the elderly, the sick, and the poor: Guess what. I am the deficit hawk. You guys are the big spenders.

This Senator, when he was in the House, did not vote for the war in Iraq which will end up costing us some $3 trillion by the time we take care of our last veteran. I did not vote for that. Senator SESSIONS did vote for that.

I did not vote for the huge tax breaks for the richest people in this country—no, no. I am the deficit hawk. My Republican friends, in every instance, voted for those huge tax breaks.

I did not vote for the Medicare prescription drug program, $400 billion over 10 years. I am the deficit hawk. The big spenders on the other side said we could spend that money and not pay for it.

My point is, I am not sympathetic to being lectured about deficits by the same people who caused this crisis and who, on legislation after legislation, voted to significantly increase the deficit and forgot about paying for it—just put it on the credit cards for our children and grandchildren. So, please, don't lecture me on deficit spending.

My Republican friends have come up with an interesting idea as to how we can deal with this crisis, with the deficit crisis. In the House of Representatives, they voted, I believe, unanimously, for the so-called Ryan budget.

What they said is, at a time when the middle class is collapsing, poverty is increasing, unemployment is sky high as a result of this terrible recession, they think the best way to deal with the deficit and the national debt is to make savage cuts in health care; that is, to do away with Medicare as we know it today, convert it into a voucher program, massive cuts in Medicaid. So at a time when 50 million Americans have no health insurance, that number will go up. I am not quite sure what people do if they get sick and lose their health insurance. I don't know what they will do. I don't know how many more people will die if we slash Medicaid and throw millions of people off of that program.

Their brilliant idea of how to move toward deficit reduction is to make major cuts in education, Pell grants. All over this country middle-class families, working-class families are struggling to be able to send their kids to college, and Pell grants are an important part of how they do it. Cut it, so large numbers of young people never get the chance then to go to college.

Nutrition, cutting back on food stamps, on the Women, Infants, Children Nutrition Program. People in America are hungry. Cut back on those programs. Housing, cut back on those programs. Head Start, giving low-income kids an opportunity to do well—cut back on those programs. Childcare—you name it, they are going to cut back on it.

The deficit is caused by unpaid-for wars, tax breaks for the rich, the Medicare Part D prescription drug program, the bailout of Wall Street, a declining economy, and less revenue coming in. Their solution is to balance the budget on the backs of the sick, the elderly, the children, the poor, to cut back on environmental protection, to cut back on transportation. It is an interesting idea. I think it is a pretty dumb idea myself.

But inherent in that whole approach is another factor. In the United States today, while the middle class is disappearing and poverty is increasing, there is another economic reality; that is, the wealthiest people in this country have never had it so good. Over a recent 25-year period, from 1980 to 2005, 80 percent of all new income went to the top 1 percent. The top 1 percent now earn 23 percent of all income in America, more than the bottom 50 percent.

Today, if you can believe it, the top 400 individuals in America now own more wealth than the bottom 150 million Americans, the bottom half of America. Four hundred people own more wealth than the bottom 150 million Americans.

Interestingly enough, at a time when the rich are becoming richer, when the effective tax rates for the wealthiest people, at 16.6 percent, are the lowest on record, at a time when the wealthiest people have received hundreds of billions of dollars in tax breaks, at a time when corporate profits are at an all-time high and major corporations making billions of dollars pay nothing in taxes, my Republican colleagues, in their approach toward deficit reduction, do not ask the wealthiest people or the largest corporations to contribute one penny more for deficit reduction.

Their idea of moving toward a balanced budget is to go after the middle-class, working families, low-income people, but make sure the millionaires and billionaires and largest corporations in this country who are doing phenomenally well, that they do not have to participate in shared sacrifice. They are protected. This is the Robin Hood philosophy in reverse. This is taking from the poor and giving to the rich.

Many viewers may not believe me, and I ask them to check it out; that in the midst of all of this—huge deficit, huge national debt, the Republican proposal to slash programs that working families, middle-class people desperately need—in the middle of all this, our Republican friends have another brilliant idea. Let's give $1 trillion in tax breaks to the very wealthiest people in this country. We are going to throw millions off of Medicaid, we are going to cut back on Pell grants, we are going to make savage cuts in nutrition programs, and whether we get all of those savings, $1 trillion in savings, do you know what we are going to do with it? We are going to give it to the richest people in this country. We are going to lower the tax rate, the personal income tax rate for the rich from 35 to 25 percent.

At a time when major corporations such as General Electric and ExxonMobil make billions of dollars in profit, pay nothing in Federal income taxes, do you know what we are going to do to them? We are going to give them even more tax breaks.

The President has recently come up with an approach toward deficit reduction which is certainly a lot better than the Republican approach, but to my mind is by no means as strong as it should be. I was disturbed, not happy, to hear that his approach calls for $2 in spending cuts and only $1 in additional revenue. So at a time of significant, severe recession, millions of people are hurting, the President is calling for $2 in cuts in spending but only $1 in additional revenue. I think that is a bad idea. I think that is an inadequate idea because if the President starts at that position, $2 in spending cuts, $1 in revenue, by the time we deal with the Republicans in the House, that number is going to go up and will probably end up 3 or 4 to 1 in terms of spending cuts.

Senator KENT CONRAD, chairman of the Budget Committee in the Senate, has done a better job. He has not gone anywhere near as far as I think he should go but has at least come up

with a budget that I think most Americans think is sensible, by saying at the very least let's have $1 of spending cuts and $1 of additional revenue. Let's at least have shared sacrifice. Let's not balance the budget on the backs of the weak and vulnerable.

My office put together a list of ideas that are out there as to how we can raise revenue in a fair and progressive manner. I want to touch on them for a second.

No. 1, I want everybody to hear this: If we imposed a 5.4 percent surtax on millionaires who have been doing phenomenally well, over a 10-year period we can raise $383 billion. What do you think? We can throw millions of people off of Medicaid, we can end nutrition programs for low-income kids, or we can ask the wealthiest people to pay a little bit more. The cause of this recession we are in right now has to do with the greed, the recklessness, and illegal behavior on Wall Street. The crooks on Wall Street who made huge sums of money ended up driving this country into a terrible recession. If we passed a speculation fee, a fee on Wall Street speculators, we could raise as much as $100 billion a year, and, by the way, have the added benefit of cutting back on speculation.

We could raise more than $580 billion over 10 years by erasing tax breaks for companies that ship jobs overseas. Right now we have a tax policy that says shut down a plant in America, go to China, and guess what. They are going to get a tax break. I think that doesn't make a whole lot of sense.

The estate tax—which my Republican friends refer to as the so-called death tax—only applies to the top three-tenths of 1 percent, the very wealthiest people in this country. Instead of lowering the estate tax, as we recently did, we could raise $330 billion over 10 years by establishing a responsible estate tax that asks the top three-tenths of 1 percent of Americans who inherit over $3.5 million in wealth to pay a fair estate tax.

We do raise $736 billion over 10 years by taxing capital gains and dividends as ordinary income. Warren Buffett, one of the wealthiest people in the world, has said he pays a lower Federal tax rate than his secretary, than do nurses and police officers and teachers, because most of his income and most of the income of very wealthy people is generated by capital gains. Our provision could correct that problem—taxing capital gains and dividends as ordinary income.

We could raise $40 billion over the next 10 years by ending tax breaks and subsidies for Big Oil and gas. I do understand there is legislation going to be coming to the floor which I strongly support. It doesn't go as far as I would go, but it basically says the top five oil companies that have made billions of dollars in profits and are now charging us $4 a gallon—prices are soaring despite the fact that supply today is greater than it was a year ago and demand is less—that maybe we do away with some of the tax breaks they have enjoyed.

And $40 billion over 10 years is what I would propose we can get. We can raise $100 billion a year by prohibiting abusive and illegal offshore tax shelters. The Senate Budget Committee has a photograph of a building in the Cayman Islands. It is an infamous building. It is a four-story building that houses 18,000 corporations. That is right. One building, 18,000 corporations. Obviously the whole thing is a scam. This is being used as a postal address for corporations and wealthy individuals who want to avoid paying taxes to the U.S. Government.

The Budget Committee estimates that we are losing about $100 billion a year by having corporations and wealthy people stash their money in the Cayman Islands. That is a lot of money, $100 billion a year. We could raise up to $500 billion over 10 years by establishing a currency manipulation fee, and, by the way, create up to 1 million new jobs in the process.

So what is my point? My point is this deficit was caused by actions voted upon by many of my Republican friends: the war, tax breaks for the rich, Medicare Part D, that in the middle of a recession when the middle class and working families are already hurting, when poverty is increasing. It is not only immoral, it is bad economics to balance the budget on working families and the most vulnerable people in this country.

When people are hurting, when they have lost their jobs, when their incomes are going down, you do not say to those people: We are throwing you off of Medicaid. We are going to ''voucherize'' Medicare, we are going to cut back on Federal aid to education so your kid cannot go to college. That is not what you say in a humane and fair society.

On the other hand, at the same time when the wealthiest people are becoming phenomenally wealthier, and when large corporations are making huge profits, and in many cases not paying any taxes at all, it is appropriate to say to those people: Sorry, you are also American. You have got to participate in shared sacrifice. You have also got to help us reduce the deficit.

That is where we are right now. We are in the midst of a major debate, but it is not only on financial issues. It is very much a philosophical debate. It is a debate about which side are you on. Do you continue to give tax breaks to the very rich and make savage cuts for working families, for children, the elderly, the poor, the most vulnerable?

I am going to continue doing everything I can to make sure the budget that is finally passed here in the Senate is a fair budget, is a responsible budget, is a just budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, first I want to give kudos and accolades to my friend and colleague and fellow Madisonian—Madison High School in Brooklyn, NY, that is—BERNIE SANDERS. I have rarely met, not just here in the Senate but in public life, people who display the passion and the effectiveness combined that BERNIE does. Sometimes it is a lonely world for him in a certain sense, because he feels these issues so strongly. He is so outstanding at articulating them in every way. And he wonders why the world does not change a little more. Well, BERNIE, in terms of this world, which changes slowly, unfortunately, we would agree with that, you have done a great deal of good for people who need help. I am glad you are here, and I am glad you are my friend.

CLOSE BIG OIL TAX LOOPHOLES ACT

Mr. SCHUMER. I rise today in support of the legislation authored by my good friend from New Jersey, Senator MENENDEZ. As you know, the Democrats here on our side of the aisle are focusing on this legislation this week and next. But Senator MENENDEZ has been championing this legislation for quite a while. He was prescient to focus on this idea. I am glad we will have a vote on it. I hope the vote will pass. I have heard a few of our Republican colleagues now have said they would consider voting for it. Nothing would be better in terms of showing some bipartisanship and giving us some hope that we can come to a fair agreement on the budget than to pass this legislation.

In the last election, voters who gave those of us who have the privilege of serving in this Chamber two distinct mandates. They told us to do two things at once. First, perhaps foremost, make the economy grow. Create good-paying jobs. Make sure that American dream burns brightly, the dream that says to the average middle-class family: The odds are pretty good that you will be doing better 10 years from now than you are doing today, and the odds are very good that your kids will do better than you.

For that dream, which has burned so brightly in this country for hundreds of years, the candle began to flicker a little bit in this decade, because median income went down even before the recession, which meant that even if you had a job—and we know that millions are out of work despite the fact that they look—I think of all of the people whom I have met who are struggling because they do not have jobs. But even people who do have work have a difficult time when they sit down at that dinner table Friday night after dinner, figuring out how they are going to pay the bills. The cost and needs keep going up. And even when you have a job, the income does not seem to keep up.

So that is one obligation voters sent us, and it is a very justified one. Second, they said in no uncertain terms,

rein in the out-of-control Federal deficit. Rein it in. And they are right. Because in a certain sense, I have said this before, but I think it is worth repeating: The debt—the symbolic nature of the debt is as follows: We, the U.S. Government, are a blindfolded man, and we are walking toward the cliff. Once we fall off that cliff, there is no getting back up.

Now the debate is whether we are 20 feet from that cliff or 200 yards from that cliff. But we know sooner or later if we keep walking straight, we are going to fall off. So that means try to rein in this out-of-control Federal deficit. It would be hard enough to accomplish one of these goals. To try to do both at once is a Herculean task. It is why we are having such divisions here, and it is why everyone is grappling.

I think everybody is trying to do the right thing regardless of their ideology. But there are strong feelings. So when we can come to issues that seem to have an easy common ground, because things are so difficult, we ought to jump at them. That is what the Menendez amendment is. It is a choice that is not a tough one, not a mile, because it is obvious that at this time, when there are so many needs, to continue to give the oil companies the kinds of tax break we do makes no sense. Getting rid of these corporate subsidies to Big Oil is a no-brainer. Decades ago these were passed. Oil was $17 a barrel. Maybe it made sense in those days to give companies an incentive to explore, to produce.

One of the subsidies the Menendez legislation repeals, the Oil Depletion Allowance, dates back to 1913. That is the same year a man named William Burton patented a new oil extraction process called ''thermal cracking.'' Well, Big Oil no longer cracks for petroleum using Mr. Burton's method. It is an outdated process, decidedly. But the outdated tax subsidy still remains on the books, amazingly enough. With oil hovering at $100 a barrel, Big Oil reaping record profits, it defies logic for this government to spend billions of dollars, for these taxpayers to give dollars out of their pocket every year when they are struggling, to tax giveaways to Big Oil which is making record profits.

Believe me, the free market gives the oil companies enough of an incentive to produce. When oil is $100 a barrel, they do not need an extra subsidy from the government to produce. They are going to produce every bit of oil they can.

They make huge profits, so they do not need a financial nudge from Washington. At the same time, middle-class Americans get hit with a double whammy. They are paying $70 or more to fill up their gas tanks, and then some of their hard-earned tax dollars are being used to line Big Oil's pocket.

In my home State of New York, the price of gas is up 35 percent on average compared to this time last year. Economists estimate the typical family will pay almost $1,000 more on gas this year than last. Families across the country are still struggling to make ends meet. As the economy slowly recovers, they cannot afford to get gouged at the pump.

With billions of dollars worth of tax subsidies and gas prices at near record highs, it is no wonder that the top five oil companies just announced mind-boggling profits. These companies are not only among the most profitable businesses in the United States, they are among the most profitable in the whole world. In the first quarter of this year alone, the Big Five brought in $36 billion in profits. In the past decade, they took home nearly $1 trillion—not a billion, a trillion dollars in profits.

There is nothing wrong with these profits in and of themselves. In America we celebrate success, we want the private sector to thrive. But at a time when the government is looking to tighten its belt, and we are grappling with painful cuts because we have the dual goal of growing the middle class but also reducing the deficit, it boggles the mind that we continue to subsidize such a lavishly profitable industry.

There are priorities. I said this to the oil company executives today when they testified before the Finance Committee. I want to salute Chairman BAUCUS for holding such outstanding hearings. There are priorities. How many Americans would say, if we had to choose, that we should give oil companies an extra subsidy rather than help kids who deserve to go to college pay for college?

That is what many of my colleagues are recommending. That is what the House budget recommended. How many of my colleagues would say we ought to cut cancer research but still continue to give the oil companies the subsidies we do? Again, the Ryan budget does that.

I understand they say we have to cut spending. We do. But we also have to cut out wasteful giveaways such as tax breaks for Big Oil. I would do that before I cut aid to college students who are struggling to pay for college, which is more and more expensive, before I cut cancer research, which has saved millions of lives, including people we know and love. I would do that before I cut money for veterans or cut money to keep our homeland secure. But the budget Mr. RYAN has proposed, and many of the budgets I have seen come from colleagues on the other side of the aisle, choose these subsidies to Big Oil over money to help kids pay for college, over cancer research, over helping our veterans, over keeping our homeland secure.

Hardly any American would agree with that. Hardly any American, Democratic or Republican, liberal, conservative, North, East, South, or West.

Try to wrap your head around it. Big Oil is reporting record profits, gas prices are near an all-time high, and we the American taxpayers are subsidizing the oil industry to the tune of $4 billion a year.

You do not need the imagination of Lewis Carroll to come up with a more ridiculous scenario. That is why I strongly support and I am proud to cosponsor Senator MENENDEZ's Close Big Oil Tax Loopholes Act. This legislation will put an end to taxpayer handouts in the five largest integrated oil companies, and use the $21 billion in savings to reduce the deficit. This $21 billion is an excellent downpayment on our effort to get the Nation's fiscal house in order. The bill repeals a host of Byzantine tax provisions that only a lobbyist could love, such as the deduction for tertiary injectants and the deduction for intangible extraction costs.

Small and medium-sized oil firms are exempt. The legislation only deals with the Big Five: Shell, ExxonMobil, Chevron, ConocoPhillips, and BP. I have heard pundits from the hard right parrot Big Oil's talking point that repealing these giveaways would increase gas prices for consumers. Well, nothing could be further from the truth. Independent analyses have repeatedly found that ending these absurd subsidies would not impact the price of gas. In what was perhaps an inadvertent moment of candor at this morning's Senate Finance Committee hearing, ExxonMobil's CEO Rex Tillerson said: ''Gasoline prices are a function of crude oil prices, which are set in the marketplace by global supply and demand—not by companies such as ours.''

That does not seem like an objectionable comment. It is true. And when he made that comment, Mr. Tillerson of ExxonMobil has conceded that repealing taxpayer-funded subsidies for the Big Five will not increase prices. Prices are set, as he said, by global supply and demand.

That is not to say that repealing the subsidies will necessarily bring down prices. We are not making that claim. All along we have been clear that the purpose of this bill is to make a dent in the deficit by repealing tax breaks for the five companies that are the least in need of help from Uncle Sam.

Lowering the cost of gas and ridding our country of its dependence on foreign oil requires a long-term, comprehensive approach. In the months ahead, I expect the Democratic caucus will unveil a thorough and forward-thinking plan to do just that.

In the meantime, if Republicans in the House are serious about deficit reduction, the Menendez bill is their chance to show it now. There is no good reason not to support this sensible legislation. Speaker BOEHNER said earlier this week he wants to make trillions of dollars in cuts. Here is a good place to start. Indeed, the Speaker himself has previously said as much. Let's not forget he was in favor of repealing oil subsidies before he was against it. The bottom line is this: At a time of sky-high oil prices, it is unfathomable to continue to pad the profits of oil companies with taxpayer-funded subsidies. The time to repeal these giveaways is now.

Our plan to cut the deficit begins with ending wasteful subsidies to big oil. The Republican plan begins with ending Medicare as we know it. That is a bright-line difference between our side and theirs. We know what choice the American people will make.

Mr. President, I ask that the Presiding Officer report the nomination.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. BLUMENTHAL). Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF MICHAEL FRANCIS URBANSKI TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA

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

The legislative clerk read the nomination of Michael Francis Urbanski, of Virginia, to be United States District Judge for the Western District of Virginia.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate with respect to the nomination, with the time equally divided in the usual form.

The Senator from Virginia.

Mr. WEBB. Mr. President, I was very gratified yesterday when the Senate unanimously voted to confirm Arenda Wright Allen as U.S. District Judge for the Eastern District of Virginia, and I am very glad to be here to speak in support of Virginia's nominee to the Western District of Virginia, Judge Michael Urbanski.

As I did yesterday, I wish to express my appreciation to the leadership of both parties in the Senate for scheduling these important confirmation votes. Filling existing vacancies on our courts is important to Virginia, it is important to America, particularly in these cases where the nominees are noncontroversial to either party and, thus, are able to be brought forward for reasonably quick confirmation.

One of the bedrock principles in this country is access to justice, and it can clearly be said that vacancies on our courts create backlogs, bottlenecks and delays, and justice delayed is obviously justice denied.

Again, I wish to express my appreciation to the leadership for moving these two very highly qualified nominees, Arenda Wright Allen, who was confirmed yesterday, and Judge Michael Urbanski, who will be voted on shortly.

In that regard, I am proud of the work we have been able to do during my time in the Senate in finding dedicated, well-qualified jurists from Virginia to recommend to the President when vacancies do occur on the Federal bench. When I first arrived in the Senate, Senator John Warner and I developed a robust, collaborative selection process to review candidates. Senator MARK WARNER and I have continued this thorough, deliberative process, and we were pleased to recommend Judge Michael Urbanski to President Obama in June of last year. President Obama first nominated Judge Urbanski for a seat on the U.S. District Court for the Western District of Virginia last December. He renominated Judge Urbanski earlier this year, and Judge Urbanski was reported out of the Judiciary Committee without opposition on March 10 of this year.

Senator WARNER and I jointly reviewed a highly competitive field from the Western District of Virginia. Judge Urbanski stood out to me because of the resounding recommendations from the bar associations which he covers now as a magistrate judge. Those recommendations all noted Judge Urbanski's incredible work ethic. He has worked tirelessly as a magistrate judge to ensure the efficient administration of justice in the Western District of Virginia. He has served in this capacity since 2004. He also has an outstanding reputation for fairness and a good judicial temperament. He has contributed to the efficiency of the Western District of Virginia by being an effective mediator, resolving a substantial number of disputes without lengthy litigation. He also recently established a veterans court in the Western District. This court strives to utilize the many services available to our veterans in order to try to find alternatives to incarceration from nonviolent offenders and to break the cycle of recidivism.

I am very proud to say Judge Urbanski is a product of Virginia's public universities. He graduated from the University of Virginia School of Law in 1981 and the Nation's oldest university, the College of William and Mary, in 1978.

Prior to becoming a Federal magistrate judge, Judge Urbanski earned a reputation as one of the top trial lawyers in western Virginia. He was the head of the law firm of Woods Rogers' litigation section and practiced in Roanoke from 1989 to 2004. I have met personally with Judge Urbanski. I am convinced he has the correct judicial temperament, intelligence, and dedication to make an excellent district court judge. I also had the pleasure of meeting with his family, many of his friends, law clerks, and colleagues. His dedication to his family and to his community is abundantly apparent.

Though I am proud Virginia has such an exemplary individual to put forward as a district judge nominee, the Judiciary Committee clearly shares this view, having voted out Judge Urbanski unanimously. I urge all my colleagues to support his confirmation.

Mr. WARNER. Mr. President, yesterday this Chamber came together to unanimously confirm Ms. Arenda Wright Allen to serve as a district judge in Virginia. I thank my colleagues from both sides of the aisle for their vote. I am confident that we will give the same support to another excellent nominee from Virginia under consideration today.

I rise to speak in support Judge Michael Urbanski to serve as the next U.S. district judge for the Western District of Virginia.

Judge Urbanski would be appointed to a court that is known for its rigor and quality. It is a court that requires a highly effective judge that is sensitive to the details of each case. I think Judge Urbanski is perfect for this job.

He graduated from the College of William and Mary and the University of Virginia Law School. He also served as a law clerk for the Honorable James Turk, a district judge in the Eastern District of Virginia.

Following his clerkship, he worked in the private sector where he built experience in antitrust litigation, counseling and investigations, contract and business tort litigation and intellectual property litigation.

Since 2004, he has served as a magistrate judge in Roanoke, VA, where he has built strong connections to the community and a reputation as a fair and impartial judge.

I would be remiss not to mention the overwhelming support his candidacy received from the legal community in which he will serve. In addition, the Virginia State Bar, the Virginia Women Attorneys Association and the Salem/Roanoke County Bar Association ranked Judge Urbanski as ''highly qualified'' or ''most highly qualified.''

I again would like to thank Chairman LEAHY and Ranking Member GRASSLEY for moving Judge Urbanski's nomination through the Judiciary Committee so that we could consider him today. As I testified at the hearing, I look forward to casting my vote in support of Judge Urbanski's nomination and encourage my colleagues on both sides of the aisle to do the same.

Mr. President, I ask unanimous consent that the time used in quorum calls during the debate on the Urbanski nomination be charged equally to both sides.

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

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

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

Mr. GRASSLEY. Mr. President, I wish to address the Senate on the nomination of Michael Urbanski to be a U.S. district judge for the Western District of Virginia.

Since we have returned from the April recess, we have done very little else other than consider judicial nominations. This will be the third judicial nominee to be confirmed in the last 3 days and the 23rd confirmed this year. In fact, after today, we will have confirmed six judges in just 8 days. I know the liberal interest groups have been pressuring the other side to consider more nominees even though we have been moving at a very brisk pace this entire Congress, but it is surprising to me, with all the issues facing the Nation at home and abroad, that we would spend 2 weeks on the floor considering little else.

Our economy continues to struggle. Millions of Americans remain out of work and are unable to find jobs. The unemployment rate remains at approximately 9 percent. Those who do have jobs are finding it more and more difficult to get to work as gas prices are over $4 a gallon and inching even higher. Our Nation is facing significant national security issues. Every single day, our national debt continues to climb to unsustainable levels. These are incredibly important issues. I would not go so far as to say the majority does not care about the issues facing our Nation. Perhaps they are simply out of ideas. But as Americans continue to struggle in this economy, it is difficult to understand why we would spend 2 weeks voting on hardly anything but judicial nominations.

As I said, the Senate has been moving swiftly this year on those nominations. We have confirmed 23 nominees in just 49 days. That is a rate of one judge almost every other day the Senate has been in session since convening in January.

However, the Senate must not place quantity confirmed over quality confirmed. These lifetime appointments are too important to the Federal judiciary and the American people for the Senate to simply rubberstamp these nominations.

I was surprised during one of our recent debates to hear one of my colleagues on the committee come to the Senate floor and imply otherwise. During the debate on the confirmation of Edward Chen, a reference was made to what was characterized as the Senate's longstanding tradition—a deference to home State Senators with regard to the Federal district court nominations. That Senator stated that in his time in the Senate, where a Federal district court nominee is backed by the two home State Senators, it is usually almost pro forma that the nominee is confirmed.

The fact is that home State Senators do have a great deal to say in who should serve the country on the bench. That is part of the advise-and-consent process. But there are 100 voices in this body, and we speak for the American people who come before these jurists. We must ensure they are fit to serve as impartial arbiters.

I do not consider the confirmation process for a Federal judicial nominee to be a pro forma process. I will continue to give scrutiny to all nominees regardless of home State support. I do not consider it delay or obstruction to fulfill that duty. If the other side chooses to do so, of course, that is up to them, but I will not simply rubberstamp those nominees. We will continue to process the nominees fairly and with the standard to which the people rightly hold us.

I support today's nominee. Michael Francis Urbanski is nominated to be a U.S. district judge for the Western District of Virginia. He presently serves as a U.S. magistrate judge in the same district.

Judge Urbanski received his BA with high honors from William & Mary in 1978 and his juris doctorate from the University of Virginia School of Law in 1981. Upon graduation, he served as a law clerk to the Honorable James C. Turk of the U.S. District Court for the Western District of Virginia. From 1982 to 2004, Judge Urbanski worked in private practice, first as an associate at the Washington, DC, office of Vinson & Elkins and then with the firm of Woods Rogers, where he became a principal in 1989. In 2003, the nominee was appointed to his present position. In 2010, Chief Judge James Jones appointed the nominee to chair an advisory committee on the new local rules adopted in the Western District.

The American Bar Association Committee on the Federal Judiciary has given Judge Urbanski their highest rating—unanimously ''well qualified.''

I am pleased to support this experienced nominee, and I urge my colleagues to do the same.

Mr. LEAHY. Mr. President, today, the Senate considers the nomination of Michael Francis Urbanski to fill a judicial vacancy on the District Court for the Western District of Virginia. I thank the majority leader for scheduling the vote today on this nomination, as well as the vote yesterday on another nomination to fill a vacancy in Virginia. With vacancies at 90 in Federal courts throughout the country, I hope that we can continue to work together in the remaining weeks of this work period to ensure that the Federal judiciary has the resources it needs to fulfill its constitutional role.

Our action to take up and vote on these nominations from Virginia, and to come to a time agreement to debate and vote on the long-delayed nomination of Ed Chen to the Northern District of California earlier this week, show that the delays that have slowed our progress on nominations are unnecessary.

Judge Urbanski has been a magistrate judge for 7 years on the court to which has now been nominated. Previously, he was in private practice in Roanoke, VA, and Washington, DC, and was a law clerk to the Western District of Virginia Judge James C. Turk. Judge Urbanski's nomination has the support of both of his home State Senators, Senator WEBB and Senator WARNER. His nomination was reported unanimously by the Judiciary Committee over a month ago. I expect that it will be unanimously confirmed today.

In addition to Judge Urbanski, there remain another 10 judicial nominations on the Executive Calendar that have been ready for final Senate action for weeks and, in some cases, many months. Today we reported another five of President Obama's judicial nominations favorably. They are now, also, ready to be considered by the Senate. All of these nominees have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. They should have an up-or-down vote after being considered by the Judiciary Committee, and without additional weeks and months of needless delay.

Our ability to make this kind of progress regarding nominations has been hampered by the creation of what I consider to be misplaced controversies about many nominees' records. Recently, Republican Senators have tried to twist nominees' litigation experience against them. Their partisan attacks are not consistent. Republicans oppose some nominees by saying that they do not have sufficient litigation experience. When a nominee has extensive experience and is a successful trial lawyer, they reverse themselves and complain that the nominee has too much experience and will be biased by it.

It is difficult to satisfy people whose standards change in order to explain their opposition. Republicans seem to react this way to President Obama, his actions and his nominees. Republicans were for a deficit commission until President Obama was for it; then they voted against it. They were for action in Libya until President Obama took action; then they were against it.

They opposed Judge McConnell of Rhode Island supposedly because he was an excellent trial lawyer. They opposed Judge Chen of California despite his 10 years as a fair and impartial Federal judge magistrate, because he was a staff attorney litigating to protect civil rights. Both of these nominees have assured us that they understand the difference between being an advocate for a client and serving as a judge. I have no doubt that they do. Judge Chen demonstrated his impartiality in 10 years of work as a Federal magistrate judge. Republicans chose to ignore his demonstrated qualifications and experience. They likewise ignore the sworn testimony of the nominees at our hearings and their answers to Republicans own questions. When they do that, it makes you wonder what is driving their decisions to oppose these qualified nominees.

These are Republican Senators who demanded that President Bush's nominees be confirmed despite their ideological commitment to conservative activism. In those years, Republicans argued that nominees' careers devoted

to serving corporate interests and conservative causes were irrelevant to the Senate's inquiry and that all nominees should be confirmed if they met basic qualifications. In President Bush's first term, the Senate regularly considered nominations, confirming 205 to lifetime appointments. We remain well behind that pace, having been allowed to consider only 83 of President Obama's nominations in nearly 28 months of his term.

Senate Republicans are now adopting a much different standard—and a shifting one at that. It almost seems like whatever might be claimed to justify strenuous opposition and voting no on an Obama nominee is justified by the end—opposing the President. That is wrong. That is wrong because this President has worked hard to consult with Republican home State Senators. Yet they still oppose them, including President Obama's first nomination that of Judge David Hamilton of Indiana. Despite Senator LUGAR's support, Republicans filibustered that nomination and delayed it for months. They have filibustered five of President Obama's judicial nominations to date.

It is wrong because their actions have created a judicial vacancies crisis that persists to this day. If the 22 judicial nominees Republicans point to as being confirmed this year, 15 should have been confirmed last year and were needlessly delayed. One even required cloture to end an unprecedented filibuster against a Federal trial court nominee.

With judicial vacancies at crisis levels, affecting the ability of courts to provide justice to Americans around the country, we should be debating and voting on each of the 15 other judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. The progress we have started to make these last 2 weeks is a sign that the Senate can do better to ensure that the Federal judiciary has the judges it needs to provide justice to Americans in courts throughout the country.

I congratulate Judge Urbanski and his family on his confirmation today.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant Daily Digest editor proceeded to call the roll.

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

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

The question is, Will the Senate advise and consent to the nomination of Michael Francis Urbanski, of Virginia, to be United States District Judge for the Western District of Virginia?

Mr. MANCHIN. Mr. President, I ask for the yeas and nays.

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

The clerk will call the roll.

The assistant editor of the Daily Digest called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Indiana (Mr. COATS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 70 Ex.]

YEAS—94

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

NOT VOTING—6

Burr	Cochran	Murkowski
Coats	Hutchison	Vitter

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business for debate only until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mrs. BOXER. Mr. President, I ask unanimous consent that I may speak for up to 20 minutes, followed immediately by Senator ISAKSON for such time as he may consume.

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

ETHICS COMMITTEE REPORT ON FORMER SENATOR JOHN ENSIGN

Mrs. BOXER. Mr. President, yesterday the Senate Ethics Committee voted unanimously to release the special counsel's report regarding the actions of former Senator John Ensign.

The committee also voted unanimously to refer several findings to the Department of Justice and to the Federal Election Commission because we had reason to believe that Senator Ensign violated laws within their jurisdiction. I want to thank from the bottom of my heart the Senators who participated in this investigation, many of whom are on the floor today: my vice chairman, the extraordinary leader, Senator ISAKSON—and I say leader, I mean a leader on the committee. I consider him to be a cochair with me. And Senator ROBERTS, who has been on this committee for a long time, who has a sense of history, and a sense of levity, and pragmatism. I appreciated his cooperation.

I want to note the participation of SHERROD BROWN, who came on this committee and began this journey with us and his very important contribution; Senator RISCH, who brought with him a very strong legal slant on everything we did and was very valuable. I want to thank him.

I want to say a special word of thanks to Senator CARDIN who sat in on this case because Senator PRYOR felt he had too close a relationship with Senator Ensign and had to recuse himself. Senator CARDIN, we thank you so much for coming in and focusing on this case. I have to say, I am so grateful to how thoroughly and hard and collaboratively we all worked during this 22-month investigation. I say—and I mean—it was an honor to work with my colleagues.

The Ethics Committee is unique. Its staff is nonpartisan, and its actions are bipartisan. That is so important always, but particularly during these very polarized times, and also because this was such a long and difficult investigation for many reasons.

I want to be clear about why the committee is releasing its report to the public and why Senator ISAKSON and I are addressing the Senate today. If any of our colleagues wish to add to our comments, I hope they will do so. While Senator Ensign's resignation ended our investigation before the next phase, which was the adjudicatory phase or the trial phase, it did not end our profound responsibilities to the Senate, to our laws, to our rules, to our Constitution, and, of course, to the American people.

Article 1, section 5, clause 2 of the Constitution of the United States says that: ''each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.'' That is in the Constitution.

Senate rules give the Ethics Committee responsibility to investigate alleged violations of laws and rules and

''improper conduct which may reflect upon the Senate.'' That is a quote from our rules.

Finally, Ethics Committee rules make clear that whenever its members have ''reason to believe'' that a violation of law has occurred, we ''shall'' report it to the proper authorities.

Let me say that again. Ethics Committee rules make it clear that whenever the members of the committee have reason to believe that a violation of law has occurred, we shall report it to the proper authorities. So we have a solemn responsibility indeed. It is actually a mandate to refer possible criminal or civil violations to the Department of Justice and to the Federal Election Commission. That is what we have done today.

We also have another responsibility. That is to tell the American people when we believe laws and rules have been broken, and that standards of conduct have been breached. That is what we have done today.

Our special counsel, Carol Elder Bruce, has written a report that speaks in great detail about her findings, and that report has been released today. These findings are so disturbing that she believed that had Senator Ensign not resigned, and had we been able to proceed to that adjudicatory phase, the evidence of Senator Ensign's wrongdoing would have been substantial enough to warrant the consideration of expulsion, the harshest penalty available to the Ethics Committee and the Senate.

That is why when former Senator Ensign resigned, the vice chairman and I put out a statement, and we said that he had made ''the appropriate decision.''

I want to give you the findings of the special counsel.

One. There is substantial credible evidence that Senator Ensign conspired to violate Doug Hampton's postemployment contact ban.

Two. There is substantial credible evidence that Senator Ensign aided and abetted Mr. Hampton's violations of the postemployment contact ban.

Three. There is substantial credible evidence that Senator Ensign made false and misleading statements to the Federal Election Commission regarding the $96,000 payment made to the Hamptons.

Four. There is substantial credible evidence that the $96,000 payment to Mr. Hampton violated Federal campaign finance laws.

Five. There is substantial credible evidence that Senator Ensign violated a law and a Senate rule prohibiting unofficial office accounts.

Six. There is substantial credible evidence that Senator Ensign permitted spoliation of documents and engaged in potential obstruction of justice.

Seven. There is substantial credible evidence that Senator Ensign discriminated on the basis of gender.

Eight. There is substantial credible evidence that Senator Ensign engaged in improper conduct reflecting on the Senate, including violating his own office policies, written in a manual.

These eight serious findings in the special counsel's report are the culmination of an extensive 22-month investigation and the basis for the committee's unanimous decision to refer this matter to the Department of Justice and the Federal Election Commission.

As Chair of the Senate Ethics Committee, I am proud to report to the Senate that our committee and its staff and special counsel have been fair and thorough. We deposed or interviewed 72 witnesses. We issued 32 subpoenas for documents. We reviewed more than one-half million documents, including a large number that were initially withheld from the committee. None of this would have been possible without the very hard work done by the staff of our committee, our personal offices—and I am so grateful to them—the special counsel who was extraordinary and to whom we all owe a debt of gratitude.

I particularly wish to thank the staff director and the chief counsel of the Ethics Committee, John Sassaman, and his team. They were focused and they searched for the truth, and we believe they found the truth.

Again, I also wish to personally thank our special counsel, Carol Elder Bruce, and her team.

Our Founders gave Congress the responsibility to ensure that its Members behave ethically. The Ethics Committee tries to do this by working to prevent violations of rules and laws when possible. We try to work with colleagues before they do something they shouldn't do. We try to train colleagues so they understand what we mean when we say don't bring any kind of shame upon the Senate. Then, if something bad happens, we give a fair hearing, we might sanction them, and we do when necessary. This isn't an easy task, but every member of the Ethics Committee is committed to fulfilling our critical responsibility in a thorough, fair, and bipartisan fashion.

When Senator Ensign resigned, he said: ''I have not violated any law, any rule, or standard of conduct.'' I wish to go on record as chairman of the Ethics Committee to say how strongly I disagree with that statement.

Let's be clear. It was Senator Ensign's actions that led to the ethics complaint filed against him. It was Senator Ensign's actions that led to a 22-month investigation by the Ethics Committee. It was Senator Ensign's actions that led to the very serious findings and referrals in the report we are releasing to the public today.

The committee believes every Senator should read this report very carefully. Let me say that again. The committee believes every Senator should read this report very carefully because it is a cautionary tale. It shows that our actions—all of them—have consequences for ourselves, for our families, for our staffs, for Congress, and for our Nation. It shows we must ensure every action we take is within the law, the rules, and the appropriate standards of conduct. In my view, if I can say my own personal view, it shows something else; that is, when you are in a position of trust and power, don't abuse it. Don't misuse it because people can get hurt, very hurt.

We cannot violate the laws or rules we set for others, including our own staffs. We must always lead by example, not by words alone.

This Ensign case was a sad chapter for the Senate but a far sadder chapter for those whose lives were affected and destroyed by his actions. I wish to thank the Senate for placing its trust in the Ethics Committee.

I yield to the vice chairman of the committee, the one whom I consider my cochairman, Senator ISAKSON.

Mr. ISAKSON. Thank you, Madam Chairman.

Mr. President, on certain occasions in the life of a public official one is called upon to make difficult and unpleasant decisions. Such is the case for the six members of the U.S. Senate Ethics Committee today. But we recognize it is essential that the institution—this Senate—that passes the laws which all our citizens must live under must also enforce those laws and rules of standards and conduct which we impose upon ourselves. It is a solemn responsibility, but it is important to the integrity and the future of this institution.

The Senate Ethics Committee looks upon itself as an advisory board and a source of information and counsel to our Members. We ask Members to come to us when there are questions about the potential ethical violation of a decision or even something that might, in passing, seem to be trivial. Our job is to make sure everybody who has a question gets an answer and no one unwillingly gets caught in an unethical situation. But it is also our responsibility, when complaints are filed, to follow up on those complaints and, if we find merit in the complaint, to enter an initial investigatory period of time which, if that position bears enough likelihood that a violation has occurred, ultimately goes to an adjudicatory phase and then finally a decision on the floor of the Senate. It is rare, and I can tell my colleagues personally it is a situation I hope I am never involved in again. But, as I said, it is an essential process to the integrity of this body.

When the particular complaint in question in the Ensign case came to us, it was, similar to any other case, reviewed initially to determine whether it even merited an investigation. After the initial review determined it did merit an investigation, the Senate staff did an overwhelming and wonderful job of gathering information, evidence, and testimony to help us get to a position to begin to make a decision as to whether we could go further in

the case. But we didn't rely just on ourselves. We sought forensic experts and computers and technology so the over 500,000 documents that were reviewed and cross-referenced had a forensic test to them and we knew what we were dealing with and how it was dealt with. We even hired a special counsel, which is rare for the Senate Ethics Committee to do, but it was essential because of where the evidence and the testimony was leading the committee.

I wish to say, at this point in time, I have known a lot of lawyers in my day, ones I have hired and ones I have been on the other side of the deposition table from. I have never known anybody more professional or whose ability I admired more than Carol Elder Bruce, and I wish to commend her on the floor of the Senate. It was her report which we are also submitting with the referrals today to indicate that we have looked to see that there was reasonable evidence to conclude that a violation may have occurred. The ultimate decision on that will be up to the U.S. Department of Justice and it will be up to the Federal Election Commission. But the report clearly indicates that the Senate Ethics Committee did not act on what it thought or an opinion or a whim. It acted on facts determined through hundreds of interviews, 500,000 documents that were examined, and testimony that came to our committee.

It is the hope of the chairman and myself and each member of the committee that every Member recognizes the Senate Ethics Committee wants to be a source of information, advice, and counsel, to see to it this institution always rises to the occasion as the most ethical body in our government. But we will as a committee, if it becomes necessary and the evidence finds it to be true, pursue our responsibility as a committee and we will do what is required of us in this body.

I wish to thank Chairman BOXER for the method in which she has handled this from the beginning to the end, as well as Laura Schiller, who has been her aide throughout and helpful. I also wish to commend Joan Kirchner, Chris Carr, and Glee Smith on my staff for their tireless efforts. The members of the committee also should be commended for their hard work, and it has been hard work. BEN CARDIN has been a tremendous legal mind for us. SHERROD BROWN has been an insightful person to ferret out information and guide us in the right direction. My dear friend, Senator ROBERTS, is the dean of the members of the Ethics Committee. On the floor are Senator ROBERTS, Senator CARDIN, and Senator BROWN. Senator RISCH from Idaho is not here, but he deserves equal credit. As the chairman said, his legal mind and insightful nature helped us come to the conclusions we came to today.

I wish to repeat my thanks to Carol Elder Bruce for the tremendous work she did, as well as Brian Stolarz, Mike Missel, and John Songstregth, who all worked with her legal team. The staff of the Ethics Committee, our staff director, John Sassaman, has been invaluable in his tireless hours of work to see to it that every I was dotted, every T was crossed, and the committee did its job. To Rochelle Ford, Lynn Tran, Bill Corcoran, and Dan Schwager, thanks to them for all the effort they made.

I will end where I began. No one in public office volunteers for the type of responsibilities we have had in the case of Senator Ensign. But all of us took that responsibility when it came upon us, recognizing the integrity of the Senate and the integrity of our decision was important for the future of this body. As sad as the deliberations were and the ultimate result was, it was proof that this Senate and its Ethics Committee can stand and do the effort necessary to see to it this institution's integrity proceeds in the future uninhibited and unendangered.

With that, unless there is a Member who wishes to speak, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

ESCALATING GASOLINE PRICES

Mr. HOEVEN. Madam President, I rise to speak this afternoon about the escalating cost of gasoline at the pump—something that affects every American consumer. Crude oil prices are now more than $100 a barrel and the price of gasoline at the pump for our consumers is about $4 on average across the Nation. It is even more here in the District. Despite some correction recently in the oil commodity markets, the U.S. Energy Information Administration expects that prices this summer will average $1 more than they did just a year ago.

Gasoline price spikes are a form of stealth inflation eating away at the income of American families, impacting our economic growth, and deepening the hardship to the almost 14 million people we have still looking for work. Some economic analysts indicate that for each $10 increase in the price of a barrel of oil, it has the impact of reducing our economic growth by about two-tenths of 1 percent. Each two-tenths of 1 percent equates to 120,000 fewer jobs that are created just in the first year of that type of increase. So you can see it has a very significant cumulative impact.

Imported oil also greatly affects detrimentally our balance of trade. Last year alone that contributed to a $265 billion trade imbalance for our Nation. The high price of oil, whether it is at the wellhead or the price of gasoline at the pump, impacts every sector of our economy. It affects jobs, it affects economic growth, and it certainly affects the purchasing power of the American family; therefore, their standard of living and our quality of life.

So what do we do? Well, the fact is, oil prices are subject to the same laws of supply and demand as other commodities. When we increase the supply, that helps bring prices down. When we reduce demand, that helps bring prices down. Of course, just the reverse is true as well. When we have less supply or more demand, that tends to push the price higher. So clearly—clearly—we need to do all we can to produce more energy in this country, and certainly we need to produce more domestic fuel, more domestic oil and gas.

I don't know how many people realize it, but over the last few years—over the last approximately 5 years—oil imports into this country have actually been going down, and that is why I have brought this chart along which was prepared by the Congressional Research Service. As we can see from the chart, domestic oil was shrinking from about 1985 to 2005, and by 2005 we increased our imports to a total of 12.4 million barrels a day, approximately 60 percent of the total oil we consumed in 2005.

However, since 2005 things have begun to change. We have made progress. We have made progress both because we are producing more oil and gas in this country and also because we are using less. So we can see from 2005 to 2010 we have actually reduced the amount of oil we import into this country from about 60 percent of what we use to less than 50 percent. Today, about 49 percent of the fuel we consume is actually produced in this country. That is a significant reduction in our imports of about 3 million barrels a day from 2005.

So what changed? Well, what changed is we are producing more oil. We are producing more oil offshore and onshore in the lower 48, and we are also producing more natural gas liquids. As I said just a minute ago, we are also consuming less, and we need to continue to do both. In addition to those things, though, we are also increasingly relying on friendly governments for our imports rather than governments that are hostile to our country.

For example, by last year we were importing twice as much oil from Canada as we were from Saudi Arabia, and that is certainly a good development. We need to continue to not only produce more domestic oil but, to the extent we import oil, we need to bring it in from countries that are friends rather than countries that are foes, or certainly that may not share our beliefs and our interests. We have opportunities to do that.

For example, right now, very close to my State, we are working on a project which is the Keystone XL Pipeline. The Keystone Pipeline is designed to carry

crude oil from the Canadian oil stands in Alberta, Canada, to refineries in the Gulf of Mexico. The problem is, we are still awaiting approval for that pipeline. U.S. approval of this project will cost our Nation not one penny but will increase the supply of oil and gasoline in our country and help hold down the price of gasoline at the pump. At the same time, it will help reduce our dependence on oil from volatile parts of the world and create thousands of good jobs in America. We all know how important that is at a time when our Nation still has 9 percent unemployment and millions of people are out of work.

We have similar opportunities to boost the supply of domestic oil and gas on American soil as well, and not just in the lower 48 but also in Alaska. The Trans-Alaska Pipeline could help increase supply enormously, but right now it is only carrying about one-quarter of its capacity. The pipeline has the capacity to carry 2 million barrels of oil a day. Right now it is carrying something over 600,000 barrels of oil a day. So, clearly, that is a tremendous capacity that is not being utilized.

Senator MURKOWSKI has eloquently pointed out that the State of Alaska holds an estimated 40 billion barrels of oil, the equivalent of more than 60 years' worth of imports from the Persian Gulf. Yet that oil is excluded from our Nation's reserve figures. The United States is already the third largest oil and gas producing Nation on Earth, with 28.4 billion barrels of proven reserves. But it also has an estimated 162, almost 163 billion barrels of technically recoverable oil, according to the Congressional Research Service. Only Russia and Saudi Arabia produce more than our country.

So the lesson in all of this is clear. We can and we must increase domestic production of oil and gas in our country. The record over the past 5 years clearly indicates we can do it. As a matter of fact, we are on our way to doing it, and we can do much more. For example, in my home State of North Dakota, we have been working over the last decade to increase oil production, and we have. Since 2005, North Dakota has increased its production of oil by more than 200,000 barrels a day. North Dakota is now the fourth largest oil-producing State in the Nation. We have passed States such as Oklahoma and, more recently, Louisiana. We have the opportunity to produce much more. We have just barely scratched the surface.

Last month, I hosted a meeting of the U.S. Geological Survey in Bismarck to make the case for a new, updated study of recoverable reserves in the Williston Basin. Of course, the Williston Basin covers parts of North Dakota, Montana, and extends into Canada as well. The last agency study was completed in 2008, and it indicated there are 3.5 to 4 billion barrels of recoverable oil in the Bakken Shale Formation, which is in the Williston Basin—3½ to 4 billion barrels of recoverable oil. Industry scientists and engineers, however, who are working out in the Williston Basin right now feel that figure is low and the reality in terms of recoverable oil reserves in the Williston Basin is much higher.

That is why we are asking the U.S. Geological Survey to come out and do a reassessment. If they are right, the results will attract tens of millions of dollars in new investment to the region, creating more domestic fuel and lower prices for American consumers, more jobs in our State, in Montana, and more jobs for our country. Also, it will help us develop infrastructure and sustain economic growth throughout the region.

In North Dakota we focused on creating more energy, more oil and gas, and more other types of energy as well by creating a legal, tax, and regulatory climate—a business climate—that encourages private investment and job creation. I have spoken several times on the floor of the Senate and more times than I can count at home and around the country about the need to forge a legal, tax, and regulatory climate in America that will attract investment in the energy industry—whether it is wind, biofuels, coal, or oil and gas.

At a time when America is struggling with a 9-percent unemployment rate, the need to create private sector jobs is absolutely paramount. It is job No. 1. Building our domestic energy industry is one of the keys to accomplishing that. The oil and gas industry alone supports 7.5 percent of the U.S. domestic product and more than 9 million American jobs. Government doesn't create those jobs, but government creates the environment that empowers and unleashes the creativity and energy of American enterprise.

The challenge confronting the U.S. energy industry today, however, is a climate of legal, tax, and regulatory uncertainty. This uncertainty is not only sidelining investment and impeding production but also hindering job creation and raising fuel prices at the pump for American consumers.

We all want to ensure we have clean air and water, but at the same time we all want to develop our Nation's abundant natural resources and do it with good, sound environmental stewardship. Clearly, we need to look at our current legal, tax, and regulatory environment to make sure we have the commonsense, reliable rules that not only enable but actually empower companies to invest the hundreds of millions and billions of dollars in new technologies that will help us unlock the energy resources in this country, and do it with the kind of environmental stewardship we all want.

It is vital for the rest of our economy. The reason for that is simple. If the energy industry cannot grow, neither can our other industries. They cannot create the jobs and opportunities our Nation so very much needs, and they cannot provide the affordable energy American families and businesses depend on every day. Impeding domestic energy production, moreover, is a national security issue as well as an economic issue. Increased dependence for oil on unstable parts of the world, such as the Middle East and Venezuela, puts not just our economy but our Nation and our Nation's security at risk. Yet rather than reduce constraints on production, rather than encourage more exploration and recovery, rather than make our country a better place to do business, our laws and regulations too often seem aimed at serving every other purpose but increasing domestic energy production and supply.

Ironically, at a time when we need to invest and create jobs, billions of dollars are not being deployed. That is because energy investors are waiting to see what kind of rules will govern things such as fracking for domestic oil, hydraulic fracture, CO_2 management, and transmission line siting. Companies out there are ready to make billion-dollar investments that will have a lifespan of more than 40 years, but they do not know the rules of the road. By certainty, I don't mean more restrictive rules and regulations; I mean commonsense rules of the road that would not change arbitrarily or according to political crosswinds.

A number of us in the Senate on both sides of the aisle are already working on commonsense initiatives to ensure that Congress, rather than government agencies, establish those rules. I have already spoken about some of those on the Senate floor. Today, I would like to talk about another one. Today, I want to discuss, for just a short period, another piece of legislation that I believe will help reduce the price of fuel at the pump—not by increasing production but simply by applying good judgment to the rules that govern distribution of gasoline in the United States.

Senator ROY BLUNT, myself, and a number of other Senators are promoting a bill called the Boutique Fuel Reduction Act of 2011. This legislation would simplify the Nation's fuel standards and make more fuel available to American consumers. It would give the administrator of the Environmental Protection Agency—the EPA—the flexibility to waive certain agency requirements pertaining to the use of specific or boutique fuels—specialty fuels—when extreme or unusual distribution problems are limiting supply.

Currently, the increased use of different types of fuel for different parts of the country is causing artificial shortages in some retail markets and, consequently, higher prices at the pump for our motorists. A service station in one city that runs out of fuel may not be able to use a certain blend of gasoline available just 50 miles away because it is not approved by the EPA for use in that location. Unfortunately, under current law, the EPA can waive the requirements only during a natural disaster, not to meet shortages or price spikes such as we have today. The law we are sponsoring would change that.

In addition to the bill, myself and a group of Senators—and House Members as well—have also sent letters to EPA Administrator Lisa Jackson, calling on the agency and the Department of Energy to complete the fuel harmonization study which Congress requested more than 5 years ago. That report was due in 2008. This report would examine the effects of the Nation's varying boutique fuels on retail prices and also assess the feasibility of developing national or regional standards to reduce the multiple varieties required today by the EPA.

Having fewer types of fuel would make more fuel available during shortages, thereby putting downward pressure on prices at the pump. It would give refineries more options to meet demand and help stabilize and reduce the retail price of gasoline.

We expect EPA and the Department of Energy to follow through on the congressional intent that was outlined in the 2005 law and conduct and complete that study as soon as possible, which correlates closely with the legislation we are sponsoring.

Bear in mind, the measures I just discussed do not cost anything. They take no funding to work. Yet they can help us reduce fuel prices for the American consumer, for our American families. They can make doing business in America more affordable, reduce our trade deficit, and help get Americans back to work again.

We need to increase domestic fuel production, and we need to provide regulatory relief in order to do it because high energy prices, whether it is fuel for our cars or electricity for our homes and businesses, impact virtually every sector of American life. That includes jobs, that includes economic growth, that includes the purchasing power of the American family, and ultimately includes our standard of living and our quality of life.

Our future is fueled by energy and that future depends on the decisions and the choices we make right now. We need to get them right.

I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Missouri.

THANKING THE MISSOURI NATIONAL GUARD

Mrs. MCCASKILL. Madam President, I rise to make some brief comments about people at home I am so proud of. Over the past 3 weeks, my home State has been the site of heartbreaking destruction that resulted from a series of severe weather incidents throughout the State. We have also had the privilege of witnessing great acts of bravery, compassion, and neighbors being neighbors in response to these incidents. I wish to take just a moment to recognize the incredible character of Missourians and particularly to recognize the contributions made by the citizen-soldiers and airmen of the Missouri National Guard.

Today, weeks after historic flooding began, we continue to see its life-altering effects, in my State and others all along the Mississippi River. My prayers, and those of my colleagues, go out to all those who have and will continue to have their lives altered by this tragedy.

I will continue to work with my colleagues in the Missouri delegation to make sure that the Federal Government provides the assistance necessary to help Missourians affected be tragedy to get back on their feet. Already, the President has granted the first Federal disaster assistance to individuals and households across the State. More announcements will come as damage assessments are completed. USDA is also poised to assist and will start holding public meetings in the affected areas to inform farmers and landowners of the help that they can receive.

One thing that has struck me about the response to the storms has been the dignity and class with which Missourians have carried themselves. In my State, families have been driven from their homes, pushed away from their jobs, lost everything. Whether it is a family in North St. Louis whose home was destroyed by a tornado, or a producer whose family farm was submerged when the levee protecting it was intentionally breached, Missourians have drawn on their faith, their families, and their neighbors to pull through. I had the opportunity to spend time with some of these families during my trip to view flooding in southeast Missouri. Their courage is inspiring, and is an example of the American spirit that we all hold dear.

We have had a rough year. The last 3 weeks have been particularly destructive, starting with the tornado and strong winds that ripped through the St. Louis area on Good Friday, April 22. This tornado, rated an EF–4, was estimated to be the strongest to hit the area in nearly four decades.

As the tornado and storms battered the St. Louis area, rain continued to fall on southeast and southern Missouri. When Governor Jay Nixon made the decision to deploy the Missouri National Guard to assist local emergency responders in their efforts, it marked the 20th time in the past 6 years that the Missouri National Guard has provided such assistance, including the last time that catastrophic flooding struck the State, in 2008.

Since their deployment to respond to this latest disaster, the Missouri National Guard, under the strong leadership of their adjutant general MG Stephen Danner, has provided invaluable support to the Governor, the Army Corps of Engineers, local responders and citizens across the scores of communities that have suffered damage. Two events from recent days provide a perfect summary of the service that these brave men and women continue to perform for the people of my State.

Last week, the citizen-soldiers and airmen of the Missouri National Guard joined the people of Caruthersville, in Pemiscot County, to rapidly erect a secondary flood wall to support the existing wall. This wall, made of 60,000 sandbags stretched across over 3,000 feet, helped to provide safety and peace of mind for a community that feared the worst.

A couple of counties away, Missouri National Guard members helped to save a 93-year-old trapped in her car as she tried to cross a flooded Black River. One of the guardsmen on the scene, seeing his first emergency duty, remarked ''we weren't there to be heroes, we were just doing our jobs.''

The citizen-soldiers and airmen of the Missouri National Guard, while ''just doing their jobs,'' have played an important role in supporting the flood response efforts of their neighbors.

A member of the 1138th Military Police Company said it best when he said ''nothing makes you feel as good as being able to help your neighbors in Missouri.'' The Missouri National Guard, and the people they valiantly serve, are and will continue to be the embodiment of those words and the spirit that we all strive to personify. I thank them for their bravery, for their selflessness and for being great neighbors.

We will all stand by to be of assistance as everyone recovers from the natural disasters that have brought such destruction to the State I love.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

(The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 973 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the time for morning business for debate only be extended until 6 p.m. with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Alabama is recognized.

FINANCIAL HEALTH

Mr. SESSIONS. Madam President, I want to share a few thoughts on a very important matter, the financial health of the United States. We had a nice meeting with the President earlier today. The Republican Senators virtually all were there, shared their thoughts, and the President responded. All in all it was a good exchange. Those are the kinds of meetings where I do not talk about what is said in detail and quote anyone.

I was asked by a number of reporters what happened and what did you say about it. I guess my conclusion is that not much happened. No commitments were made that I could see, that indicated the President had made any

change in the budget he had submitted or the speech he gave somewhat amending his budget a few weeks ago.

He did not make any changes in the plan I am seeing out there. He was open, discussed it, maybe something will happen. What is the status of the Senate's business? This is the Senate. The Senate has serious responsibilities. The Budget Act was designed to ensure that Congress passes a budget, because it was learned over the years—it goes back to the 1970s—that a budget is important for a country. Families have them, businesses have them. You need a budget.

Congress was having trouble passing a budget. So they passed the Budget Act that allowed a budget to become law without 60 votes in the Senate, but they could be passed with 50 votes. As we know, there are 54 Democrats in the Senate—and more, I guess, than that with Independents who caucus with the Democrats. So this is the situation we are in.

The President complied with the Budget Act, a week late, by submitting his budget, and his budget failed to meet the requirements of our time to a very significant degree. Every witness we have had in our budget committee—I am the ranking Republican on it—has indicated and told us, many in great detail and with passion, we are on an unsustainable course; you cannot continue to borrow 40 cents of every dollar and try to fund a government borrowing that kind of money.

We will hit a budget deficit this year of $1.5 trillion, the largest in the history of America. In 4 years, the President will have doubled the entire debt of the United States based on the trillion-dollar deficits he has had each year. So this is not an acceptable path for us to be on.

We had hearings in the Budget Committee about the critical issues we face. We considered and had testimony from the fiscal commission that President Obama appointed—Erskine Bowles and Alan Simpson, we had Rivlin-Pete Domenici. Senator Domenici, retired now, was Budget chairman at one point in time in the Senate. Alice Rivlin, OMB Director for President Clinton, is a wizard herself with numbers. They proposed some real changes in the debt trajectory we are on. I thought after that, and based on the comments of Senator CONRAD, our chairman, and the strong witnesses we heard who called on us to make significant changes in what we were doing that we would move forward with a budget that would be a good bit stronger than the one President Obama submitted.

Indeed, President Obama's budget was not serious. President Obama's budget took the current spending line for 10 years, that the Congressional Budget Office said we are on, and it made it worse. It made the deficit worse, $2 trillion worse than the current plan we were on—totally unacceptable.

He proposed in his budget increasing the Department of Education funding by 10.5 percent; increasing the Energy Department funding 9.5 percent; increasing State Department funding 10.5 percent; proposed increasing the Transportation Department 62 percent.

In a time when inflation is 2 percent, we are having those kinds of increases and we say we are submitting a budget that recognizes we are on an unsustainable course and we have got to change. Well, it was unacceptable. I was very disappointed about it. I think even the man he appointed to head the debt commission, Erskine Bowles, said they have come nowhere close to what is necessary to avoid our fiscal nightmare.

We were told by our Budget chairman, Senator CONRAD, whom it has been a pleasure to work with, that we would have a budget markup beginning this Monday. He told us that last week. Well, it did not happen on Monday. Then maybe it was going to be Tuesday. Maybe it was going to be Wednesday. Then all of a sudden the President invited the Democrats over Wednesday and the Republicans to the White House Thursday and everything is off.

I asked my staff, have we received a notice that we are going to have a Budget Committee hearing next week? The answer is no. So what do we say about that?

The Budget Act says the Senate and the House should commence budget action April 1. We have not done that. It says a budget should be passed by April 15. The Senate has not done that. The Republican House has. The Republican House has proposed a historic budget. They have passed it. They passed it on time. It will reduce spending by about $6 trillion. That would actually reduce taxes also and get the rates down to help encourage more economic growth, and put us on a path to fiscal sanity, not only this decade, but in the decades to come, because it dealt with some of the exploding entitlement programs such as Medicare.

What resulted from that? Well, Mr. RYAN, a brilliant young Congressman who has worked on budget issues for many years, is the most knowledgeable person probably in America about the details and the financial condition of America. They attacked him as though he did something wrong. The Democratic Senators and the President are spending their time attacking the one person who stood up and produced a budget that can be defended. He is prepared to defend it anywhere, anytime. He goes to townhall meetings. He has stood before the press. He has issued statements. He has explained what his budget is. It may not be perfect, but it is a change. It would put us on a path to financial stability. And what has the Senate done? Complained about his budget. Well, it is time this Senate produces a budget.

Let me say this: Today, 743 days have passed since the Senate has passed a budget. Now, let me ask, if we took a poll of the American people, how many of the American people would say the Senate shouldn't pass a budget? We have a whole act that requires one to be passed and brought up and voted on. What happened last year? The Budget Committee did produce a budget. It came to the floor, and the Democratic leader, Senator REID, just didn't have time to bring it up. Why? Well, you know, there is a vote-arama. We don't like vote-aramas. What is a vote-arama? Everybody gets to file an amendment, and Senators are supposed to vote. It has to be brought up and passed. It is passed by a simple majority. Why? Because we want to accelerate the debate and make sure a budget is passed because a nation that intends to be serious about its financial stability needs a budget, does it not? This began in the 1970s.

So we are now beginning to wonder, will the committee even pass a budget? Is Senator CONRAD not even going to have a committee markup and produce a budget? Is the Democratic Senate not even going to move one out of committee? At least it moved one out of committee last year. And if the committee does meet and does move a budget, is Senator REID prepared to stand up, like Congressman RYAN, lay his budget down before the American people, and defend it before the world? Oh, well, we need to have talks. We have talks going on. The Vice President is having a meeting. The President is inviting everybody over.

Why don't we move forward with our budget process, I ask? Why don't we? Well, why not? We read in one of our local newspapers that cover the Senate—I think it was The Hill—Senator CONRAD had a hard time with his Democratic colleagues. His budget, which I very much was afraid wouldn't contain spending enough, but certainly I felt it would be better than the budget President Obama had submitted, was discussed with his Democratic colleagues last week in their conference, and it didn't go well, we are told. So this week he came back again, apparently, and produced another budget.

According to the report, Senator SANDERS—probably the most aggressive and articulate advocate for greater government spending and activism in the Senate—seemed to be very happy that he changed the budget, and it had $2 trillion in tax increases, they said, and $2 trillion in spending reductions. That is supposed to be balanced. But that is not what the debt commission said. The debt commission—which I didn't agree with, really—said we should have at least $3 worth of spending reduction for every $1 in tax increases.

Then we have another report. I think it was in the CQ publication that does work around here and digs up information. They said it looks as if there are going to be fewer spending reductions. It looks as though it is going to be about $2 trillion in tax increases and only $1.5 trillion in reduced spending. So it is less than even 1-to-1.

Well, I think if I were the majority leader, I wouldn't really feel comfortable about bringing such a budget as that before the American people and standing right down here and defending such a weak response to the fiscal crisis we are now in. Of course, that budget is irresponsible if that is so. I don't think the American people will be happy with it. I certainly will oppose it with all the strength in my body if that is the nature of it.

Well, why don't you know, SESSIONS?

Well, I haven't been told. We asked. The Republican members of the committee wrote the chairman and asked that any budget numbers that are produced be produced 72 hours in advance of the hearing so we can study it, offer amendments, or substitute as we choose to do. We have been basically told we will get the budget resolution the chairman intends to file the morning it starts. When we commence the hearing to mark up the budget, we will be getting the copy of what they propose to bring forward. We really think that is not a healthy way to do business on a matter this important.

This period in history represents the most significant long-term threat to American financial stability that we have seen maybe ever. Sure, we had a tough time during World War II and the debt went up, but we could see, when the war was over, the strength of our workforce, and the economy grew. We came right out of that and got that situation under control quickly. But now we are in a situation in which our Nation is aging. The number of people working is down. The number of recipients of Medicare and Social Security is up. We have to figure out a way to honestly deal with that without in any way placing our seniors at risk and other people who benefit from government programs.

It is going to take some change. It is first going to take change in wasteful Washington spending. All our discretionary spending needs to be looked at, and we also are going to have to look at the long-term prospects for our financial future, as our creditors—those who are loaning us this money we are borrowing—are getting uneasy. They are not too comfortable with what we are doing.

I believe any President of any party who desires the mantle of a leader, desires to demonstrate a commitment to a firm footing for our financial future, should come forth with a plan as part of the budget process and lay it out so the American people can see it.

I am becoming very concerned, once again, even though 743 days have passed since a budget has cleared this Senate, that we may not get one this year. What an event. That, to me, is unthinkable. How irresponsible could we be to go another year under these circumstances? For example, the Congressional Budget Office has analyzed the President's proposal for the future, and that scoring of the President's budget concludes a couple of things. Last year, the interest we paid on the money this Nation has borrowed was $200 billion. In 10 years, under the President's plan, the Congressional Budget Office said the amount of interest that would be paid in 1 year is $940 billion. That is bigger than the Defense Department. That is bigger than Medicare. It will be the largest single item in the entire budget. It is unthinkable. We get no benefit from that whatsoever except the money we borrowed to live off of.

We are passing huge debts off to our grandchildren. The expert economists and financiers who testified before the Budget Committee said: Don't think you can just assume the problem falls on your grandchildren. They said we could have a crisis much sooner than that.

Mr. Bowles and Mr. Simpson issued a statement to us when they testified that said we are facing the most predictable debt crisis in American history. We asked: Could we have an idea of when such a crisis could hit us? And Mr. Bowles, chosen by President Obama to head the commission, said 2 years, maybe a little earlier, maybe a little later. Alan Simpson said: I think it could be 1 year.

Well, we hope we don't have some new debt crisis. We hope the people who have been loaning us money don't get so nervous, as they have done in Greece, that our interest rate surge puts this economy in a dangerous condition and damages our country. I hope that is not happening within 2 years or 1 year. Wouldn't that be a disaster for us? How do we prevent it? We take action now that changes the debt trajectory of our country and sends a message to the whole world: We get it. We know we can't continue on this path, and we are changing. And the way our Congress and government is set up, the way that change occurs is through the adoption of a budget.

I remain very disappointed that while the House has produced a historic budget on time—by April 15—we have not even begun to mark up a budget in the Senate. That is irresponsible. And we need to know and the American people need to know that the majority leader, if a budget is passed out of committee—and certainly it should be—will move it to the floor and bring it up for vote and amendment and debate, and then it goes to the House and conference, they hammer out the differences, and we adopt a budget that can help put this country on a sound financial path and avoid the kind of crisis so many experts have warned us could occur.

I thank the Chair. I see my fabulous colleague, Senator HATCH, the ranking Republican member of the Finance Committee and my former chairman of the Judiciary Committee. I was honored to serve with him.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I thank my dear colleague for his kind remarks. I appreciate them.

COLOMBIA TRADE PROMOTION AGREEMENT

Mr. HATCH. Madam President, yesterday the Finance Committee held a hearing on the U.S.-Colombia Free Trade Agreement, what we call the Colombia Trade Promotion Agreement. This agreement will provide significant new opportunities for U.S. manufacturers, agricultural producers, and service providers in the rapidly growing Colombian market.

Implementation of the Colombia agreement would also benefit U.S. national security. Colombia is emerging from decades of civil strife, and it is in our interests to see that Colombia continues to heal from its wounds of the past. This free trade agreement will help bring further stability to Colombia, a close friend and ally, while also opening and further building the market for U.S. exports to that country. In short, it is a good agreement for the United States.

So what is the holdup? Over 4 years have passed since the U.S.-Colombia Trade Promotion Agreement was signed. It is imperative that the administration submit an implementing bill for this agreement to Congress, and soon. The administration, however, still won't say when it will send an implementing bill to Capitol Hill.

During yesterday's hearing, I asked our Deputy U.S. Trade Representative two very simple questions regarding this issue. First, assuming that Colombia fulfills the steps outlined in the labor action plan developed by the Obama administration and the Colombian Government, will the administration submit the Colombia agreement to Congress for a vote? Second, is the administration preconditioning the President's formal submission of the Colombia trade agreement on matters not related to the action plan, such as congressional extension of trade adjustment assistance or permanent normal trade relations for Russia? To me, these questions are pretty clear and can be answered with a simple yes or no. But, unfortunately, we did not get a clear answer. After years of delay, we still do not know if the administration will ever submit the Colombia agreement to Congress for approval. This is very unfortunate.

The Obama administration's delay in submitting the Colombia agreement is hurting U.S. exporters. This failure is a drag on job creation and economic growth. While the President has dithered as to whether to implement the trade agreement with Colombia, our trade competitors have been more than willing to enter into agreements with Colombia. Consequently, while Colombia's tariffs on U.S. imports have remained in place, Colombia's tariffs on products from other countries are falling away.

For example, Colombia has implemented a preferential trade agreement with Argentina and Brazil. As a result, U.S. farm products are rapidly being displaced in the Colombia market by products from those countries. So it is not too surprising that between 2007 and 2010, U.S. agricultural exports to Colombia fell by more than half, and it looks like matters are going to get even worse. A Montana wheat grower who testified at yesterday's hearing noted that the U.S. share of Colombia's wheat market fell from 73 percent in 2008 to 43 percent in 2010. He also stated that following implementation of the Canada-Colombia Free Trade Agreement, which is expected to occur this year, U.S. exports of wheat to Colombia will drop to zero unless the United States implements its trade agreement with Colombia. So U.S. agricultural exports to Colombia are already falling. U.S. manufactured goods and U.S. services will be next.

It does not have to be this way. We do not have to continue giving away the growing Colombia market to our competitors. If we want to boost our exports to Colombia, all we have to do is implement the U.S.-Colombia Trade Promotion Agreement.

The Obama administration had earlier stated that it wanted to address Colombia's internal labor situation before moving ahead with the agreement. But the administration delayed taking any meaningful steps to address their concerns with the Colombian government for years. A few months ago, the administration finally got serious about engaging with Colombia. And, lo and behold, in a matter of weeks—in a matter of weeks—they were able to develop a labor action plan that addressed their concerns in a meaningful and concrete way. The administration discovered that, in their own words, they had a willing partner in Colombia. The fact of the matter is that Colombia has been taking steps for years to address issues related to violence against unionists and has always been willing to do more. Why it took the administration so long to figure it out is a mystery to me.

So the Obama administration has now negotiated an action plan that addresses its concerns regarding the labor situation in Colombia. You would think we would have clarity that, once the steps in the action plan are fulfilled, the administration would submit the agreement to Congress for its consideration. But we do not have this clarity. There has been no clear answer to this very simple question. Instead, there seem to be more preconditions on submitting the agreement that are not even related to the agreement itself, such as extension of trade adjustment assistance and permanent normal trade relations for Russia.

This is very odd. Most economists would agree that there are likely to be very few workers who will lose their jobs because of implementation of the Colombia trade agreement. After all, the U.S.-Colombia trade agreement will result in almost no growth in imports from Colombia. This is the case as almost all Colombian products have entered the United States duty free over the past two decades on account of U.S. trade preference programs. In contrast, Colombia's average applied tariff on U.S. imports is over 12 percent, and they can reach as high as 388 percent.

Moreover, the administration itself testified that implementation of the Colombia agreement: will expand exports of U.S. goods to Colombia by more than a billion dollars—that is with a ''B''—increase U.S. GDP by $2.5 billion; and support thousands of additional jobs for our workers, at a time when we need jobs, and when we need to pull this economy out of the mess it is in. So it is hard to see further extension of the TAA program as a necessary precondition for approval of an agreement that will help our economy and support jobs in the United States. It is a no-brainer.

I am also bewildered by any attempts to precondition submission of the Colombia agreement to congressional support for permanent normal trade relations for Russia. These two issues are totally unrelated. Given the current disregard for the rule of law and the many trade problems that persist in Russia today, it is hard to argue that the time is ripe for Congress to grant Russia permanent normal trade relations.

Moreover, it would be particularly ironic and sad to condition passage of the Colombia trade agreement with permanent normal trade relations for Russia. Over the past 4 years, Colombia has been a reliable U.S. trading partner, ready and willing to remove its tariffs on U.S. imports through implementation of our trade agreement. During these same years, Russia has seemingly gone out of its way on numerous occasions to prove to the United States that it is an unreliable trading partner.

It is fundamentally unfair to continue to treat a friend and ally like Colombia in this ridiculous way. Unfortunately, it is not the first time Democratic leaders have put one of our closest Latin American allies in this position. The U.S.-Colombia Trade Promotion Agreement was first signed on November 22, 2006—almost 5 years ago. Democratic leaders refused to consider the agreement until their additional demands were met on labor, the environment, and intellectual property. The Bush administration responded by working with then-Speaker PELOSI on a package of changes that were understood would lead to consideration of the agreement. But once they had these changes in hand, the Democratic leadership in the House balked, citing yet more issues that had to be resolved. When President Bush submitted the Colombia agreement to Congress for its consideration utilizing trade promotion authority procedures in April 2008, the Democratic leadership refused to allow the agreement to come up for a vote. Instead, they changed the rules, and the agreement has since languished for almost 5 years.

It is time for the excuses to end. Resolution of unrelated issues such as trade adjustment assistance and PNTR for Russia should not be used as further barriers to submission of this agreement. Colombia is taking the steps laid out by the Obama administration that the administration has said are necessary before the President will formally submit the agreement to Congress. Once those steps are taken in June, I fully expect the administration to finally fulfill its end of the bargain and formally submit the agreement for congressional approval without further conditions. If not, the administration is making a conscious decision to continue denying U.S. exporters improved access to the Colombian market, and to undermine our standing as a credible ally in Latin America.

It is a no-brainer to realize that Colombia is one of our best friends. When you compare it to some of its neighbors, such as Venezuela—and I can name other countries that are undermining our very country as we sit here and stand here. The fact of the matter is, Colombia is a friend. Friends should not be treated this way. It is ridiculous what is going on. There is very little need for trade adjustment assistance in this particular deal. It is just another way of sucking from the taxpayers more money for purposes that literally do not exist.

I hope the administration will wake up and realize this would be a tremendous achievement for them. There is no reason in the world why they should not want to do this. It would be a sure creator of jobs at a time when we need jobs. It will even up a situation that up to this point has been sad. And it will help our country. Let's quit playing games with this free trade agreement. Let's get it up. Let's vote on it, and let's restore our relationship with Colombia to the great relationship it deserves to be.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

BIG OIL

Mr. LAUTENBERG. Mr. President, as I stand here today, I am trying to figure out what our activities look like to the average American. They know we still have serious economic problems, though we are on a good track, and I think it is fair to say we are feeling a little bit better. But we were cautioned

by President Obama the other day—those of us who had a chance to sit in a room with him—that while things are looking up, there is still a long way to go before our people are back to work and before they can afford the basics they need to take care of their families.

While this is going on we have seen the most incredible courage, the most well-developed military plan imaginable, and the courage of our people who went in to apprehend Osama bin Laden. Thank goodness, nobody was hurt. It was a job well done, and the execution of a plan to bring to justice a man who helped kill almost 3,000 people at the World Trade Center and hundreds more in other attacks on American facilities—the Embassy in Tanzania, the Embassy in Kenya, the ship USS *Cole*—taking American lives. That is what they were determined to do.

President Obama, after lots of previous administrations looking at things, trying to figure out what to do to stop these terrorist attacks on America, had the courage to make a decision that would have rested so heavily on anyone in that governing position. He decided to take the risk knowing that our people were so well trained, so well committed that the chance of their failure was very slim but very real.

Good things have happened in America. Not only did this operation against bin Laden succeed in at least slowing down, if not eliminating, some of the terrorist threats in America, it also lifted the spirits of Americans across the country. We all felt better about it because we fought back against this terror threat.

But now I look at where we are and listen to the debate and look at what the House of Representatives has done with their majority. At this point in time, when we are still reeling from shock, having had perhaps the greatest recession since the Great Depression of the twenties and thirties, instead of trying to figure out ways to solve the problems, our colleagues on the Republican side are trying to figure out ways to punish the public. They would say to them: OK, so you don't have enough jobs—we are going to try to reduce the possibility that we will have enough, to reduce the possibility that a person who can learn but is not well off can get an education. They want to take away those opportunities. They want to take away programs that have succeeded.

We look back at our history in the last 90 years and ask: How did we get here? How did we get where we are? Mr. President, 400,000 Americans were killed in World War II. Then we saw growth in our country because of planning during President Roosevelt's days in the New Deal and the planning that President Johnson offered. We had Social Security developed, and then came Medicare, and then came Medicaid—programs that help people.

On a personal basis, for me, those years I am talking about were particularly significant. I was born to a poor family. My father found it very difficult to earn a living, as did millions of other Americans. He worked in a silk factory in the city of Paterson, NJ. He was a man very conscious of his health. But the problem was that the environment was such that he contracted cancer when he was 42. He died when he was 43 years old. His brother, working in the same type of facility, died when he was 52. My grandfather, who worked in the mills, died when he was 56 years old. That was life as I saw it. Things were bleak.

My mother was a 37-year-old widow, and she had to carry on through my father's sickness. They bought a store to make ends meet. It did not do very well, but it kept her going for a while. When all was over and my father died, I was already enlisted in the Army. My mother had no resources left. She owed doctors, owed pharmacists, owed hospitals. Every penny she had was gone. I looked at this experience and thought: Something is not fair. But I was lucky. I was able to get my education under the GI bill, as did 8 million other people who wore the American uniform during those dark days.

What happened? I got an education. I went to Columbia University. I was lucky. My tuition was paid for. I even got some money for books and some things I might have needed along the way were provided. It made a world of difference.

I was able, with two friends, to start a business. The company is fairly well known. It is called ADP. The three of us started with nothing, the two brothers with whom I was associated. Their father also worked in the factories of Paterson. They were immigrants as were my grandparents. But along came this educational opportunity, and with that came an opportunity to start a business. Today that company, ADP, is one of the four most creditworthy companies in the United States. They are listed as a three-star company.

ADP has 45,000 employees. They work in 21 countries. Most of the operation is in America but some of it is outside. It employs over 45,000 employees and helps businesses by taking over a particular part of their recordkeeping needs. It helps make things operate better in these companies.

Every month there is a labor statistic that is put out. It is done by ADP, my old company. The numbers are more reliable than those of the Bureau of Labor Statistics because the data is fresher. Every week, some 35 million people get their paychecks and that is where the data comes from. I left the company when I came here 29 years ago.

From all these experiences, I saw an America that gave people like me a chance to do things and created what is called the greatest generation in the history of America. Now, Mr. President, I am beginning to see what I believe is a great generation developing—the number of people getting to work, fewer claims for unemployment insurance, more consumer spending, and retail sales are up. The signs are good.

So when I look at what is going on in the House of Representatives, I see the stubbornness of our colleagues who refuse to step in and say: Look, we have to keep the government strong, we have to make sure we supply the kind of energy to the government that can move America along. Their response is cut, cut, cut, when all the critical social programs I mentioned were a needed expansion of government services. I am not one of those who want to cut valuable programs. I am one of those who want to reduce the deficit.

Mr. President, when you look at a balance sheet, a financial statement, it carries two parts: One part is expenses—costs—and the other part is revenues. You can cut expenses all you want, but if the revenues don't improve, you go bankrupt. It is pretty simple. And that is where we are being asked to put our future on the line. Hold the debt ceiling as ransom? For what? For what? It will destroy the competence in America. It will destroy our ability to be the country we are, the country that still leads the world despite competition.

When I left home this morning, I passed an Exxon station that is fairly near my home. There was a sign on the pump that gave the price of their gas—$4.79 a gallon. For people who have any distance to travel, this is painful. This is painful. This is part of the income they can use for basic things that are needed.

But what do we see? We see major gasoline companies, and we ask ourselves: Whose side are our colleagues on? It appears they are on the side of the gasoline companies. I think we ought to be more conscientious about this and make sure the public understands we are there for them, for the majority of people in this country who are sick and tired of seeing the price-gouging we have seen from the gasoline companies.

There was a Finance Committee hearing today, and I watched and heard the heads of these companies—the five big oil companies—say what they are worried about. Well, they are worried about the prospect of losing $4 billion a year they get in subsidies. And there was even kind of a caustic comment that it might be un-American to take away the subsidies these people get. Mr. President, $4 billion a year in subsidies.

When you look at what is going on with these companies, you see astounding results. Make no mistake, greed is fueling their appetite, and the bigger it gets, the more they want.

During the years of World War II, there was an excess profits tax that said companies shouldn't be feeding off of the opportunity the war presented and taking advantage of the public. Well, we are at war, in case people have forgotten about it. Afghanistan is a

real war. We still have the remnants of the difficulties in Iraq, we have piracy on the seas, and we have all kinds of things we have to keep fighting for. So there ought to be some recompense for our country for the opportunity they have to make this kind of money.

These are their earnings during the first 3 months of 2011, which is still part of the recession time: Exxon, their end-of-quarter profits were over $10 billion. Shell, almost $9 billion. BP, $7.1 billion—that is after their foul mistake in the Gulf of Mexico that cost plenty of money. They still made that kind of money. And Chevron made $6.2 billion. Little ConocoPhillips only made $3 billion in that quarter.

When you think about it, the irony is how well BP has done—a company that spewed 200 million gallons of oil into the ocean last year. Why is our government shoving billions of dollars into the pockets of their executives, their lawyers? Why don't we use the money to invest in a stronger America and pay down our debt? I would like to see us doing that.

Big Oil's greed is helping to inflate our deficit. Every day, Americans are footing the bill. You would think our colleagues on the other side of the aisle would want to put a stop to this madness, to step up for the average person. Well, so far we are not doing what I would like to see being done for the public, for the average citizen. Big Oil is doing everything in its power to protect its subsidies, and the Republicans are doing everything in their power to help them. The Republicans say that eliminating these wasteful subsidies will raise gas prices. That is wrong. That is plain wrong.

Look at the compensation of the CEOs here. Now, they are not selling pretzels or making potato chips; they are dealing with a commodity that is essential to the functioning of our society, of mankind. The CEO at Exxon got $29 million; ConocoPhillips, $18 million; Chevron, $16 million. These are all in 2010, for the year just recently concluded. I want to make certain people understand that companies paying their fair share in taxes isn't going to hurt the industry. It just means Big Oil executives may have to make do with a smaller swimming pool or maybe smaller yacht, but no real pain or punishment there.

The fact is, the Big Oil CEOs aren't feeling this recession. But instead of making our government more fiscally responsible by ending the giveaways to Big Oil, the Republicans have another idea: They want to cut the deficit by ending Medicare as we know it. That won't save us any money in the long term. It will simply increase the expenditures, as many are forced to pay more out of their own pockets for their health. Seniors are struggling. The big oil companies aren't.

I wish the other side would listen a little more closely to the wishes of the American people. Almost three-quarters of Americans say we should stop giving billions in tax breaks to the big oil companies each year. The American people know these subsidies are unnecessary, ineffective, and immoral. And it is not as if the oil industry is taking its annual $4 billion windfall and investing it in our country's future. No. In addition to going into the paychecks of the Big Oil executives, this money is being used to line the pockets of the industry's lawyers and lobbyists who are seen frequently and obviously around here.

I have seen this time and time again during my career in the Senate. I was the first Senator on the scene at the *Exxon Valdez* when it rammed into the Alaskan shoreline in 1989. Instead of being forthcoming and doing what they should have done, Exxon fought over every penny with the communities in Alaska—the families and the fishermen whose lives it destroyed. Instead of stepping up to pay the court-awarded damages—$5 billion—Exxon said: To heck with that verdict. We will fight it. We will fight it all the way. And they did, for years. They knocked down the amount from $5 billion in punitive damages to $500 million. I guarantee you they paid a lot of money to the lawyers and lobbyists, but they would rather give it to them than to the American people. That is what that shows. In the end, it took more than 20 years for Exxon to pay for what it had done. Some victims died while waiting for the company to make things right.

So we should not be giving Big Oil $4 billion in tax breaks each year. Their profits, which last year exceeded $100 billion, are larger than lots of countries. We should be investing in ways to break our dangerous addiction to oil. We should be investing in innovative approaches to moving people and goods, including increasing funds for transit, creating a world-class high-speed rail network, and expanding the number of electric cars on our roads. We should also boost our country's promising clean energy industry, making sure we lead the world in the export of environmental products that are proudly stamped with the ''Made in the USA'' label.

Don't be fooled—drilling will not, in the final analysis, get us out of our energy problems. We use almost a quarter of the world's oil, but we sit on less than 3 percent of the world's reserve. So drilling is going to just quickly bring the end of our ability to produce oil. That will be the conclusion. According to the U.S. Energy Information Administration, even if we open every offshore drilling area in the continental United States, the average price of gasoline would drop by just 3 cents a gallon by the year 2030. Here, we see it: The benefit of increased drilling will save us 3 cents a gallon in two decades. That is not very promising for people who have to rely on the automobile for all kinds of things in their lives.

Continuing to subsidize oil companies only increases our dependence on dirty fuels. And even as our children pay a heavy price—with asthma victims and other respiratory problems—it keeps us on a dead-end road to sky-high energy bills, more oil spills like the one we saw in the gulf, and dangerous pollution levels. Investing in clean alternatives to oil, cars that go further on a gallon of gas, and smart transportation, such as mass transit, are the only realistic solutions to our energy challenges.

Beyond clean energy investments, we should take the $4 billion we give away to Big Oil each year and use that money to pay down our deficit. It is pretty clear that we cannot restore fiscal sanity to our government unless we start paying more attention to the revenue column in our ledger.

I was a CEO for many years. I know you cannot run a company or a country without a strong revenue flow. Ending the government's wasteful oil industry subsidies will not be enough to erase our deficit, but it is a good place to start.

I call on my colleagues, have a citizen's heart. Look at this as you would any other obligation you have in your life. Make sure our country is strong and that our middle-class and our modest earners can look ahead for a decent life for themselves, educating their children and protecting their parents with proper health care. Get Big Oil off the welfare rolls. Let's end the industry's tax breaks and end our country's addiction to oil and other dirty fuels.

Let's invest in clean energy and smart transportation—and cut the windfalls for the oil industry lobbyists and lawyers. I want to make sure—and I am sure all of us do, down deep—our grandchildren and children inherit a country that is fiscally sound and morally responsible.

I yield the floor.

2011 NATIONAL POLICE WEEK

Mr. LEAHY. Mr. President, this afternoon I had the honor of attending the Top Cops event hosted by President Obama at the White House. I will be honored Sunday to attend the National Peace Officers Memorial ceremony. I appreciate the support the President is showing for our law enforcement officers not just this week but every week. Local law enforcement is critical to the peace and security of our families and communities in Vermont and across the country.

In 1962, President John F. Kennedy signed a proclamation to designate May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week. Every year during Police Week, thousands of law enforcement officers from around the country converge on Washington, DC, to honor those who have paid the ultimate sacrifice keeping all of us safe. I want to mark this week by recognizing the heroic women and men in law enforcement who are dedicated to just that. More than 900,000 law enforcement officers guard our communities at great

risk to their safety every day. National Peace Officers Memorial Day provides the people of theUnited States, in their communities, in their state capitals, and in the Nation's Capital, with the opportunity to honor and reflect on the extraordinary service and sacrifice given year after year by the women and men who serve in police forces, as peace officers and in all branches of law enforcement.

This week we honor those who lost their lives in the line of duty, and their families. In 2010, 153 law enforcement officers died while serving in the line of duty. Their bravery and sacrifice should not be forgotten. Since the first recorded police death in 1792, there have been more than 19,000 law enforcement officers who have died in the line of duty.

Late last week, the Senate passed a resolution I introduced to recognize those officers who lost their lives last year. I thank Senator GRASSLEY for joining me in sponsoring that resolution. I am glad the Senate came together unanimously to show its strong support and appreciation of America's law enforcement officers.

Keeping our communities safe is vitally important work and will always be dangerous, but we must work to keep those who protect us as safe as possible. The officers who lost their lives in 2010 are a stark reminder that we must not let up in our support of those who work day in and day out in the service of all of us and our communities.

I was proud to champion bipartisan legislation first passed more than a decade ago which has authorized Federal funding to assist in the purchase of lifesaving bulletproof vests for law enforcement officers. I have worked hard to ensure that legislation is funded each year. From 1999 through 2009, the Bulletproof Vest Partnership Grant Program has helped provide more than 800,000 vests. Just last year, the program paid for 95 new vests across Vermont. These vests have saved the lives of police officers across America.

In these tough economic times, when towns and cities have had to tighten their belts and make tough decisions about their budgets, these grants are even more important to protect law enforcement officers. Congress must continue to support this initiative to increase the safety of those in the line of duty.

Congress must also continue to support Federal assistance to state and local law enforcement. Consistent support for key Federal support initiatives like the COPS program, the Byrne/JAG program, and rural law enforcement grants are an important reason why crime rates have continued to decline even as the economy struggled and State budgets tightened. We were able to secure funding in the American Recovery and Reinvestment Act and renewed commitments in the appropriations process, which allowed police departments throughout the country to hire and maintain officers, buy needed equipment, and provide training.

In the current budget environment, everyone has had to make sacrifices. Even the President, who has been a strong supporter of law enforcement, has called for modest cuts in Federal assistance to State and local law enforcement. What we cannot afford are the draconian cuts in law enforcement assistance that others are proposing. We owe it to our law enforcement professionals and to our communities to continue our much-needed support.

HIRING HEROES ACT OF 2011

Mr. BAUCUS. Mr. President, President George Washington once said ''The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their nation.''

President Washington's words are a serious reminder of our obligation to all of the brave men and women serving our country overseas. We have a solemn obligation to our veterans when they return home. And the unemployment numbers among veterans make it clear that we have a long way to go.

The unemployment rate among veterans who have served in the military since September 2001 far exceeds that of their nonveteran peers. The unemployment rate for Iraq and Afghanistan veterans hit 13.1 percent in April. This is roughly 3 percentage points higher than the previous year. The unemployment rate among Montana veterans has more than doubled since 2005. This is a serious problem. We should be greeting our veterans with quality health care and our eternal gratitude, not an unemployment check.

Yesterday, I was proud to stand with my friends and colleagues, Senator PATTY MURRAY and Senator JON TESTER, as we introduced the Hiring Heroes Act of 2011. The bill will take a number of important steps to help our brave veterans find work when they come home from war.

If a soldier serves as a truck driver or a medic in the military, there shouldn't be excessive red tape to become a truck driver or serve in a hospital as a civilian. That is why this bill requires the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor to study how skills learned in the military can be more effectively translated to meet the qualifications required for civilian jobs back home. The legislation would also initiate a new program aimed at eliminating the barriers between military training and civilian licensure or credentialing.

The Hiring Heroes Act would require the Department of Labor to reach out to and assist recently discharged veterans receiving disability payments. The bill would also extend the VA's authority to provide rehabilitation and job training for severely wounded troops. Without this extension, only veterans separated from the military could take advantage of these critical employment services. Helping veterans requires close cooperation between the VA and veterans service organizations. That is why the legislation would authorize $4.5 million in grants for nonprofit organizations that help veterans find work.

The Hiring Heroes Act of 2011 compliments the legislation that Senators TESTER, GRASSLEY, Senator BURR and I introduced earlier this year: the Veteran Employment Transition Act of 2011. This legislation will reward employers that hire veterans who have recently completed their service in the military with up to a $2,400 tax credit under the work opportunity tax credit. I am proud that 17 of my colleagues in the Senate—Republicans and Democrats—have cosponsored this legislation. The House companion has 54 cosponsors.

The bill also cuts the redtape that generally exists under the work opportunity tax credit. Rather than having to go through the tax credit's current certification process, qualified servicemen and women who have been recently discharged will only need show their discharge documentation that was provided by the Department of Defense. This includes those men and women who were activated by their states as members of the National Guard.

Enacting this legislation would just be the first step. The tax credit will not work unless veterans and small businesses across the country know about it. That is why I am working with the Iraq and Afghanistan Veterans of America, Veterans of Foreign Wars, and other Veteran Service Organizations to help get the word out about this tax credit once we pass the legislation.

Briefly, I thank my Defenders of Freedom Fellows, Iraq and Afghanistan Veterans and Montana-Natives Charlie Cromwell and Troy Carter. As legislative fellows in my office, Charlie and Troy worked hard to draft and advance this bill. I created the Defenders of Freedom Fellowship so that Montana veterans could work on legislation that helps their fellow veterans. They would be proud of this legislation.

I encourage all interested Montana veterans to contact my office for more information. It will take this kind of teamwork to provide the support our veterans need when they come home from war. It is an honor to introduce this legislation and I look forward to its quick passage this legislative session.

SBIR/STTR

Mr. WHITEHOUSE. Mr. President. I wish to express my disappointment with this body's failure to move forward with the Small Business Innovation Research and Small Business Technology Transfer reauthorization.

The SBIR and STTR programs, as they are known, are key components in our Nation's commitment to being a global leader in research and development. If we allow these programs to expire, as they are scheduled to do at the end of this month, we will forfeit one of the best tools we have to support innovation.

Big companies do not hold a monopoly on big ideas. Small businesses, however, often lack the resources necessary to get a good idea off the ground. The SBIR and STTR programs have a long track record in helping small businesses leverage Federal support into innovative new technologies. Products developed with assistance from these programs can be found inside everything from the B–2 bomber to the electric toothbrush.

I am proud to say that some of these innovations were made in my home State of Rhode Island. Since the SBIR and STTR programs were created, Rhode Island companies have received 277 awards and almost $100 million in Federal support.

One of those companies is EpiVax, a biotech firm located in Providence. EpiVax focuses its work in the field of immunology and has received several SBIR awards over the years. Its most recent grant supports research on the development of a type I diabetes treatment. Other projects have included a hemophilia therapy and an improved Tuberculosis vaccine.

SEA Corp. is another Rhode Island company that has benefited from both SBIR and STTR grants. Located in Middletown, SEA Corp. is a veteran-owned engineering firm. In 2000, they received an SBA award to develop launch systems for the Navy. They have taken the same kind of inflator that is used in automobile airbags and reconfigured it to shoot objects as large as a 750-pound torpedo. SEA Corp. is now adapting that technology to launch unmanned aerial vehicles from ships and submarines.

I am proud of these innovative Rhode Island projects and the contributions they have made to our country. For Rhode Islanders, though, their most significant impact has been in the jobs they have helped create. EpiVax has grown to 22 employees at their facility in Rhode Island, and SEA Corp. employs 330. At a time when my State continues to suffer from 11 percent unemployment, we cannot overlook the importance of these jobs and the role played by the SBIR and STTR in supporting them.

In Rhode Island, we have put special emphasis on promoting the ''knowledge district'' concept. Leaders like Brendan McNally, the director of the Rhode Island Center for Innovation and Entrepreneurship, have worked to bring together early-stage ventures and to foster an environment of collaboration and innovation. A handful of RI–CIE businesses have received SBIR awards and many others have expressed interest in taking advantage of the grants to help their companies grow. If we fail to reauthorize these programs, great companies like EpiVax and SEA Corp. and so many others in Rhode Island and across the country may no longer have the resources to devote to developing the next generation of cutting-edge technologies and to create high-quality jobs in those fields.

It is clear that America must renew its commitment to being the world's leader in research and innovation. It is more than just a matter of national pride—it is an important part of creating jobs and securing our country's long-term economic well-being. The reauthorization bill would strengthen the Small Business Innovation Research and Small Business Technology Transfer programs and help preserve America's position as a leader in innovation.

I was discouraged that so many of my colleagues from the other side of the aisle voted to block the reauthorization of these vital programs. Simply put, this should not be a partisan issue. Given the importance of these programs to small businesses across the country, I hope that my Republican colleagues will come back to the table so that we can work together to pass a bipartisan reauthorization bill.

ISRAEL'S 63RD INDEPENDENCE DAY

Mr. MORAN. Mr. President, the first months of 2011 have been marked in the Middle East by profound change as citizens have demanded greater representation and increased accountability from their governments. As many of those protesting for change were beaten and killed in the streets, a sense of uncertainty about the future of the region and the commitment of some of our allies to American values was palpable. Yet, during this time of revolution, there has been no doubt about the certainty and strength of our Nation's alliance and friendship with Israel.

Since the United States recognized Israel 11 minutes after its founding on May 14, 1948, the two countries have worked side by side to advance democracy and peace.

In a region where dictators and family rule are the norm, Israel has stood out as a beacon for democracy—a country with an independent judicial system and strong rule of law where citizens are free to worship and speak as they wish.

For those wanting better governance and more rights in the Middle East, they just have to look next door to Israel for an example of how things could be.

In advance of Yom Ha'atzmaut—Israel's Independence Day—I wish to congratulate the citizens of Israel for building a strong and vibrant country despite the myriad challenges, wars and attacks they have faced. I look forward to working in the Senate to strengthen this strategically important relationship.

REMEMBERING PRIMO CARNABUCI

Mr. LIEBERMAN. Mr. President, sometime after nightfall on November 1, 1950, under the cover of a dark sky, there was a firefight north of the town of Unsan, in the Democratic People's Republic of Korea. Unsan lies in the eastern North Pyongan province, on the western half of the peninsula. It sits peripheral to the Kuryong River, which cuts a steep valley through the land as it channels out into the Korea Bay. Unsan also lies north of the 38th parallel and was enemy territory for the U.S. 8th Cavalry Regiment, 1st Cavalry Division, which had taken up position there just days before.

The regiment was part of a northward advance toward the Sino-Korean border, in aggressive pursuit of a weakened, retreating North Korean enemy. But as it advanced, it encountered a ferocious counteroffensive lead by Chinese forces, absorbing tragic casualties at the hands of damaging defeat. As the regiment retreated south back across the Kuryong, it was forced to leave behind many brothers in arms. Almost 600 Americans fell that day, many of whom were declared missing in action, MIA, never to be found.

Among the regiment was Primo Carnabuci of Essex, CT. Primo came from a family of patriots; his two brothers, Dominic and Louis, also served our country in uniform. Anecdotes about Primo from the battlefield paint the picture of a tenaciously courageous fighter. In one such story, outlined in a military document awarding him a Distinguished Service Cross for heroism, as reported by the Middletown Press, Primo was temporarily sidelined from battle after killing three enemy soldiers and taking grenade shrapnel to the face. As he was being attended to by a medic, Primo, according to the document, ''thrust away the aid man, picked up his rifle, and with utter disregard for his own safety, advanced into the fire of the enemy machine gun with blood streaming down his face.''

His brother Dominic was not surprised to hear that story. And it is safe to say that, as his regiment encountered those Chinese forces on that November night in 1950, Primo did not shy away from danger, but rather took the fight to the enemy, even as it overwhelmed his regiment. He ultimately perished in that battle and was declared MIA, leaving his family back home in Connecticut heartbroken and unsure about where he was, and whether he was alive or dead.

Suppressed in history's pages between the Second World War and the Vietnam war, the Korean war is often referred to as the ''Unknown War,'' or as the ''Forgotten War.'' While Primo Carnabuci's whereabouts were unknown to his family, he was certainly not forgotten. Every night since then, his brother Dominic has prayed that his brother would be found, and returned safely and soundly.

Miraculously, that prayer was answered, in part, just a few months ago,

when Dominic received a phone call from a U.S. Government official. Primo's body had been found in a mass gravesite surrounded by several of his compatriots and identified by DNA. Now, Primo has left Unsan, and he is coming back home to Connecticut.

As we gaze across the endless expanse of graves at Arlington Ceremony, or as we mourn the loss of a servicemember during a military burial somewhere across our land today, we must think about those who paid the ultimate sacrifice of not returning home alive but also not returning home at all. This country and its freedoms that we enjoy exist because men and women like Primo Carnabuci have defended it. Many have fallen for it so that we might live in freedom, and unfortunately, some of those who have fallen do not have the solace of having America as their final resting place.

On Thursday, Primo Carnabuci will be buried in Clinton, CT, with full military honors. As the crack of rifle fire and the cry of a bugle ripple through the air, and as the colors that Primo wore the uniform for are draped across his coffin, I hope that Dominic and the entire Carnabuci family will feel relief that Primo has come home and pride in his service. America is where he belongs, and America is where he will now forever rest in peace.

God bless Primo Carnabuci, God bless his family, and God bless the United States of America.

FUTURE MEMBERS OF THE ARMED FORCES

Mr. PORTMAN. Mr. President, I rise today to honor 349 high school seniors in 10 northeast Ohio counties for their commendable decision to enlist in the U.S. Armed Forces. Of these 349 seniors from 116 high schools in 104 towns and cities, 98 will enter the Army, 134 will enter the Marine Corps, 42 will enter the Navy, 25 will enter the Air Force, and 50 will enter our Ohio Army National Guard. In the presence of their parents or guardians, high school counselors, military leaders, city and business leaders, all 349 are being recognized on May 12, 2011, by ''Our Community Salutes of Cleveland.''

Later this month, these young men and women will join with many of their classmates in celebration of graduation. At a time when many of their peers are looking forward to pursuing vocational training or college degrees, or are uncertain about their future, these young men and women instead have chosen to dedicate themselves to military service in defense of our country.

Naturally, many may be anxious about the uncertainties that may await them as members of the Armed Forces. But, they should rest assured that the full support and resources of this Chamber, and the American people, are with them in whatever challenges may lie ahead.

It is thanks to the dedication of an untold number of patriots like these 349 that we are able to meet here today, in the U.S. Senate, and openly debate the best solutions to the many diverse problems that confront our country. It is thanks to their sacrifices that the United States of America remains a beacon of hope and freedom in a fractious world. We are grateful to them, their parents and their communities for instilling the character, values, discipline and mental and physical abilities of these outstanding young men and women.

Their decision to serve our country will not go unrecognized as we thank these 349 graduating seniors for the selflessness and courage that they have shown by volunteering to risk their lives in defense of others. We owe them, along with all those who serve our country, a deep debt of gratitude.

Mr. President, I ask unanimous consent to have printed in the RECORD the list of names of the high school seniors.

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

United States Army—98:

Albright—Cleveland; Bankston—Ashtabula; Barnes—Cleveland; Benz—Lakewood; Bodenski—Sheffield Village; Bradshaw—Akron; Burke—Garfield Heights; Burney—Akron; Carroll—Columbia Station; Chrosniak—Sheffield; Ciano—Kent; Clady—Elyria; Corponoi—Cleveland; Cristarella—Richmond; Dixon—Maple Heights; Dunaway—Brooklyn; Ebanoidze—Parma; Ellis—Kent; English—Geneva; Errington—Clinton; Fioritto—Concord Township; Fisher, A—Amherst; Fleischmann—Kingsville; Gibbons—Columbia Station; Giles—Cleveland; Gluntz—Parma; Gonzalez—Lorain; Gorham—Ravenna; Grenig—Parma; Hadsell—Wayland; Haslam—Akron; Haworth—Kent; Helmick—Norton; Hooks—Euclid; Hooper—Chagrin Falls; Horner—Sheffield; Houdek, L—Bedford; Huertas—Parma; Hutson—Lakewood; Irby-Tinsley—Cleveland; Jackson, C—Euclid; Jackson, M—Cleveland; Kantola—Kingsville; Khan—Cleveland; Kirby—Ashtabula; Klein—Rock Creek; Kovach—Andover; Lanier—Cleveland; Laubenthal—Sullivan; Liubin—Mayfield Heights; Lutton—Madison; Mackell—Aurora; Maley—West Salem; Malone—Parma; Mamus—Broadview Heights; McCown—Akron; McDaniel—Lagrange; McFaul—Chesterland; Meinke—Medina; Millhouse—Kent; Miramontes—Chesterland; Mozek—Madison; Muska—South Amherst; Oakes—Pierpoint; Pesec—Painesville; Petro—Ashtabula; Popek—Independence; Porter, J—Kent; Porter, L—Akron; Prendergast—North Royalton; Price, J—Norton; Rainey—Cleveland; Ray, D—Rootstown; Reese—Wellington; Roberts, T—Akron; Robinson—Euclid; Roper—Akron; Sarota—Elyria: Schwinn—Vermilion; Shelton—Lorain; Shumate—Elyria; Stephan—Brecksville; Stephens—Euclid; Stocker—Windham; Storms—Akron; Stowers—Vermilion; Sullivan—Lorain; Thomas—Conneaut; Travis—North Ridgeville; Unrue—Mogadore; Vance—Ashtabula; West—Lagrange; White, D—Lakewood; White, J—Parma; Witczak—North Royalton; Woods—Cleveland; Yarbrough—Cleveland.

United States Marine Corps—134:

Aguiar—Medina; Anthony—Akron; Arraj—Cleveland; Atterbury—East Lake; Austin—Garfield Heights; Babusharvey—Maple Heights; Baker, B—Kirtland; Beirne—Medina; Benigni—Brunswick; Bergdorf—Tallmadge; Biro—Middleburgh Heights; Block—Sheffield Lake; Bohne—Cleveland; Boomer—Hudson; Bowen—North Olmsted; Bozin—North Olmsted; Brabson, G—Parma; Brill—Sheffield; Bruner—Willoughby; Bruno—Hudson; Buras—Hudson; Burlinghaus—Middleburgh Heights; Catavolos—Rocky River; Chase—Sagamore; Chesek—North Royalton; Clark, J—Shaker Heights; Colon—Broadview Heights; Cool—Wasdworth; Cottingham—Shaker Heights; Cruse—Brunswick; Davis, B—Mantua; Davis, E—Cleveland; Dekoning—Avon; Dodd—Cuhahoga Fall; Draughton—Cleveland; Ezell—Lagrange; Fadenholz—Elyria; Fink—North Royalton; Fisher, J—Cleveland; Fortner—Northfield; Fox—Akron; Gatliff—Wellington; Gerhart—Munroe Falls; Gill—Brunswick; Gonzales—Brooklyn; Graf, T—Ravenna; Graw—North Olmsted; Harmon—Elyria; Harter—Columbia Station; Hartley—Ravenna; Hasan—Cleveland; Heinzman—Brunswick; Hicken—Cleveland; Hobart—Akron; Houchins—Chesterland; Hufford—Cleveland; Jefferys—Akron; Jordan—Bay Village; Kaczmarek—Mentor; Keeran—Magadore; Kepple—Hiram; King—Cuyahoga Falls; Kinker—Diamond; Koleszar—Painesville; Ksenich—Amherst; Kubasky—Parma; Lang—Avon Lake; Likovic—Eastlake; Long—Mogadore; Lorwanphet—Cleveland; Lucas—Spencer; Martell—Cleveland; Martin—Lyndhurst; Martinez—Cleveland; Martz—Hudson; Mayton—Avon; McComb—Euclid; McKinney—Shaker Heights; Molnar—Chardon; Moran—Cuyahoga Falls; Nichols, E—Cleveland; Nichols, T—Madison; Olexadolyk—Amherst; Palmer—Barberton; Parker—Medina; Parkham—Cleveland; Parr—Ravenna; Peck—Litchfield; Peele—Hudson; Perry, D—Euclid; Perry, M—Akron; Peterjohn—Seven Hills; Phillips—Barberton; Poole—Cleveland; Price, J—Norton; Pritschau—Perry; Prokop—Mentor; Puelo—Streetsboro; Quella—Strongsville; Quercioli—North Ridgeville; Ray, J—Cuyahoga Falls; Reese—Clinton; Reinhart—Wadsworth; Richards, A—Grafton; Richards, M—Sheffield Lake; Riolo—Columbia Station; Roberts, K—Akron; Roberts, T—Akron; Robertson—Cleveland; Rogers—North Ridgeville; Rooney—Westlake; Rosenkranz—Medina; Salcedo—Cleveland; Shirey—Barberton; Slattery—Painesville; Snyder, J—Wellington; Spelic—Medina; Stanton—North Ridgeville; Steinle—Medina; Stephen—Cleveland; Sterk—Wakeman; Swartwood—Norton; Switzer—Brunswick; Venus—Seville; Walters Brunswick; Wayman—Berlin Heights; Weese—Akron; Werdebaugh—Wellington; Westfall—Norton; Willis—Wellington; Wilson, R—Ravenna; Woodyard—Richfield; Zeigler—Medina; Zwegat—Broadview Heights.

United States Navy—42:

Adkins—Ashtabula; Armbrust—Wadsworth; Barchanowicz—Ashtabula; Bennett—Wellington; Borelli—Fairport Harbor; Boscalion—Lodi; Brown—Wellington; Coffey—Geneva; Dane—Avon; Dickson—Madison; Doniver—Cleveland; Evans—Canton; Fipps—Warrensville; Graham—Geneva; Guthrie—Medina; Hamid—Avon Lake; Helderman—North Olmsted; Houdek, A—Geneva; Jackson, A—Ashtabula; Keith—Elyria; Lindak—North Ridgeville; Machesky—Amherst; Minnich—Elyria; Mitchell—Warrensville Heights; Montgomery—Litchfield; Mullins—Sullivan; Olbrysh—Mentor; Pillari—Strongsville; Reid—Parma Heights; Rice—Vermilion; Richards, J—Warrensville Heights; Roig—Olmsted Falls; Schuler—North Ridgeville; Sidwell—Medina; Smith—Warrensville Heights; Squire—New London; Tomaszychi—Elyria; Towell—Spencer; Verdi—Ashtabula; Waites—Concord; Wilson, A—Vermilion; Zappitella—Conneaut.

United States Air Force—25.

Baade—South Euclid; Baird—Broadview Heights; Brandt—Brookpark; Callahan—

Willoughby; Delp—Mentor; Felger—Middlefield; Gorta—Olmsted Falls; Halbrook—Willowick; Hernandez—Cleveland; Johnson, D—Cleveland Heights; Justiniano—Cleveland; Leach—Mentor; McFaul—Chardon; Moore—Nordonia; Munroe—Cleveland Heights; Novak—Brookpark; Nubert—Mentor; Ramsey—Avon; Semrau—Mentor; Seufer—Chagrin Falls; Silc—Painesville; Skorupski—Mentor; Snyder, A—Lorain; Wagner—Amherst; Williams, J—Cleveland.

Army National Guard—50:

Amin—Strongsville; Beavers—Cuyahoga Falls; Brabson, S—Macedonia; Casper—Mentor; Clark, K—Akron; Cripple—Akron; Cross—Cleveland Heights; Crowder—Clinton; Davey—Akron; Dragony—Brunswick; Ely—Brooklyn; Faulds—Copley; Foster—Lagrange; Ganzer—Medina; Garcia—Lorain; Gigliotti—Lagrange; Graf, B—North Royalton; Gray—Cleveland; Griffin—Cuyahoga Falls; Grimes—Clinton; Harrison—Cleveland; Hasrouni—Brunswick; Heil—Strongsville; Hendrix—Elyria; Hunt—Lorain; Ibarra—Cleveland; Johnson, A—Cleveland; Kelly—Copley; Knafel—Akron; Marksbury—Amherst; Mireles—Parma; Morrow—Akron; Ningard—North Royalton; Noble—Clinton; Patsue—Olmsted Falls; Riley, A—Amherst; Rotilie—Rootstown; Singleton—Cleveland; Slezak—North Royalton; Strouse—Cleveland; Suttle—Akron; Swanson—Cleveland; Toddy—Westlake; Turner—Vermilion; Urbanija—Fairview Park; Walker—Medina; Williams, R—Garfield Heights; Winkleman—Fairview Park; Wite—Akron; Young—Cleveland.

TRIBUTE TO RONALD E. WEINBERG

Mr. PORTMAN. Mr. President, today I honor Ronald E. Weinberg, chair of the Cleveland State University board of trustees and a principal with Weinberg & Bell Group, a Cleveland-based private equity firm, as he is honored by Cleveland State University with its President's Medal, the university's highest nonacademic honor.

The President's Medal is awarded to individuals, groups or entities whose dedication to the university is beyond question. The medal is conferred only when the honoree has made continuing and extraordinary contributions, or has provided exemplary and ongoing services that have advanced the best interests and mission of Cleveland State University.

The presentation of this award will take place during a gala celebration entitled ''Radiance—CSU Realizing the Promise,'' a highlight of Cleveland State University's commencement weekend. At that time, the President's Medal will be bestowed upon Ronald E. Weinberg for his extraordinary commitment, service and contribution to Cleveland State University and for his efforts to help students achieve their goals through higher education.

Mr. Weinberg was appointed to the Cleveland State Board of Trustees in 2001 and has served as chairman for the past 4 years. During his tenure, CSU has made great strides in becoming one of the country's top urban universities—the campus has been transformed with new buildings; highly credentialed faculty and researchers have enriched the learning experience; and enrollment has increased.

Mr. Weinberg has generously given his time and expertise to support CSU's mission and contribute to its success. Additionally, he has financially supported many CSU initiatives. He and his wife Terri served as cochairs of the Moses Cleaveland Scholarship Dinner, and he is a platinum sponsor of Radiance. Additional recognition of Mr. Weinberg's efforts will come as the Trustees' boardroom is named for him in recognition of a generous scholarship gift.

As part of Cleveland State University's Commencement Weekend celebration, Mr. Weinberg, CSU President Ronald M. Berkman and the CSU community will participate in the celebration of graduation as well as embark on a new tradition of celebrating and supporting scholarships, which are key to attracting promising students to Cleveland State University and giving them the tools to succeed.

It is during this time of commencement that we can all pause to honor our new graduates on their accomplishments and wish them well as they embark on new opportunities. We are also grateful to CSU for helping to provide our young people with the tools they need to be prepared for a competitive job market and to support their communities. It is important to thank those, such as Mr. Weinberg, who have dedicated time and resources to contribute to the success of our students, an investment that is critical to Cleveland's and our Nation's future.

TRIBUTE TO THOMAS G. KELLEY

Mr. BROWN of Massachusetts. Mr. President, I rise today to recognize Thomas G. Kelley of Boston, MA, a veteran who risked his life for his nation and went on to a distinguished career serving his fellow veterans.

A son of Boston, Tom Kelley responded to our Nation's call of duty and enlisted in the U.S. Navy, where as a lieutenant in Vietnam he commanded River Assault Division 152. In his service to our Nation, Tom Kelley earned our highest military decoration, the Medal of Honor. The story of how it happened is worth recounting.

On June 15, 1969, Lieutenant Kelley was leading several boats up the Ong Muong Canal to extract an Army company when one suffered a mechanical failure. Moments later, the enemy attacked. At this point, I would like to quote from Tom Kelley's Medal of Honor citation presented by President Richard M. Nixon:

> . . . Lt. Comdr. Kelley realizing the extreme danger to his column and its inability to clear the ambush site until the crippled unit was repaired, boldly maneuvered the monitor in which he was embarked to the exposed side of the protective cordon in direct line with the enemy's fire, and ordered the monitor to commence firing. Suddenly, an enemy rocket scored a direct hit on the coxswain's flat, the shell penetrating the thick armor plate, and the explosion spraying shrapnel in all directions. Sustaining serious head wounds from the blast, which hurled him to the deck of the monitor, Lt. Cmdr. Kelley disregarded his severe injuries and attempted to continue directing the other boats. Although unable to move from the deck or to speak clearly into the radio, he succeeded in relaying his commands through one of his men until the enemy attack was silenced and the boats were able to move to an area of safety.

The citation concludes:

> Lt. Comdr. Kelley's brilliant leadership, bold initiative, and resolute determination served to inspire his men and provide the impetus needed to carry out the mission after he was medically evacuated by helicopter. His extraordinary courage under fire, and his selfless devotion to duty sustain and enhance the finest traditions of the U.S. Naval Service.

Tom retired from the Navy in 1990 with the rank of captain and continued to serve in the Defense Department as a civilian. After returning to his hometown of Boston, Tom was named commissioner of the Massachusetts Department of Veterans' Services in 1999. In 2003, then Governor Romney named him the department's secretary, where he served until January of this year. Many of us in and out of the service were very sorry to see him go.

While at the helm of the Massachusetts Department of Veterans' Services, Tom Kelley remained a hard-charger, and through tireless effort, transformed the agency into a national model for effective and efficient care. Under Tom's leadership, a new generation of warriors went off to fight in Operation Enduring Freedom and Operation Iraqi Liberation. Many of these warriors came home with severe physical injuries and the invisible scars of brain trauma and post traumatic stress disorder. Tom ensured that the department devoted the same level of care for these younger men and women as it did veterans from earlier conflicts.

When I served in the State legislature, and as a member of the Veterans and Federal Affairs Committee, I worked closely with Tom on many issues and was always inspired by his energy and passion for helping his fellow veterans.

Tom served under Republican and Democrat Governors and ensured that the department remained focused on providing outstanding service to Massachusetts' veterans. I have no doubt that Tom Kelley will always be regarded as an extremely effective and dedicated secretary of veterans' affairs.

Tonight, Tom will receive a fitting farewell at a bipartisan gala, all the proceeds of which will go to the Massachusetts Soldiers Legacy Fund. And it comes as no surprise that the guest of honor insisted on purchasing his own ticket.

ADDITIONAL STATEMENTS

TRIBUTE TO DORI CARLSON

• Mr. CONRAD. Mr. President, I wish to take a few minutes today to recognize an outstanding North Dakotan. On

June 18, 2011, Dori Carlson will become the first female president of the American Optometric Association, AOA. Dori, who has two offices in North Dakota, was honored in 1994 as the North Dakota Young Optometrist of the Year and in 2003 as the Optometrist of the Year. She was also the first female president of the North Dakota Optometric Association.

Dori's No. 1 priority is to advocate the importance of having young children undergo vision testing. She tells parents all over the country about ''vision'' problems faced by young children, and that it is easier to address these problems if discovered early. She regularly highlights President Obama's statement regarding the need to review vision of young children:

> No child should be falling behind at school because he or she can't . . . see the blackboard.

This is President Obama, February 4, 2009.

As a result of Dori's emphasis on the importance of children's vision, there continues to be an increase in vision testing. This means that fewer children are having vision problems. For all parents, we thank Dori for her dedication and congratulate her on becoming the new AOA president.●

UH–72 LAKOTA LIGHT UTILITY HELICOPTER

● Mr. JOHNSON of South Dakota. Mr. President, I wish to speak today to honor the inception of the UH–72 Lakota Light Utility Helicopter into the active fleet of the South Dakota National Guard D Company 1/112th Security and Support Battalion. On May 15, a ceremony will be held at the Crazy Horse Monument in the Black Hills of South Dakota—the traditional homeland of the proud Lakota Sioux for whom this aircraft has been named. After nearly a decade of development, the Light Utility Helicopter program offers the UH–72 Lakota as a state-of-the-art aircraft which will provide medical support to members of our military.

The UH–72 Lakota stands as a defining symbol of the continued partnership between the U.S. military and the Sioux people. Native Americans from all reaches of this Nation have proven, time and again, their willingness to serve in the U.S. military to protect our freedoms. In fact, members of Native American tribes like the Lakota have historically served, and continue to serve, at a higher per-capita rate than any other ethnic group in America. In its medical evacuation, homeland security, and drug enforcement aircraft capacities, I know the UH–72 Lakota will do this legacy proud, wherever it serves.

Per Department of Defense regulations, military helicopters are named after Native American tribes, and the UH–72 joins the ranks of other distinguished service helicopters like the H–60 Black Hawk, the H–64 Apache, the H–66 Comanche, and many others. Naming the UH–72 after a tribe with such a distinct and honorable history of bravery and service is a tribute to Native American heritage as potent as the service the aircraft itself will provide.

I commend the developers of this new aircraft for their hard work in the design and testing phases, as well as the pilots and crews whose input so critically enhanced the UH–72 as a finished product. I was pleased to have the opportunity to view the Lakota up close at a Rosebud Pow Wow a few years ago. I wish the pilots and crews of each of the D Company 1/112th Security and Support Battalion, as well as those serving in other regions, the best of luck with this new aircraft. ●

RECOGNIZING MAINE COMMERCIAL TIRE, INC.

● Ms SNOWE. Mr. President, next week marks the 48th annual celebration of National Small Business Week, a tradition started in 1963 under President Kennedy to highlight the critical role small businesses play in our society. This year, despite a difficult economy struggling to rebound, we can be proud of our Nation's nearly 30 million small firms that are working to move our Nation forward.

In light of this, today I commend and recognize Maine Commercial Tire, MCT, a commercial tire servicer and supplier in my home State of Maine. Recently, MCT's owners James McCurdy and James Lynch were named Maine's 2011 Small Business Persons of the year by the U.S. Small Business Administration. This is a highly deserved honor as both individuals' leadership has allowed MCT to prosper in a struggling and tumultuous economy.

Maine Commercial Tire began in 1990 in the town of Hermon, roughly 15 minutes from Bangor. Their goal was to supply new tires and retreaded tires while providing outstanding service to the many trucking businesses in Maine and portions of New Hampshire. Since that time MCT has grown substantially from 18 employees to 59 employees, and expanded by opening three additional locations across the State, in Augusta, Scarborough, and Lewiston. The company now retreads roughly 35,000 tires each year.

MCT is recognized both locally and globally for its commitment to excellence. The International Organization for Standardization, ISO, develops and sets high global standards that a variety of international companies strive to achieve in order to become certified in their field. In 2000, MCT became the first—and thus far, only—ISO 9002 certified tire dealer and independently owned retread shop in the United States. In addition to demonstrating MCT's commitment to excellence, this certification shows that American small businesses can truly compete in a global marketplace with hard work and perseverance.

As a result of their accomplishments at MCT, Mr. McCurdy and Mr. Lynch are receiving the prestigious Small Business Person of the Year award. This award takes into account a variety of criteria including: staying power as an established business, growth in number of employees, increase in sales and/or unit volume, current and past financial performance, innovativeness of product or service offered, response to adversity, and contributions to community-oriented projects. This is truly a deserved honor for Mr. Lynch and Mr. McCurdy. Their hard work and dedication has resulted in MCT being regarded as a nationwide leader in both the supply and servicing of truck tires and retreaded truck tires. Mssrs. McCurdy and Lynch were honored at a luncheon in Maine on May 5, and will also be recognized next week during National Small Business Week here in Washington.

It will take small businesses to lead us out of our economic morass. That is why I am thankful for companies such as Maine Commercial Tire, which have persevered and made great strides over the past 21 years. I thank Mr. McCurdy and Mr. Lynch for their leadership and everyone at MCT for their dedication to excellence, and offer my best wishes for success in their future endeavors.●

TRIBUTE TO DR. PHILLIP O. BARRY

● Mr. UDALL of New Mexico. Mr. President, I, with my colleague Senator BINGAMAN, wish to recognize Dr. Phillip O. Barry on the occasion of his retirement from a distinguished career serving higher education institutions in our home state of New Mexico and elsewhere.

A former Fulbright scholar, Dr. Barry has spent the past 36 years working in community colleges to improve learning opportunities for New Mexicans, Iowans, and New Jerseyans. Access to quality higher education makes all the difference for our children and our economy. In order to secure the future of the Nation, we must provide the best education possible. Innovative administrators like Dr. Barry play a vital role in achieving this important goal. As a community college president, Dr. Barry devoted 24 years to leading these institutions into the 21st century and helping them expand to meet the needs of more students and an evolving economy.

In his 15 years at Mesalands Community College in Tucumcari, NM, Dr. Barry transformed Mesalands from a technical school into a community college, including leading the college through a rigorous accreditation process. He established the college's foundation in order to ensure the financial security of the school for the future. Through Dr. Barry's leadership and foresight, Mesalands Community College created such innovations as its Dinosaur Museum, the North American Wind Research and Training Center, and an intercollegiate rodeo program.

Dr. Barry's vision for and guidance of Mesalands Community College has been instrumental to the continued development and success of the college. Senator BINGAMAN and I thank Dr. Barry for his commitment to higher education in New Mexico and to the community college students of today and tomorrow. Thanks to Dr. Barry and institutions like those he led, a growing number of Americans are able to continue their educations, achieve secondary degrees, and help ensure our country's future competitiveness in an increasingly global economy.

We wish Dr. Barry continued success, and for a most happy retirement.●

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 nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:10 a.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. 1229. An act to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 16. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con Res. 46. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

At 2:50 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 50. Concurrent resolution providing for a conditional adjournment of the House of Representatives.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 953. A bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 1229. An act to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

S. 990. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–1634. 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; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1161)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1635. 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; Fokker Services B.V. Model F.27 Mark 050 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0325)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1636. 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; Fokker Services B.V. Model F.27 Mark 050 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0262)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1637. 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; DASSAULT AVIATION Model MYSTERE-FALCON 50 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0261)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1638. 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; Rolls-Royce plc (RR) RB211–Trent 900 Series Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–0176)) received in the Office of the President of the Senate on May 5, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1639. 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; Fokker Services B.V. Model F.28 Mark 1000, 2000, 3000, and 4000 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1304)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1640. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France (Eurocopter) Model EC130 B4 Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–0212)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1641. 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 Model 747 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0090)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1642. 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; Saab AB, Saab Aerosystems Model 340A (SAAB/SF340A) and SAAB 340B Airplanes Modified in Accordance with Supplemental Type Certificate (STC) ST00224WI–D, ST00146WI–D, or SA984GL–D'' ((RIN2120–AA64) (Docket No. FAA–2010–0042)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1643. 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; Bell Helicopter Textron, Inc. Model 212 Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–0323)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1644. 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; CPAC, Inc. (Type Certificate Formerly Held by Commander Aircraft Corporation, Gulfstream Aerospace Corporation, and Rockwell International) Models 112, 112B, 112TC, 112TCA, 114, 114A, 114B, and 114TC Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0302)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1645. 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; Thielert Aircraft Engines GmbH Models TAE 125–01, TAE 125–02–99, and TAE 125–02–114 Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0820)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1646. 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 Model MD–90–30 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1202)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1647. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2010 through March 31, 2011, received in the Office of the President of the Senate on May 12, 2011; ordered to lie on the table.

EC–1648. A communication from the Assistant Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers and Other Providers of Mobile Data Services'' ((WT Docket No. 05–265)(FCC 11–52)) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1649. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band'' (FCC 11–6) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1650. A communication from the Deputy General Counsel, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of the Commission's Ex Parte Rules and Other Procedural Rules, Report and Order and Further Notice of Proposed Rulemaking'' (FCC 11–11) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1651. 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 Model A330–200 and –300 Series Airplanes, and Model A340–200 and –300 Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0311)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1652. 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; Cessna Aircraft Company (Cessna) Model 172 Airplanes Modified by Supplemental Type Certificate (STC) SA01303WI'' ((RIN2120–AA64) (Docket No. FAA–2010–1243)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1653. 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; Pacific Aerospace Limited Model 750XL Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0379)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1654. 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 Model A340–541 and –642 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0310)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1655. 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 Model A340–200 and –300 Series Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0383)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1656. 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 Model 777–200 and –300 Series Airplanes Equipped with Pratt and Whitney Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–0026)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1657. 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 Model A300 B4–601, B4–603, B4–605R, C4–605R, Variant F, and F4–605R Airplanes, and A310–204 and –304 Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0035)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1658. 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 Model 747–200B, –300, –400, –400D, and –400F Series Airplanes Powered by Pratt and Whitney 4000 or General Electric CF6–80C2 Series Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–1111)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1659. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, a legislative proposal to improve cybersecurity; to the Committee on Commerce, Science, and Transportation.

EC–1660. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, a legislative proposal to improve cybersecurity; to the Committee on the Judiciary.

EC–1661. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, a a legislative proposal to improve cybersecurity; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 793. A bill to designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the ''Specialist Jake Robert Velloza Post Office''.

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. Res. 116. A resolution to provide for expedited Senate consideration of certain nominations subject to advice and consent.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment and with a preamble:

S. Res. 174. A resolution expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 349. A bill to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the ''Marine Sgt. Jeremy E. Murray Post Office''.

S. 655. A bill to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the ''Spencer Byrd Powers, Jr. Post Office''.

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. 739. A bill to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. JOHNSON, of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

*Peter A. Diamond, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2000.

*David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes.

*Daniel L. Glaser, of the District of Columbia, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

*Wanda Felton, of New York, to be First Vice President of the Export-Import Bank of the United States for a term expiring January 20, 2013.

*Sean Robert Mulvaney, of Illinois, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2015.

By Mr. SCHUMER for the Committee on Rules and Administration.

*William J. Boarman, of Maryland, to be Public Printer, to which position he was appointed during the recess of the Senate from December 22, 2010, to January 5, 2011.

By Mr. LEAHY for the Committee on the Judiciary.

Henry F. Floyd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit.

Sara Lynn Darrow, of Illinois, to be United States District Judge for the Central District of Illinois.

Richard Brooke Jackson, of Colorado, to be United States District Judge for the District of Colorado.

Kathleen M. Williams, of Florida, to be United States District Judge for the Southern District of Florida.

Nelva Gonzales Ramos, of Texas, to be United States District Judge for the Southern District of Texas.

Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY (for himself, Mr. ISAKSON, Mr. BROWN of Ohio, Mr. BLUNT, Mr. KERRY, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, and Mr. ROBERTS):

S. 958. A bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN (for herself and Mr. LIEBERMAN):

S. 959. A bill to improve outcomes for students in persistently low-performing schools, to create a culture of recognizing, rewarding, and replicating educational excellence, to authorize school turnaround grants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself, Mr. ALEXANDER, and Mr. WYDEN):

S. 960. A bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home; to the Committee on Finance.

By Mr. KERRY (for himself, Mrs. MURRAY, and Mr. BEGICH):

S. 961. A bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 962. A bill to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER:

S. 963. A bill to reduce energy costs, improve energy efficiency, and expand the use of renewable energy by Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself, Mr. GRAHAM, Mr. DEMINT, Mr. PAUL, Mr. CORNYN, Mr. LUGAR, Mr. SHELBY, Mr. ISAKSON, Mr. RISCH, Mr. BOOZMAN, Mr. LEE, Mr. KYL, Mr. VITTER, Mr. COCHRAN, Mr. COBURN, Mr. GRASSLEY, Mrs. HUTCHISON, Mr. HOEVEN, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. MCCONNELL, Mr. BARRASSO, Mr. BURR, Mr. ROBERTS, Mr. SESSIONS, Mr. HATCH, Mr. ENZI, Mr. CHAMBLISS, Mr. INHOFE, Mr. HELLER, Mr. MCCAIN, Mr. WICKER, Mr. RUBIO, and Mr. CORKER):

S. 964. A bill to amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 965. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 966. A bill to amend the Public Health Service Act to provide for osteoporosis and related bone disease education, research, and surveillance, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Ms. SNOWE, Mr. REED, Mr. DURBIN, Mr. BLUMENTHAL, Mr. INOUYE, Mrs. SHAHEEN, Mr. SANDERS, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. AKAKA):

S. 967. A bill to establish clear regulatory standards for mortgage servicers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEAHY (for himself, Mr. HATCH, Mr. GRASSLEY, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. GRAHAM, Mr. KOHL, Mr. COONS, Mr. BLUMENTHAL, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 968. A bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself, Ms. SNOWE, Mr. BROWN of Ohio, Ms. STABENOW, and Mr. BEGICH):

S. 969. A bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K–12 instruction and curriculum and to provide evaluation grants to measure efficacy of K–12 engineering education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. CARPER, and Mr. CASEY):

S. 970. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. THUNE):

S. 971. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

By Mr. CARPER:

S. 972. A bill to amend titles 23 and 49, United States Code, to establish procedures to advance the use of cleaner construction equipment on Federal-aid highway and public transportation construction projects, to make the acquisition and installation of emission control technology an eligible expense in carrying out such projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE (for himself, Ms. SNOWE, Mr. ROCKEFELLER, Mr. NELSON of Florida, Ms. LANDRIEU, and Ms. STABENOW):

S. 973. A bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States ocean, coastal, and Great Lakes ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 974. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. WICKER, and Mr. AKAKA):

S. 975. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 976. A bill to extend the designation of Monroe County, Pennsylvania, as a HUBZone, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 977. A bill to fight criminal gangs; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself, Mr. CORNYN, and Mr. COONS):

S. 978. A bill to amend the criminal penalty provision for criminal infringement of a copyright, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. LIEBERMAN, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. REED):

S. 979. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Ms. MURKOWSKI, Ms. CANTWELL, and Mr. BEGICH):

S. 980. A bill to promote secure ferry transportation and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 981. A bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes; to the Committee on Armed Services.

By Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. LIEBERMAN, Mr. CHAMBLISS, Mr. BROWN of Massachusetts, Mr. RUBIO, and Mr. WEBB):

S. 982. A bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. NELSON of Florida:

S. 983. A bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil; to the Committee on Finance.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. MERKLEY, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. INOUYE, Mr. LEVIN, Mr. KERRY, Mr. AKAKA, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 984. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI:

S. 985. A bill to amend the definition of a law enforcement officer under subchapter III

of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ:

S. 986. A bill to amend the Internal Revenue Code of 1986 to regulate the subsidies paid to rum producers in Puerto Rico and the Virgin Islands, and for other purposes; to the Committee on Finance.

By Mr. FRANKEN (for himself, Mr. BLUMENTHAL, Mr. LEAHY, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BROWN of Ohio, Mr. HARKIN, Mr. KERRY, Mr. MERKLEY, Mr. UDALL of New Mexico, Mr. WYDEN, Mr. CASEY, and Mrs. BOXER):

S. 987. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 988. A bill to ensure that local educational agencies and units of local governments are compensated for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian; to the Committee on Energy and Natural Resources.

By Mr. MORAN (for himself and Mr. INHOFE):

S. 989. A bill to amend the Clean Air Act to require the exclusion of data of an exceedance or violation of a national ambient air quality standard caused by a prescribed fire in the Flint Hills Region, and for other purposes; to the Committee on Environment and Public Works.

By Ms. LANDRIEU:

S. 990. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; read the first time.

By Ms. MIKULSKI:

S. 991. A bill to ensure efficient performance of agency functions; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER:

S. 992. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN:

S. 993. A bill to amend the Internal Revenue Code of 1986 to prevent the extension of the tax collection period merely because the taxpayer is a member of the Armed Forces who is hospitalized as a result of combat zone injuries; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. DURBIN):

S. 994. A bill to amend title 23, United States Code, to protect States that have in effect laws or orders with respect to pay-to-play reform, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KIRK:

S. 995. A bill to amend title 18, United States Code, to prohibit public officials from engaging in undisclosed self-dealing; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Ms. SNOWE, Mr. BINGAMAN, Mr. LEAHY, Mr. SCHUMER, Mr. KERRY, and Mr. BROWN of Massachusetts):

S. 996. A bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 997. A bill to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself, Mr. HARKIN, and Mr. DURBIN):

S. 998. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. HATCH, Mr. RISCH, and Mr. CORNYN):

S.J. Res. 12. A joint resolution proposing an amendment to the Constitution of the United States to give States the right to repeal Federal laws and regulations when ratified by the legislatures of two-thirds of the several States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. CONRAD, Mr. BURR, Mr. INOUYE, Mr. BEGICH, Mr. KERRY, and Ms. MURKOWSKI):

S. Res. 181. A resolution designating May 15, 2011, as ''National MPS Awareness Day''; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. SHELBY, Mr. ALEXANDER, Mr. CORKER, Mr. COCHRAN, Mr. WICKER, Mr. CHAMBLISS, Mr. ISAKSON, Mr. BURR, and Mrs. HAGAN):

S. Res. 182. A resolution expressing the condolences of the United States to the victims of the devastating tornadoes that touched down in the South in April 2011, commending the resiliency of the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, and committing to stand by the people affected in the relief and recovery efforts; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mrs. MURRAY, Mr. KERRY, Ms. MIKULSKI, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. WHITEHOUSE):

S. Res. 183. A resolution designating May 14, 2011, as ''National Police Survivors Day''; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 184. A resolution recognizing the life and service of the Honorable Hubert H. Humphrey, distinguished former Senator from the State of Minnesota and former Vice President of the United States, upon the 100th anniversary of his birth; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. INHOFE, Mr. WYDEN, Mr. BROWN of Ohio, Mr. CARDIN, Mr. COATS, Mr. BARRASSO, Mr. CRAPO, and Mr. KYL):

S. Con. Res. 17. A concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO); to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 214

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 214, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 215

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 277

At the request of Mr. BURR, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 277, a bill to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, and for other purposes.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 351

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 351, a bill to authorize the exploration, leasing, development, and production of oil and gas in and from the western portion of the Coastal Plain of the State of Alaska without surface occupancy, and for other purposes.

S. 352

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 352, a bill to authorize the exploration, leasing, development, production, and economically feasible and prudent transportation of oil and gas in and from the Coastal Plain in Alaska.

S. 384

At the request of Mrs. FEINSTEIN, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 425

At the request of Mr. UDALL of Colorado, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 425, a bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 489

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 489, a bill to require certain mortgagees to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 510

At the request of Mr. UDALL of New Mexico, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 510, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 543

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 543, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 603

At the request of Mr. NELSON of Florida, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 603, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 648

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 648, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 657

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 657, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 658

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 658, a bill to provide for the preservation of the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 696

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 696, a bill to amend title 38, United States Code, to treat Vet Centers as Department of Veterans Affairs facilities for purposes of payments or allowances for beneficiary travel to Department facilities, and for other purposes.

S. 737

At the request of Mr. MORAN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 737, a bill to replace the Director of the Bureau of Consumer Financial Protection with a 5-person Commission, to bring the Bureau into the regular appropriations process, and for other purposes.

S. 742

At the request of Mr. BROWN of Ohio, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 742, a bill to amend chapters 83 and 84 of title 5, United States Code, to set the age at which Members of Congress are eligible for an annuity to the same age as the retirement age under the Social Security Act.

S. 755

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. BINGAMAN) 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. 781

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 781, a bill to amend the Clean Air Act to conform the definition of renewable biomass to the definition given the term in the Farm Security and Rural Investment Act of 2002.

S. 824

At the request of Mr. BROWN of Ohio, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 824, a bill to provide for enhanced mortgage-backed and asset-backed security investor protections, to prevent foreclosure fraud, and for other purposes.

S. 838

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 890

At the request of Mr. LEAHY, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 890, a bill to establish the supplemental fraud fighting account, and for other purposes.

S. 906

At the request of Mr. WICKER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 931

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 931, a bill to amend the Internal Revenue Code of 1986 to reform the rules relating to fractional charitable donations of tangible personal property.

S. 939

At the request of Mr. MENENDEZ, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 939, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 940

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 940, a bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

S. 947

At the request of Mr. JOHANNS, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 947, a bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes.

S. 950

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 950, a bill to amend title 23, United States Code, to repeal a prohibition on allowing States to use toll revenues as State matching funds for Appalachian Development Highway projects.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed

Forces and veterans, and for other purposes.

S. 952

At the request of Mr. DURBIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 952, a bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes.

S. 953

At the request of Mr. MCCONNELL, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Indiana (Mr. COATS), the Senator from Tennessee (Mr. CORKER), the Senator from Mississippi (Mr. WICKER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Kentucky (Mr. PAUL), the Senator from Wyoming (Mr. ENZI), the Senator from Kansas (Mr. ROBERTS), the Senator from Nevada (Mr. HELLER), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 953, a bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 953, supra.

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 953, supra.

S. RES. 180

At the request of Mr. RUBIO, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. Res. 180, a resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime.

At the request of Mr. LIEBERMAN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 180, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS ON MAY 11, 2011

By Mr. MCCONNELL:

S. 953. A bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes; read the first time.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 953

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 ''Offshore Production and Safety Act of 2011''.

SEC. 2. OIL SPILL RESPONSE AND CONTAINMENT.

(a) RESPONSE PLANS.—The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by inserting after section 9 the following:

''SEC. 10. EXPLORATION PLANS.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, in the case of each exploration plan submitted after the date of enactment of this act, the Secretary shall require the incorporation into the exploration plan of a third-party reviewed response plan that describes the means and timeline for containment and termination of an ongoing discharge of oil (other than a de minimis discharge, as determined by the Secretary) at the depth at which the exploration, development, or production authorized under the exploration plan is to take place.

''(b) TECHNOLOGICAL FEASIBILITY.—Before determining whether to approve a new exploration plan under subsection (a), the Secretary shall certify the technological feasibility of methods proposed to be used under a response plan described in that paragraph, as demonstrated by the potential lessee through simulation, demonstration, or other means.''.

(b) PUBLIC/PRIVATE TASK FORCE ON OIL SPILL RESPONSE AND MITIGATION.—

(1) IN GENERAL.—The Secretary of Energy, acting through the Office of Science of the Department of Energy, shall use available funds in the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund established under section 999H of the Energy Policy Act of 2005 (42 U.S.C. 16378), and such other funds as are necessary, to conduct a study, in collaboration with the Office of Fossil Energy of the Department, on means of improving prevention methodologies and technological responses to oil spills and mitigating the effects of oil spills on natural habitat.

(2) TASK FORCE.—As part of the study required under this subsection, the Secretary shall convene a task force composed of representatives of the private sector, institutions of higher education, and the National Academy of Sciences—

(A) to assess the prevention methodologies and technological response to the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment;

(B) to assess the adequacy of existing technologies for prevention and responses to deep water oil spills; and

(C) to recommend means of improving prevention methodologies and technological responses to future oil spills (including drilling relief wells) and mitigating the effects of the oil spills on natural habitat.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress, the President, the Secretary of Homeland Security, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, and the Secretary of Defense a report that describes the results of the study conducted under this subsection, including a recommended standard for technological best practices for prevention of and responses to oil spills, practice drills for emergency responses, and any other recommendations.

(c) STUDY ON FEDERAL RESPONSE TO OIL SPILLS.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of existing capabilities and legal authorities of the Federal Government to prevent and respond to oil spills.

(2) DEEPWATER HORIZON INCIDENT.—As part of the study required under this subsection, the Comptroller General of the United States shall assess the extent to which the capabilities and authorities described in paragraph (1) have been fully used in the response to the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that describes the results of the study conducted under this subsection, including any recommendations.

SEC. 3. CONDUCT OF CERTAIN PROPOSED OIL AND GAS LEASE SALES.

(a) DEFINITIONS.—In this section:

(1) ENVIRONMENT IMPACT STATEMENT FOR THE 2007–2012 5-YEAR OCS PLAN.—The term ''Environmental Impact Statement for the 2007-2012 5-Year OCS Plan'' means the Final Environmental Impact Statement for the Outer Continental Shelf Oil and Gas Leasing Program: 2007-2012 prepared by the Secretary and dated April 2007.

(2) MULTI-SALE ENVIRONMENTAL IMPACT STATEMENT.—The term ''Multi-Sale Environmental Impact Statement'' means the Environmental Impact Statement for Proposed OCS Oil and Gas Lease Sales 193, 204, 205, 206, 207, 208, 209, 210, 212, 215, and 218, 213, 216, and 222 prepared by the Secretary and dated September 2008.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) REQUIREMENT TO CONDUCT CERTAIN PROPOSED OIL AND GAS LEASE SALES.—

(1) IN GENERAL.—In accordance with section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337), the Secretary shall conduct—

(A) as soon as practicable, but not later than 120 days, after the date of enactment of this Act, offshore oil and gas lease sale 216;

(B) as soon as practicable, but not later than 240 days, after the date of enactment of this Act, offshore oil and gas lease sale 218;

(C) as soon as practicable, but not later than 1 year, after the date of enactment of this Act, offshore oil and gas lease sale 220;

(D) as soon as practicable after the date of enactment of this Act, but not later than June 1, 2012, offshore oil and gas lease sale 222;

(E) not later than September 1, 2012, offshore oil and gas lease sale 209; and

(F) not later than December 31, 2012, offshore oil and gas lease sale 212.

(2) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—The Secretary shall not make any tract available for leasing under paragraph (1)(C) if the President, acting through the Secretary of Defense, determines that drilling activity on the tract would create an unreasonable conflict with military operations.

(3) ENVIRONMENTAL REVIEW.—For the purposes of lease sale 193 and each of the lease sales authorized under subparagraphs (A), (B), (D), (E), and (F) of paragraph (1), the Environmental Impact Statement for the 2007–2012 5-Year OCS Plan and the Multi-Sale Environmental Impact Statement shall be considered to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 4. APPROVAL OR DENIAL OF DRILLING PERMITS.

(a) AMENDMENT.—Section 11 of the Outer Continental Shelf Lands Act (43 U.S.C. 1340) is amended by striking subsection (d) and inserting the following:

''(d) DRILLING PERMITS.—

''(1) IN GENERAL.—The Secretary shall, by regulation, require that any lessee operating under an approved exploration plan obtain a permit—

''(A) before the lessee drills a well in accordance with the plan; and

''(B) before the lessee significantly modifies the well design originally approved by the Secretary.

''(2) SAFETY REVIEW REQUIRED.—The Secretary shall not issue a permit under paragraph (1) until the date on which the Secretary determines that the proposed drilling operations meet all—

''(A) critical safety system requirements (including requirements relating to blowout prevention); and

''(B) oil spill response and containment requirements.

''(3) APPROVAL OR DENIAL OF PERMIT.—

''(A) IN GENERAL.—Subject to subparagraph (B), not later than 30 days after the date on which the Secretary receives an application for a permit under paragraph (1), the Secretary shall approve or deny the application.

''(B) EXTENSIONS.—

''(i) IN GENERAL.—The Secretary may extend the deadline under subparagraph (A) by an additional 15 days on not more than 2 occasions, if the Secretary provides to the applicant prior written notice of the delay in accordance with clause (ii).

''(ii) NOTICE REQUIREMENTS.—The written notice required under clause (i) shall—

''(I) be in the form of a letter from the Secretary or a designee of the Secretary; and

''(II) include the names and titles of the persons processing the application, the specific reasons for the delay, and the date on which a final decision on the application is expected.

''(C) DENIAL.—If the Secretary denies an application under subparagraph (A), the Secretary shall provide the applicant—

''(i) written notice that includes—

''(I) a clear and comprehensive description of the reasons for denying the application; and

''(II) detailed information concerning any deficiencies in the application; and

''(ii) an opportunity—

''(I) to address the reasons identified under clause (i)(I); and

''(II) to remedy the deficiencies identified under clause (i)(II).

''(D) FAILURE TO APPROVE OR DENY APPLICATION.—If the Secretary has not approved or denied the application by the date that is 60 days after the date on which the application was received by the Secretary, the application shall be considered to be approved.''.

(b) DEADLINE FOR CERTAIN PERMIT APPLICATIONS UNDER EXISTING LEASES.—

(1) DEFINITION OF COVERED APPLICATION.—In this subsection, the term ''covered application'' means an application for a permit to drill under an oil and gas lease under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) in effect on the date of enactment of this Act, that—

(A) represents a resubmission of an approved permit to drill (including an application for a permit to sidetrack) that was approved by the Secretary before May 27, 2010; and

(B) is received by the Secretary after October 12, 2010, and before the end of the 30-day period beginning on the date of enactment of this Act.

(2) IN GENERAL.—Notwithstanding the amendment made by subsection (a), a lease under which a covered application is submitted to the Secretary of the Interior shall be considered to be in directed suspension during the period beginning May 27, 2010, and ending on the date on which the Secretary issues a final decision on the application, if the Secretary does not issue a final decision on the application—

(A) before the end of the 30-day period beginning on the date of enactment of this Act, in the case of a covered application submitted before the date of enactment of this Act; or

(B) before the end of the 30-day period beginning on the date on which the application is received by the Secretary, in the case of a covered application submitted on or after the date of enactment of this Act.

SEC. 5. EXTENSION OF CERTAIN OUTER CONTINENTAL SHELF LEASES.

(a) DEFINITION OF COVERED LEASE.—In this section, the term ''covered lease'' means each oil and gas lease for the Gulf of Mexico outer Continental Shelf region issued under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) that—

(1)(A) was not producing as of April 30, 2010; or

(B) was suspended from operations, permit processing, or consideration, in accordance with the moratorium set forth in the Minerals Management Service Notice to Lessees and Operators No. 2010–N04, dated May 30, 2010, or the decision memorandum of the Secretary of the Interior entitled ''Decision memorandum regarding the suspension of certain offshore permitting and drilling activities on the Outer Continental Shelf'' and dated July 12, 2010; and

(2) by the terms of the lease, would expire on or before December 31, 2011.

(b) EXTENSION OF COVERED LEASES.—The Secretary of the Interior shall extend the term of a covered lease by 1 year.

(c) EFFECT ON SUSPENSIONS OF OPERATIONS OR PRODUCTION.—The extension of covered leases under this section is in addition to any suspension of operations or suspension of production granted by the Minerals Management Service or Bureau of Ocean Energy Management, Regulation and Enforcement after May 1, 2010.

SEC. 6. JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO OUTER CONTINENTAL SHELF ACTIVITIES IN THE GULF OF MEXICO.

(a) DEFINITIONS.—In this section:

(1) COVERED CIVIL ACTION.—The term ''covered civil action'' means a civil action containing a claim under section 702 of title 5, United States Code, regarding ''agency action'' (as the term is used in that section) affecting a covered energy project.

(2) COVERED ENERGY PROJECT.—

(A) IN GENERAL.—The term ''covered energy project'' mean the leasing of Federal land of the outer Continental Shelf (including submerged land) for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other source of energy in the Gulf of Mexico, including any action under such a lease.

(B) EXCLUSIONS.—The term ''covered energy project'' does not include any disputes between the parties to a lease regarding the obligations under a lease described in subparagraph (A), including regarding any alleged breach of the lease.

(b) EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS IN THE GULF OF MEXICO.—Venue for any covered civil action shall be in the United States Court of Appeals for the Fifth Circuit, unless there is no proper venue in any court within the United States Court of Appeals for the Fifth Circuit.

(c) TIME LIMITATION ON FILING.—A covered civil action shall be barred unless the covered civil action is filed not later than the end of the 60-day period beginning on the date of the final Federal agency action to which the covered civil action relates.

(d) EXPEDITION IN HEARING AND DETERMINING THE ACTION.—The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

(e) STANDARD OF REVIEW.—In any judicial review of a covered civil action—

(1) administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed to be correct; and

(2) the presumption under paragraph (1) may be rebutted only by the preponderance of the evidence contained in the administrative record.

(f) LIMITATION ON PROSPECTIVE RELIEF.—In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that the relief—

(1) is narrowly drawn;

(2) extends no further than necessary to correct the violation of a legal requirement; and

(3) is the least intrusive means necessary to correct that violation.

(g) LIMITATION ON ATTORNEYS' FEES.—

(1) IN GENERAL.—Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code, shall not apply to a covered civil action.

(2) PROHIBITION.—No party to a covered civil action shall receive payment from the Federal Government for attorneys' fees, expenses, or other court costs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CASEY (for himself, Mr. ISAKSON, Mr. BROWN of Ohio, Mr. BLUNT, Mr. KERRY, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, and Mr. ROBERTS):

S. 958. A bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. CASEY. Mr. President, today Senator ISAKSON and I are introducing the Children's Hospital GME Support Reauthorization Act of 2011. Since its creation in 1999, this program has provided freestanding children's hospitals with funding to support the training of medical residents. While most hospitals receive support through the Medicare program, freestanding children's hospitals are not eligible for that funding. That is why reauthorizing this program is vital.

Prior to the enactment of CHGME, the number of residents in children's hospitals' residency programs had declined over 13 percent. The enactment of CHGME has enabled children's hospitals to reverse this trend and to increase their training by 35 percent.

In Pennsylvania, we have three hospitals who participate in this important program. This is a critical investment in our country's medical future and guarantees that children will have continuing access to the care they need across provider settings. Children are not little adults. We must continue to ensure we have the specialized workforce to care for them.

Perhaps the benefit of this program is best told in the words of the residents themselves. Gabriela Marein-Efron is a resident at the Children's

Hospital of Philadelphia. She shared this story with us.

''One of the most powerful experiences I've had during my training has been in my primary care continuity clinic. Many of my patients are now almost 3 years old, and I've been taking care of them since they were newborns. My connection to these families, who are often especially vulnerable because of barriers such as poverty or language differences has influenced my ultimate career choice. In a few months I'll become an Attending Physician at this urban clinic and continue to take care of these underserved families and serve as their medical home full-time.''

Chief Resident Dustin Haferbecker had an equally meaningful experience. ''My training at CHOP allowed me the unique opportunity to discover a need in the community, and ultimately help meet that need. During residency, I was exposed to extreme lack of adequate health care that was available to the large number of refugees that continue to pour into the city, brought here by our government. Our CHGME funded curriculum made it possible for myself and a group of residents to investigate this problem, identify support from within the institution, and establish a clinic dedicated to meeting their unique health care needs. A family of three children that have spent their life a refugee camp in Nepal, are now being treated for their vitamin D deficiency and newly discovered latent tuberculosis.''

Pamela Puthoor is a resident at the Children's Hospital of Pittsburgh. ''I had had almost zero exposure to pediatric specialists before coming to Children's,'' she says. ''I knew that Children's Hospital offered a rigorous primary care program and the depth and breadth of specialty care, so I would be able to make an educated choice. I have been able to learn from leaders in their fields, and from that I have decided to go into pediatric gastroenterology.'' Dr. Puthoor says that Children's also encouraged her to pursue her interest in public health policy. ''Children's attracts passionate, altruistic people devoted to taking care of kids. The support and encouragement we receive is extraordinary,'' she says.

These residents and the stories they share are a testament of why we must continue this program.

I want to thank Senator ISAKSON for leading this legislation with me. I also want to thank Senators SHERROD BROWN, ROY BLUNT, JOHN KERRY, SCOTT BROWN, RICHARD BLUMENTHAL and PAT ROBERTS for signing on as original cosponsors. I look forward to working with my colleagues to get this legislation passed this year.

By Mr. KERRY (for himself, Mr. ALEXANDER, and Mr. WYDEN):

S. 960. A bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home; to the Committee on Finance.

Mr. KERRY. Mr. President, today along with Senator ALEXANDER I am introducing the Medicare IVIG Access Act to help patients with primary immunodeficiency diseases, PIDD, who currently face a number of health challenges. Today, Medicare beneficiaries with PIDD already have a Part B benefit for home-based intravenous immune globulin, IVIG, treatment. Unfortunately a gap in coverage exists so no payments are available for the items and services necessary to administer the treatment.

Treatment in the home is more cost effective and also protects the patient from the risk of exposure to additional illnesses in other health care settings. This is of particular concern to PIDD patients, since they already have weakened immune systems. A 2007 report from the Department of Health and Human Services, HHS, Office of Inspector General and the HHS Assistant Secretary for Planning and Evaluation found that problems with payment exist, namely the absence of coverage for required items and services associated with IVIG home infusion.

That is why I have worked with my colleague Senator ALEXANDER to introduce the Medicare IVIG Access Act to create a 3-year demonstration project to provide for and evaluate the benefits of providing a payment for items and services necessary to administer IVIG in the home. The bill includes a study to explore issues surrounding IVIG treatment, including the impact of the demonstration project on access to care, and an analysis of the appropriateness of new payment methodology for IVIG treatment in all settings.

This legislation is supported by a number of organizations including the Immune Deficiency Foundation and the Clinical Immunology Society. I ask all of my colleagues to support this important legislation.

By Mr. KERRY (for himself, Mrs. MURRAY, and Mr. BEGICH):

S. 961. A bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes; to the Committee on Finance.

Mr. KERRY. Mr. President, today I am introducing the Reconnecting Youth to Prevent Homelessness Act to improve training, educational opportunities, and permanency planning for older foster youth and reduce homelessness among our young people.

This year approximately 3.5 million people, including 1.5 million children in the United States will experience homelessness at some point. That is one out of every 50 kids. For children who were in the foster system the chances of becoming homeless are even greater. Every year approximately 30,000 children age out of the foster care system—many with no family and nowhere to go. These children were placed in the foster system at absolutely no fault of their own and too often they leave the system without a place to call home.

We have a responsibility to take care of our young people and make sure families have the resources they need to be able to keep a roof over their heads. I developed this legislation after hearing troubling stories from teenagers in Massachusetts. For example, I heard from one 15-year-old who has been in multiple foster care placements and is expected to eventually age out of the system. He told me ''. . . I feel the age 18 is too young, some of us don't always have somewhere to go . . . if this bill gets passed it will greatly help a lot of people in so many different ways . . . I thank you for giving us the opportunity to help us better ourselves and letting us know that we are heard in this world and someone cares deeply and truly about us.'' That is why I am introducing the Reconnecting Youth to Prevent Homelessness Act. This legislation will help ensure that regardless of where in the country a foster child lives, they will not face the prospect of becoming a homeless teenager by allowing them to remain in care until their 21st birthday and improving permanency planning.

It provides support for States to work together to decrease barriers that prohibit cooperation across State lines for placing foster children in loving homes outside their state of residence. It provides support for programs that improve family relationships and reduce homelessness among youth who are lesbian, gay, bisexual, or transgender. This legislation ensures that children in foster care receive Social Security benefits they qualify for due to the death of a parent or a disability.

The bill makes significant improvements to the Temporary Assistance to Needy Families, TANF, program such as enhancing efforts to connect families with education, training and housing resources. It also increases the time frame for young parents to qualify for TANF benefits if they are in an education or training program. Finally, it provides more flexibility for states to work with young families to become compliant with TANF requirements.

This legislation is supported by over 40 organizations, including the American Bar Association, the National Coalition for the Homeless, National Network for Youth, and Voice for Adoption. I thank my colleagues Senator MURRAY and Senator BEGICH for their support and co-sponsorship of this bill. It is my hope that we can move forward in a bipartisan manner. I ask all of my colleagues to support this important legislation.

By Mr. ALEXANDER (for himself, Mr. GRAHAM, Mr. DEMINT,

Mr. PAUL, Mr. CORNYN, Mr. LUGAR, Mr. SHELBY, Mr. ISAKSON, Mr. RISCH, Mr. BOOZMAN, Mr. LEE, Mr. KYL, Mr. VITTER, Mr. COCHRAN, Mr. COBURN, Mr. GRASSLEY, Mrs. HUTCHISON, Mr. HOEVEN, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. MCCONNELL, Mr. BARRASSO, Mr. BURR, Mr. ROBERTS, Mr. SESSIONS, Mr. HATCH, Mr. ENZI, Mr. CHAMBLISS, Mr. INHOFE, Mr. HELLER, Mr. MCCAIN, Mr. WICKER, Mr. RUBIO, and Mr. CORKER):

S. 964. A bill to amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, I have come to the Senate floor today to introduce, on behalf of 34 Senators, the Job Protection Act.

The Job Protection Act is occasioned by a decision by the acting general counsel of the National Labor Relations Board that filed a complaint to stop the Boeing Company from building airplanes at a nonunion plant in South Carolina, suggesting that a unionized American company cannot expand its operations in 1 of 22 States with a right-to-work law.

The right-to-work law protects workers' rights to join or not join a union. For example, in Tennessee we are a right-to-work State. In the case of a Saturn employee, where United Auto Workers is the bargaining agent, a worker doesn't have to join the union or pay dues, but he has to accept the UAW as his bargaining agent.

At the Nissan plant a few miles away from the General Motors plant, workers have three times elected not to have a union as their bargaining agent. That is what a right-to-work State is. There are 22 of them. The State of New Hampshire is in the process of deciding whether to become the 23rd. Their legislature is of one view, and their Governor is of the other view.

The Job Protection Act, which I introduce today on behalf of 34 Senators, would preserve the Federal law's current protection of State right-to-work laws in the National Labor Relations Act and provide necessary clarity to prevent the NLRB from moving forward in their case against Boeing or attempting a similar strategy against other companies.

Specifically, the Job Protection Act would, first, explicitly clarify that the board cannot order an employer to relocate jobs from one location to another; two, it guarantees an employer the right to decide where to do business within the United States; and, three, it protects an employer's free speech regarding the costs associated with having a unionized workforce without fear of such communication being used as evidence in an anti-union discrimination suit.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of the 34 Senators who are original cosponsors of the Job Protection Act.

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

JOB PROTECTION ACT—COSPONSOR LIST

Lamar Alexander, Lindsey Graham, Jim DeMint, Rand Paul, John Cornyn, Richard Lugar, Richard Shelby, Johnny Isakson, James Risch, John Boozman, Mike Lee, Jon Kyl, David Vitter, Thad Cochran, Tom Coburn, Chuck Grassley, Kay Bailey Hutchison.

John Hoeven, Mike Johanns, Ron Johnson, Mitch McConnell, John Barrasso, Richard Burr, Pat Roberts, Jeff Sessions, Orrin Hatch, Mike Enzi, Saxby Chambliss, Jim Inhofe, Dean Heller, John McCain, Roger Wicker, Marco Rubio, Bob Corker.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD at the end of my remarks two articles by the Wall Street Journal, the first written by me on April 29 and the second written by the president of the Boeing Company, Jim McNerney, who is also chairman of President Obama's Export Council.

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

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, now to make a few remarks about the actions that have caused this.

I just left a hearing in the Health, Education, Labor, and Pensions Committee on the middle class. One of the witnesses was the general counsel of the Boeing Company. As might be expected, given the notoriety of this case and the breathtaking scope of it, he got a lot of questions.

Let me first say why there is such a breathtaking scope here. Up until the filing of the complaint, one would assume that a manufacturing company, such as Boeing or a smaller company that wanted to open a new plant to create new jobs could make its own decision about where to do that. Then in doing so, it could take into account such factors as the cost of labor. It could take into account such factors as the labor relations within a State, as well as the geographical location of the State and many other factors.

The reason the decision by the acting general counsel has attracted so much attention is it basically says—or at least it suggests—to any company manufacturing a product in a State which is not a right-to-work State, such as Washington, that you better think twice before you open a new production line in one of the right-to-work States.

Let me talk for a moment about why that has an impact on the middle class in America. Thirty years ago I was Governor of Tennessee. We were the third poorest State. My goal was to raise family incomes and to create an environment in which they could be raised. I was a young Governor, but I knew enough to know the government did not raise the incomes but it might create a good environment for that to happen.

I went to my first White House dinner with the President of the United States. The President was then Jimmy Carter. The President said to us Governors at a very nice dinner—just the Governors and their spouses and the President and Mrs. Carter: Governors, go to Japan. Persuade them to make in the United States what they sell in the United States. I remember I called Dean Rusk, who had been Secretary of State, and asked him to visit with me. I talked to him about how to do this.

Off I went to Japan, which is not something I planned to do when I was walking across Tennessee trying to be the Governor. I met with the Nissan officials in Tokyo in the fall of 1979. At that time, Japanese companies seemed so powerful that there were books coming out saying they might take over the United States economy, but they were not making here what they sold here. They were making Nissan cars and trucks in Japan. They were making a decision about where to locate in our country. I took with me a photograph of the United States at night taken from a satellite. They asked: Where is Tennessee? I said: It is right in the middle of the lights. That reduced the shipping and transportation costs. Then the next decision was: Where in the center did they want to go? Every State north of us did not have a right-to-work law. Tennessee and the States around us did. Nissan chose Tennessee, and they and the General Motors plant that later came and the Volkswagen plant and thousands of suppliers have helped our middle class raise incomes over the last 30 years. A third of our jobs are auto manufacturing jobs because we provided an environment in which automakers can compete in the world marketplace.

Nissan said today that soon they will be making in the United States 85 percent of what they sell in the United States, which makes them a very American company. That is what we want. But this decision says we throw a big wet blanket over all the auto suppliers and manufacturers who might be thinking about moving into Tennessee or opening new plants in Tennessee or suppliers who might be wishing to follow Boeing to South Carolina because it says you cannot make that decision.

We have never had that kind of law in the United States. We have had a right-to-work law on the books since 1947. States have a right to adopt it or not to adopt it. The legislation I am offering today on behalf of 34 Senators does not change that, but it does preserve the right of States to adopt a right-to-work law, the right of employees to join or not to join a union, and the right of employers to make decisions about where to locate their plants and their ability to speak in public about what they are doing.

This is a most consequential decision. It is one that deserves the attention of every Senator because as the Boeing chairman, who is the head of President Obama's Export Council,

wrote in the Wall Street Journal this week, a union State would not be able to attract a manufacturer because a manufacturer might be afraid that any expansion could never be done in a right-to-work State. By simple mathematics, if Boeing, which is our largest exporter—155,000 employees in the United States, another 15,000 around the world—has a disincentive or if it cannot expand a new production line in a right-to-work State and if it might think twice about expanding in any other State, then where is it going to go? It is going to go to some other country.

This decision by the acting general counsel of the National Labor Relations Board is the single most important action I have seen in years that would rush American jobs overseas in pursuit of an environment in which they can build and manufacture competitively. It is just the reverse of what President Carter said to the Governors 30 years ago when he said: Governors, go to Japan. Persuade them to make here what they sell here.

We did that. They came here. They are making 85 percent of what they sell here. We want Volkswagen to do that. We want General Motors to do that. We want Ford to do that. We want Boeing to do that. And if we say to them, But we are going to tell you, the Federal Government is going to tell you where you have to locate your plants, you are going to override section 14(b) of the Taft-Hartley Act which was passed in 1947 and which has created an environment which has permitted American manufacturing to succeed.

All one has to do is read David Halberstam's book ''The Reckoning'' in the late 1980s to see that if our entire auto industry were still locked in Detroit, it would not be as competitive as it is today—cars made in America. I know that firsthand because I saw it happen when Nissan came to Tennessee. They did not hire a bunch of people from Japan to run the plant. They went to Detroit. They got Ford executives who knew how to run a plant but were not allowed to by the environment there, and they put them at a start-from-scratch place and created the most efficient automobile plant in North America.

We welcome also the General Motors plant and the United Auto Workers to their Spring Hill location in Tennessee. That is what a right-to-work State is where you can choose to join a union or not to join a union. Both can operate. Employees make the decision.

But when the Federal Government starts telling any company—a Boeing or a Boeing supplier, an auto company or an auto supplier or any manufacturing company—you cannot locate in a right-to-work State, they probably will not locate in a non-right-to-work State. Where are they likely to go? Mexico, Europe, Japan. Boeing sells airplanes all around the world. It can make airplanes all around the world. If we persist in policies such as this, instead of having a situation where our largest exporter has 170,000 employees, more than 150,000 of which are in the United States, we will turn that right upside down and they will be making 85 percent of their airplanes in the countries where they sell them, and the United States will have a lot fewer jobs.

This is a consequential matter that I hope attracts Democratic as well as Republican support. It preserves the right-to-work law. It preserves the choices of employees. It preserves the decision of corporations to make their own decisions about where to locate. It would stop a Federal Government regulation which is the single most effective action I know about to chase American jobs overseas and lower family incomes.

EXHIBIT 1

[From the Wall Street Journal, Apr. 29, 2011]

THE WHITE HOUSE VS. BOEING: A TENNESSEE TALE

(By Lamar Alexander)

The National Labor Relations Board has moved to stop Boeing from building airplanes at a nonunion plant in South Carolina, suggesting that a unionized American company cannot expand its operations into one of the 22 states with right-to-work laws, which protect a worker's right to join or not join a union. (New Hampshire's legislature has just approved its becoming the 23rd.)

This reminds me of a White House state dinner in February 1979, when I was governor of Tennessee. President Jimmy Carter said, ''Governors, go to Japan. Persuade them to make here what they sell here.''

''Make here what they sell here'' was then the union battle cry, part of an effort to slow the tide of Japanese cars and trucks entering the U.S. market.

Off I flew to Tokyo to meet with Nissan executives who were deciding where to put their first U.S. manufacturing plant. I carried with me a photograph taken at night from a satellite showing the country at night with all its lights on.

''Where is Tennessee?'' the executives asked. ''Right in the middle of the lights,'' I answered, pointing out that locating a plant in the population center reduces the cost of transporting cars to customers. That center had migrated south from the Midwest, where most U.S. auto plants were, to Kentucky and Tennessee.

Then the Japanese examined a second consideration: Tennessee has a right-to-work law and Kentucky does not. This meant that in Kentucky workers would have to join the United Auto Workers union. Workers in Tennessee had a choice.

In 1980 Nissan chose Tennessee, a state with almost no auto jobs. Today auto assembly plants and suppliers provide one-third of our state's manufacturing jobs. Tennessee is the home for production of the Leaf, Nissan's all-electric vehicle, and the batteries that power it. Recently Nissan announced that 85% of the cars and trucks it sells in the U.S. will be made in the U.S.—making it one of the largest ''American'' auto companies and nearly fulfilling Mr. Carter's request of 30 years ago.

But now unions want to make it illegal for a company that has experienced repeated strikes to move production to a state with a right-to-work law. What would this mean for the future of American auto jobs? Jobs would flee overseas as manufacturers look for a competitive environment in which to make and sell cars around the world.

It's happened before. David Halberstam's 1986 book, ''The Reckoning''—about the decline of the domestic American auto industry—tells the story. Halberstam quotes American Motors President George Romney, who criticized the ''shared monopoly'' consisting of the Big Three Detroit auto manufacturers and the UAW. ''There is nothing more vulnerable than entrenched success,'' Romney warned. Detroit ignored upstarts like Nissan who in the 1960s began selling funny little cars to American consumers. We all know what happened to employment in the Big Three companies.

Even when Detroit sought greener pastures in a right-to-work state, its ''partnership'' with the United Auto Workers could not compete. In 1985, General Motors located its $5 billion Saturn plant in Spring Hill, Tenn., 40 miles from Nissan, hoping side-by-side competition would help the Americans beat the Japanese. After 25 years, nonunion Nissan operated the most efficient auto plant in North America. The Saturn/UAW partnership never made a profit. GM closed Saturn last year.

Nissan's success is one reason why Volkswagen recently located in Chattanooga, and why Honda, Toyota, BMW, Kia, Mercedes-Benz, Hyundai and thousands of suppliers have chosen southeastern right-to-work states for their plants. Under right-to-work laws, employees may join unions, but mostly they have declined. Three times workers at the Nissan plant in Smyrna, Tenn., rejected organizing themselves like Saturn employees a few miles away.

Our goal should be to make it easier and cheaper to create private-sector jobs in this country. Giving workers the right to join or not to join a union helps to create a competitive environment in which more manufacturers like Nissan can make here 85% of what they sell here.

[From the Wall Street Journal, May 11, 2011]

BOEING IS PRO-GROWTH, NOT ANTI-UNION

(By Jim McNerney)

Deep into the recent recession, Boeing decided to invest more than $1 billion in a new factory in South Carolina. Surging global demand for our innovative, new 787 Dreamliner exceeded what we could build on one production line and we needed to open another.

This was good news for Boeing and for the economy. The new jetliner assembly plant would be the first one built in the U.S. in 40 years. It would create new American jobs at a time when most employers are hunkered down. It would expand the domestic footprint of the nation's leading exporter and make it more competitive against emerging plane makers from China, Russia and elsewhere. And it would bring hope to a state burdened by double-digit unemployment—with the construction phase alone estimated to create more than 9,000 total jobs.

Eighteen months later, a North Charleston swamp has been transformed into a state-of-the-art, green-energy powered, 1.2 million square-foot airplane assembly plant. One thousand new workers are hired and being trained to start building planes in July.

It is an American industrial success story by every measure. With 9% unemployment nationwide, we need more of them—and soon.

Yet the National Labor Relations Board (NLRB) believes it was a mistake and that our actions were unlawful. It claims we improperly transferred existing work, and that our decision reflected ''animus'' and constituted ''retaliation'' against union-represented employees in Washington state. Its remedy: Reverse course, Boeing, and build the assembly line where we tell you to build it.

The NLRB is wrong and has far overreached its authority. Its action is a fundamental assault on the capitalist principles that have sustained America's competitiveness since it became the world's largest economy nearly 140 years ago. We've made a rational, legal business decision about the allocation of our capital and the placement of new work within the U.S. We're confident the federal courts will reject the claim, but only after a significant and unnecessary expense to taxpayers.

More worrisome, though, are the potential implications of such brazen regulatory activism on the U.S. manufacturing base and long-term job creation. The NLRB's overreach could accelerate the overseas flight of good, middle-class American jobs.

Contrary to the NLRB's claim, our decision to expand in South Carolina resulted from an objective analysis of the same factors we use in every site selection. We considered locations in several states but narrowed the choice to either North Charleston (where sections of the 787 are built already) or Everett, Wash., which won the initial 787 assembly line in 2003.

Our union contracts expressly permit us to locate new work at our discretion. However, we viewed Everett as an attractive option and engaged voluntarily in talks with union officials to see if we could make the business case work. Among the considerations we sought were a long-term ''no-strike clause'' that would ensure production stability for our customers, and a wage and benefit growth trajectory that would help in our cost battle against Airbus and other state-sponsored competitors.

Despite months of effort, no agreement was reached. Union leaders couldn't meet expectations on our key issues, and we couldn't accept their demands that we remain neutral in all union-organizing campaigns and essentially guarantee to build every future Boeing airplane in the Puget Sound area. In October 2009, we made the Charleston selection.

Important to our case is the basic fact that no existing work is being transferred to South Carolina, and not a single union member in Washington has been adversely affected by this decision. In fact, we've since added more than 2,000 union jobs there, and the hiring continues. The 787 production line in Everett has a planned capacity of seven airplanes per month. The line in Charleston will build three additional airplanes to reach our 10-per-month capacity plan. Production of the new U.S. Air Force aerial refueling tanker will sustain and grow union jobs in Everett, too.

Before and after the selection, we spoke openly to employees and investors about our competitive realities and the business considerations of the decision. The NLRB now is selectively quoting and mischaracterizing those comments in an attempt to bolster its case. This is a distressing signal from one arm of the government when others are pushing for greater openness and transparency in corporate decision making.

It is no secret that over the years Boeing and union leaders have struggled to find the right way to work together. I don't blame that all on the union, or all on the company. Both sides are working to improve that dynamic, which is also a top concern for customers. Virgin Atlantic founder Richard Branson put it this way following the 2008 machinists' strike that shut down assembly for eight weeks: ''If union leaders and management can't get their act together to avoid strikes, we're not going to come back here again. We're already thinking, 'Would we ever risk putting another order with Boeing?' It's that serious.''

Despite the ups-and-downs, we hold no animus toward union members, and we have never sought to threaten or punish them for exercising their rights, as the NLRB claims. To the contrary, union members are part of our company's fabric and key to our success. About 40% of our 155,000 U.S. employees are represented by unions—a ratio unchanged since 2003.

Nor are we making a mass exodus to right-to-work states that forbid compulsory union membership. We have a sizable presence in 34 states; half are unionized and half are right-to-work. We make decisions on work placement based on business principles—not out of emotion or spite. For example, last year we added new manufacturing facilities in Illinois and Montana. One work force is union-represented, the other is not. Both decisions made business sense.

The world the NLRB wants to create with its complaint would effectively prevent all companies from placing new plants in right-to-work states if they have existing plants in unionized states. But as an unintended consequence, forward-thinking CEOs also would be reluctant to place new plants in unionized states—lest they be forever restricted from placing future plants elsewhere across the country.

U.S. tax and regulatory policies already make it more attractive for many companies to build new manufacturing capacity overseas. That's something the administration has said it wants to change and is taking steps is to address. It appears that message hasn't made it to the front offices of the NLRB.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 964

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 ''Job Protection Act''.

SEC. 2. APPLICATION TO CERTAIN SPEECH, BUSINESS DECISIONS.

(a) UNFAIR LABOR PRACTICES.—Section 8(a)(3) of the National Labor Relations Act (29 U.S.C. 158(a)(3)) is amended by inserting before the semicolon at the end the following: ''*: Provided further,* That an employer's expression of any views, argument, or opinion related to the costs associated with collective bargaining, work stoppages, or strikes, or the dissemination of such views, arguments, or opinions, whether in written, printed, graphic, digital, or visual form, shall not constitute or be evidence of antiunion animus or unlawful motive, if such expression contains no threat of reprisal or force or promise of benefit''.

(b) PREVENTION OF UNFAIR LABOR PRACTICES.—Section 10 of the National Labor Relations Act (29 U.S.C. 160) is amended—

(1) in subsection (a), by inserting after the period at the end the following: ''*: Provided further,* That the Board shall have no power to order any employer to relocate, shut down, or transfer any existing or planned facility or work or employment opportunity, or prevent any employer from making such relocations, transfers, or expansions to new or existing facilities in the future, or prevent any employer from closing a facility, not developing a facility, or eliminating any employment opportunity unless and until the employer has been adjudicated finally to have unlawfully undertaken such actions—

''(1) without advance notice to the labor organization, if any, representing the bargaining unit of the affected employees, of the economic reason(s) for the relocation, shut down, or transfer of existing or future work; or

''(2) as a primary and direct response to efforts by a labor organization to organize a previously unrepresented workplace''; and

(2) by adding at the end the following:

''(n) Nothing in this Act shall prevent an employer from choosing where to locate, develop, or expand its business or facilities, or require any employer to move, transfer, or relocate any facility, production line, or employment opportunity, or require that an employer cease or refrain from doing so, or prevent any employer from closing a facility or eliminating any employment opportunity unless the employer has been adjudicated finally to have unlawfully undertaken such actions—

''(1) without advance notice to the labor organization, if any, representing the bargaining unit of the affected employees, of the economic reason(s) for the relocation, shut down, or transfer of existing or future work; or

''(2) as a primary and direct response to efforts by a labor organization to organize a previously unrepresented workplace.''.

By Mr. LEAHY (for himself, Mr. HATCH, Mr. GRASSLEY, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. GRAHAM, Mr. KOHL, Mr. COONS, Mr. BLUMENTHAL, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 968. A bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, few things are more important to the future of the American economy and job creation than protecting our intellectual property. At a time where our country is beginning to regain its economic footing, businesses face an additional hurdle, the severity of which is increasing by the day—digital theft.

Copyright infringement and the sale of counterfeit goods are reported to cost American businesses billions of dollars, and result in hundreds of thousands of lost jobs. Further, the Institute for Policy Innovation estimates that copyright piracy online alone costs Federal, state and local governments $2.6 billion in tax revenue. In today's business and fiscal climate, the harm that intellectual property infringement causes to the U.S. economy is unacceptable.

While the growth of the digital marketplace has been extraordinary, and benefits businesses by enabling new opportunities to reach consumers, it also brings with it the threat of copyright infringement and counterfeiting. Internet purchases have become so commonplace that consumers are less wary of online shopping and therefore more easily victimized by online counterfeit products that may have health, safety or other quality concerns when they are counterfeit.

Today, I am introducing the bipartisan PROTECT IP Act, which is based on last year's Combating Online Infringements and Counterfeits Act. It will provide the Justice Department

and rights holders with important new tools to crack down on rogue websites dedicated to infringing activities. This legislation will protect the investment American companies make in developing brands and creating content and will protect the jobs associated with those investments. It will also protect American consumers, who should feel confident that the goods they purchase are of the type and quality they expect.

Both law enforcement and rights holders are currently limited in the remedies available to combat websites dedicated to offering infringing content and products. These rogue websites are often foreign-owned and operated, or reside at domain names that are not registered through a U.S.-based registry or registrar. American consumers are too often deceived into thinking the products they are purchasing at these websites are legitimate because they are easily accessed through their home's Internet service provider, found through well known search engines, and are complete with corporate advertising, credit card acceptance, and advertising links that make them appear legitimate.

The PROTECT IP Act authorizes the Justice Department to file a civil action against the registrant or owner of a domain name that accesses a foreign rogue website, or the foreign-registered domain name itself, and to seek a preliminary order from the court that the site is dedicated to infringing activities. The court is authorized to issue a cease and desist order against a rogue website. If the court issues that order, the Attorney General is authorized to serve that order, with permission of the court, on specified U.S. based third-parties, including Internet service providers, payment processors, online advertising network providers, and search engines. These third parties would then be required to take appropriate action to either prevent access to the Internet site, in the case of an Internet service provider or search engine, or cease doing business with the Internet site, in the case of a payment processor or advertising network.

The act authorizes a rights holder who is the victim of the infringement from a rogue website to bring a similar action against the rogue site, whether domestic or foreign. If the court issues a cease and desist order, the rights holder is authorized to serve that order, if authorized by the court, on payment processors and online advertising networks, to cut off the financial viability of the criminal activity.

The legislation will also encourage voluntary action by Internet partners that have credible evidence a rogue website is threatening the public health by trafficking in counterfeit, adulterated, or misbranded prescription medication.

Finally, the PROTECT IP Act will help law enforcement identify and prevent counterfeit products from being imported into the United States by ensuring law enforcement can share samples of packaging or labels of suspected counterfeits with the relevant rights holders to determine whether the shipment should be seized at the border. Similarly, it ensures that law enforcement can share anti-circumvention devices that have been seized with affected parties.

This legislation will provide law enforcement and rights holders with an increased ability to protect American intellectual property. This will benefit American consumers, American businesses, and American jobs. We should not expect that enactment of the legislation will completely solve the problem of online infringement, but it will make it more difficult for foreign entities to profit off American hard work and ingenuity. This bill targets the most egregious actors, and is an important first step to putting a stop to online piracy and sale of counterfeit goods.

Protecting intellectual property is not uniquely a Democratic or Republican priority it is a bipartisan priority. I look forward to working with all Senators to pass this important, bipartisan legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 968

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 ''Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011'' or the ''PROTECT IP Act of 2011''.

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term ''domain name'' has the same meaning as in section 45 of the Lanham Act (15 U.S.C. 1127);

(2) the term ''domain name system server'' means a server or other mechanism used to provide the Internet protocol address associated with a domain name;

(3) the term ''financial transaction provider'' has the same meaning as in section 5362(4) of title 31, United States Code;

(4) the term ''information location tool'' has the same meaning as described in subsection (d) of section 512 of title 17, United States Code;

(5) the term ''Internet advertising service'' means a service that for compensation sells, purchases, brokers, serves, inserts, verifies, or clears the placement of an advertisement, including a paid or sponsored search result, link, or placement that is rendered in viewable form for any period of time on an Internet site;

(6) the term ''Internet site'' means the collection of digital assets, including links, indexes, or pointers to digital assets, accessible through the Internet that are addressed relative to a common domain name;

(7) the term ''Internet site dedicated to infringing activities'' means an Internet site that—

(A) has no significant use other than engaging in, enabling, or facilitating the—

(i) reproduction, distribution, or public performance of copyrighted works, in complete or substantially complete form, in a manner that constitutes copyright infringement under section 501 of title 17, United States Code;

(ii) violation of section 1201 of title 17, United States Code; or

(iii) sale, distribution, or promotion of goods, services, or materials bearing a counterfeit mark, as that term is defined in section 34(d) of the Lanham Act; or

(B) is designed, operated, or marketed by its operator or persons operating in concert with the operator, and facts or circumstances suggest is used, primarily as a means for engaging in, enabling, or facilitating the activities described under clauses (i), (ii), or (iii) of subparagraph (A);

(8) the term ''Lanham Act'' means the Act entitled ''An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946 (commonly referred to as the ''Trademark Act of 1946'' or the ''Lanham Act'');

(9) the term ''nondomestic domain name'' means a domain name for which the domain name registry that issued the domain name and operates the relevant top level domain, and the domain name registrar for the domain name, are not located in the United States;

(10) the term ''owner'' or ''operator'' when used in connection with an Internet site shall include, respectively, any owner of a majority interest in, or any person with authority to operate, such Internet site; and

(11) the term ''qualifying plaintiff'' means—

(A) the Attorney General of the United States; or

(B) an owner of an intellectual property right, or one authorized to enforce such right, harmed by the activities of an Internet site dedicated to infringing activities occurring on that Internet site.

SEC. 3. ENHANCING ENFORCEMENT AGAINST ROGUE WEBSITES OPERATED AND REGISTERED OVERSEAS.

(a) COMMENCEMENT OF AN ACTION.—

(1) IN PERSONAM.—The Attorney General may commence an in personam action against—

(A) a registrant of a nondomestic domain name used by an Internet site dedicated to infringing activities; or

(B) an owner or operator of an Internet site dedicated to infringing activities accessed through a nondomestic domain name.

(2) IN REM.—If through due diligence the Attorney General is unable to find a person described in subparagraphs (A) or (B) of paragraph (1), or no such person found has an address within a judicial district of the United States, the Attorney General may commence an in rem action against a nondomestic domain name used by an Internet site dedicated to infringing activities.

(b) ORDERS OF THE COURT.—

(1) IN GENERAL.—On application of the Attorney General following the commencement of an action under this section, the court may issue a temporary restraining order, a preliminary injunction, or an injunction, in accordance with rule 65 of the Federal Rules of Civil Procedure, against the nondomestic domain name used by an Internet site dedicated to infringing activities, or against a registrant of such domain name, or the owner or operator of such Internet site dedicated to infringing activities, to cease and desist from undertaking any further activity as an Internet site dedicated to infringing activities, if—

(A) the domain name is used within the United States to access such Internet site; and

(B) the Internet site—

(i) conducts business directed to residents of the United States; and

(ii) harms holders of United States intellectual property rights.

(2) DETERMINATION BY THE COURT.—For purposes of determining whether an Internet site conducts business directed to residents of the United States under paragraph (1)(B)(i), a court may consider, among other indicia, whether—

(A) the Internet site is providing goods or services described in section 2(7) to users located in the United States;

(B) there is evidence that the Internet site is not intended to provide—

(i) such goods and services to users located in the United States;

(ii) access to such goods and services to users located in the United States; and

(iii) delivery of such goods and services to users located in the United States;

(C) the Internet site has reasonable measures in place to prevent such goods and services from being accessed from or delivered to the United States;

(D) the Internet site offers services obtained in the United States; and

(E) any prices for goods and services are indicated in the currency of the United States.

(c) NOTICE AND SERVICE OF PROCESS.—

(1) IN GENERAL.—Upon commencing an action under this section, the Attorney General shall send a notice of the alleged violation and intent to proceed under this Act to the registrant of the domain name of the Internet site—

(A) at the postal and e-mail address appearing in the applicable publicly accessible database of registrations, if any and to the extent such addresses are reasonably available;

(B) via the postal and e-mail address of the registrar, registry, or other domain name registration authority that registered or assigned the domain name, to the extent such addresses are reasonably available; and

(C) in any other such form as the court finds necessary, including as may be required by Rule 4(f) of the Federal Rules of Civil Procedure.

(2) RULE OF CONSTRUCTION.—For purposes of this section, the actions described in this subsection shall constitute service of process.

(d) REQUIRED ACTIONS BASED ON COURT ORDERS.—

(1) SERVICE.—A Federal law enforcement officer, with the prior approval of the court, may serve a copy of a court order issued pursuant to this section on similarly situated entities within each class described in paragraph (2). Proof of service shall be filed with the court.

(2) REASONABLE MEASURES.—After being served with a copy of an order pursuant to this subsection:

(A) OPERATORS.—

(i) IN GENERAL.—An operator of a nonauthoritative domain name system server shall take the least burdensome technically feasible and reasonable measures designed to prevent the domain name described in the order from resolving to that domain name's Internet protocol address, except that—

(I) such operator shall not be required—

(aa) other than as directed under this subparagraph, to modify its network, software, systems, or facilities;

(bb) to take any measures with respect to domain name lookups not performed by its own domain name server or domain name system servers located outside the United States; or

(cc) to continue to prevent access to a domain name to which access has been effectively disable by other means; and

(II) nothing in this subparagraph shall affect the limitation on the liability of such an operator under section 512 of title 17, United States Code.

(ii) TEXT OF NOTICE.—The Attorney General shall prescribe the text of the notice displayed to users or customers of an operator taking an action pursuant to this subparagraph. Such text shall specify that the action is being taken pursuant to a court order obtained by the Attorney General.

(B) FINANCIAL TRANSACTION PROVIDERS.—A financial transaction provider shall take reasonable measures, as expeditiously as reasonable, designed to prevent, prohibit, or suspend its service from completing payment transactions involving customers located within the United States and the Internet site associated with the domain name set forth in the order.

(C) INTERNET ADVERTISING SERVICES.—An Internet advertising service that contracts with the Internet site associated with the domain name set forth in the order to provide advertising to or for that site, or which knowingly serves advertising to or for such site, shall take technically feasible and reasonable measures, as expeditiously as reasonable, designed to—

(i) prevent its service from providing advertisements to the Internet site associated with such domain name; or

(ii) cease making available advertisements for that site, or paid or sponsored search results, links or other placements that provide access to the domain name.

(D) INFORMATION LOCATION TOOLS.—An information location tool shall take technically feasible and reasonable measures, as expeditiously as possible, to—

(i) remove or disable access to the Internet site associated with the domain name set forth in the order; or

(ii) not serve a hypertext link to such Internet site.

(3) COMMUNICATION WITH USERS.—Except as provided under paragraph (2)(A)(ii), an entity taking an action described in this subsection shall determine whether and how to communicate such action to the entity's users or customers.

(4) RULE OF CONSTRUCTION.—For purposes of an action commenced under this section, the obligations of an entity described in this subsection shall be limited to the actions set out in each paragraph or subparagraph applicable to such entity, and no order issued pursuant to this section shall impose any additional obligations on, or require additional actions by, such entity.

(5) ACTIONS PURSUANT TO COURT ORDER.—

(A) IMMUNITY FROM SUIT.—No cause of action shall lie in any Federal or State court or administrative agency against any entity receiving a court order issued under this subsection, or against any director, officer, employee, or agent thereof, for any act reasonably designed to comply with this subsection or reasonably arising from such order, other than in an action pursuant to subsection (e).

(B) IMMUNITY FROM LIABILITY.—Any entity receiving an order under this subsection, and any director, officer, employee, or agent thereof, shall not be liable to any party for any acts reasonably designed to comply with this subsection or reasonably arising from such order, other than in an action pursuant to subsection (e), and any actions taken by customers of such entity to circumvent any restriction on access to the Internet domain instituted pursuant to this subsection or any act, failure, or inability to restrict access to an Internet domain that is the subject of a court order issued pursuant to this subsection despite good faith efforts to do so by such entity shall not be used by any person in any claim or cause of action against such entity, other than in an action pursuant to subsection (e).

(e) ENFORCEMENT OF ORDERS.—

(1) IN GENERAL.—In order to compel compliance with this section, the Attorney General may bring an action for injunctive relief against any party receiving a court order issued pursuant to this section that knowingly and willfully fails to comply with such order.

(2) RULE OF CONSTRUCTION.—The authority granted the Attorney General under paragraph (1) shall be the sole legal remedy for enforcing the obligations under this section of any entity described in subsection (d).

(3) DEFENSE.—A defendant in an action under paragraph (1) may establish an affirmative defense by showing that the defendant does not have the technical means to comply with the subsection without incurring an unreasonable economic burden, or that the order is inconsistent with this Act. This showing shall serve as a defense only to the extent of such inability to comply or to the extent of such inconsistency.

(f) MODIFICATION OR VACATION OF ORDERS.—

(1) IN GENERAL.—At any time after the issuance of an order under subsection (b), a motion to modify, suspend, or vacate the order may be filed by—

(A) any person, or owner or operator of property, bound by the order;

(B) any registrant of the domain name, or the owner or operator of the Internet site subject to the order;

(C) any domain name registrar or registry that has registered or assigned the domain name of the Internet site subject to the order; or

(D) any entity that has received a copy of an order pursuant to subsection (d) requiring such entity to take action prescribed in that subsection.

(2) RELIEF.—Relief under this subsection shall be proper if the court finds that—

(A) the Internet site associated with the domain name subject to the order is no longer, or never was, an Internet site dedicated to infringing activities; or

(B) the interests of justice require that the order be modified, suspended, or vacated.

(3) CONSIDERATION.—In making a relief determination under paragraph (2), a court may consider whether the domain name has expired or has been re-registered by a different party.

(g) RELATED ACTIONS.—The Attorney General, if alleging that an Internet site previously adjudicated to be an Internet site dedicated to infringing activities is accessible or has been reconstituted at a different domain name, may commence a related action under this section against the additional domain name in the same judicial district as the previous action.

SEC. 4. ELIMINATING THE FINANCIAL INCENTIVE TO STEAL INTELLECTUAL PROPERTY ONLINE.

(a) COMMENCEMENT OF AN ACTION.—

(1) IN PERSONAM.—A qualifying plaintiff may commence an in personam action against—

(A) a registrant of a domain name used by an Internet site dedicated to infringing activities; or

(B) an owner or operator of an Internet site dedicated to infringing activities accessed through a domain name.

(2) IN REM.—If through due diligence a qualifying plaintiff is unable to find a person described in subparagraphs (A) or (B) of paragraph (1), or no such person found has an address within a judicial district of the United States, the Attorney General may commence an in rem action against a domain name used by an Internet site dedicated to infringing activities.

(b) ORDERS OF THE COURT.—

(1) IN GENERAL.—On application of a qualifying plaintiff following the commencement of an action under this section, the court

may issue a temporary restraining order, a preliminary injunction, or an injunction, in accordance with rule 65 of the Federal Rules of Civil Procedure, against the domain name used by an Internet site dedicated to infringing activities, or against a registrant of such domain name, or the owner or operator of such Internet site dedicated to infringing activities, to cease and desist from undertaking any further activity as an Internet site dedicated to infringing activities, if—

(A) the domain name is registered or assigned by a domain name registrar or domain name registry that located or doing business in the United States; or

(B)(i) the domain name is used within the United States to access such Internet site; and

(ii) the Internet site—

(I) conducts business directed to residents of the United States; and

(II) harms holders of United States intellectual property rights.

(2) DETERMINATION BY THE COURT.—For purposes of determining whether an Internet site conducts business directed to residents of the United States under paragraph (1)(B)(ii)(I), a court may consider, among other indicia, whether—

(A) the Internet site is providing goods or services described in section 2(7) to users located in the United States;

(B) there is evidence that the Internet site is not intended to provide—

(i) such goods and services to users located in the United States;

(ii) access to such goods and services to users located in the United States; and

(iii) delivery of such goods and services to users located in the United States;

(C) the Internet site has reasonable measures in place to prevent such goods and services from being accessed from or delivered to the United States;

(D) the Internet site offers services obtained in the United States; and

(E) any prices for goods and services are indicated in the currency of the United States.

(c) NOTICE AND SERVICE OF PROCESS.—

(1) IN GENERAL.—Upon commencing an action under this section, the qualifying plaintiff shall send a notice of the alleged violation and intent to proceed under this Act to the registrant of the domain name of the Internet site—

(A) at the postal and e-mail address appearing in the applicable publicly accessible database of registrations, if any and to the extent such addresses are reasonably available;

(B) via the postal and e-mail address of the registrar, registry, or other domain name registration authority that registered or assigned the domain name, to the extent such addresses are reasonably available; and

(C) in any other such form as the court finds necessary, including as may be required by Rule 4(f) of the Federal Rules of Civil Procedure.

(2) RULE OF CONSTRUCTION.—For purposes of this section, the actions described in this subsection shall constitute service of process.

(d) REQUIRED ACTIONS BASED ON COURT ORDERS.—

(1) SERVICE.—A qualifying plaintiff, with the prior approval of the court, may, serve a copy of a court order issued pursuant to this section on similarly situated entities within each class described in paragraph (2). Proof of service shall be filed with the court.

(2) REASONABLE MEASURES.—After being served with a copy of an order pursuant to this subsection:

(A) FINANCIAL TRANSACTION PROVIDERS.—A financial transaction provider shall take reasonable measures, as expeditiously as reasonable, designed to prevent, prohibit, or suspend its service from completing payment transactions involving customers located within the United States and the Internet site associated with the domain name set forth in the order.

(B) INTERNET ADVERTISING SERVICES.—An Internet advertising service that contracts with the Internet site associated with the domain name set forth in the order to provide advertising to or for that site, or which knowingly serves advertising to or for such site, shall take technically feasible and reasonable measures, as expeditiously as reasonable, designed to—

(i) prevent its service from providing advertisements to the Internet site associated with such domain name; or

(ii) cease making available advertisements for that site, or paid or sponsored search results, links, or placements that provide access to the domain name.

(3) COMMUNICATION WITH USERS.—An entity taking an action described in this subsection shall determine how to communicate such action to the entity's users or customers.

(4) RULE OF CONSTRUCTION.—For purposes of an action commenced under this section, the obligations of an entity described in this subsection shall be limited to the actions set out in each paragraph or subparagraph applicable to such entity, and no order issued pursuant to this section shall impose any additional obligations on, or require additional actions by, such entity.

(5) ACTIONS PURSUANT TO COURT ORDER.—

(A) IMMUNITY FROM SUIT.—No cause of action shall lie in any Federal or State court or administrative agency against any entity receiving a court order issued under this subsection, or against any director, officer, employee, or agent thereof, for any act reasonably designed to comply with this subsection or reasonably arising from such order, other than in an action pursuant to subsection (e).

(B) IMMUNITY FROM LIABILITY.—Any entity receiving an order under this subsection, and any director, officer, employee, or agent thereof, shall not be liable to any party for any acts reasonably designed to comply with this subsection or reasonably arising from such order, other than in an action pursuant to subsection (e), and any actions taken by customers of such entity to circumvent any restriction on access to the Internet domain instituted pursuant to this subsection or any act, failure, or inability to restrict access to an Internet domain that is the subject of a court order issued pursuant to this subsection despite good faith efforts to do so by such entity shall not be used by any person in any claim or cause of action against such entity, other than in an action pursuant to subsection (e).

(e) ENFORCEMENT OF ORDERS.—

(1) IN GENERAL.—In order to compel compliance with this section, the qualifying plaintiff may bring an action for injunctive relief against any party receiving a court order issued pursuant to this section that knowingly and willfully fails to comply with such order.

(2) RULE OF CONSTRUCTION.—The authority granted a qualifying plaintiff under paragraph (1) shall be the sole legal remedy for enforcing the obligations under this section of any entity described in subsection (d).

(3) DEFENSE.—A defendant in an action commenced under paragraph (1) may establish an affirmative defense by showing that the defendant does not have the technical means to comply with the subsection without incurring an unreasonable economic burden, or that the order is inconsistent with this Act. This showing shall serve as a defense only to the extent of such inability to comply or to the extent of such inconsistency.

(f) MODIFICATION OR VACATION OF ORDERS.—

(1) IN GENERAL.—At any time after the issuance of an order under subsection (b), a motion to modify, suspend, or vacate the order may be filed by—

(A) any person, or owner or operator of property, bound by the order;

(B) any registrant of the domain name, or the owner or operator of the Internet site subject to the order;

(C) any domain name registrar or registry that has registered or assigned the domain name of the Internet site subject to the order; or

(D) any entity that has received a copy of an order pursuant to subsection (d) requiring such entity to take action prescribed in that subsection.

(2) RELIEF.—Relief under this subsection shall be proper if the court finds that—

(A) the Internet site associated with the domain name subject to the order is no longer, or never was, dedicated to infringing activities as defined in this Act; or

(B) the interests of justice require that the order be modified, suspended, or vacated.

(3) CONSIDERATION.—In making a relief determination under paragraph (2), a court may consider whether the domain name has expired or has been re-registered by a different party.

(g) RELATED ACTIONS.—A qualifying plaintiff, if alleging that an Internet site previously adjudicated to be an Internet site dedicated to infringing activities is accessible or has been reconstituted at a different domain name, may commence a related action under this section against the additional domain name in the same judicial district as the previous action.

SEC. 5. VOLUNTARY ACTION AGAINST WEBSITES STEALING AMERICAN INTELLECTUAL PROPERTY.

(a) IN GENERAL.—No financial transaction provider or Internet advertising service shall be liable for damages to any person for voluntarily taking any action described in section 3(d) or 4(d) with regard to an Internet site if the entity acting in good faith and based on credible evidence has a reasonable belief that the Internet site is an Internet site dedicated to infringing activities.

(b) INTERNET SITES ENGAGED IN INFRINGING ACTIVITIES THAT ENDANGER THE PUBLIC HEALTH.—

(1) REFUSAL OF SERVICE.—A domain name registry, domain name registrar, financial transaction provider, information location tool, or Internet advertising service, acting in good faith and based on credible evidence, may stop providing or refuse to provide services to an infringing Internet site that endangers the public health.

(2) IMMUNITY FROM LIABILITY.—An entity described in paragraph (1), including its directors, officers, employees, or agents, that ceases or refused to provide services under paragraph (1) shall not be liable to any party under any Federal or State law for such action.

(3) DEFINITIONS.—For purposes of this subsection—

(A) the term ''adulterated'' has the same meaning as in section 501 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351);

(B) an ''infringing Internet site that endangers the public health'' means—

(i) an Internet site dedicated to infringing activities for which the counterfeit products that it offers, sells, dispenses, or distributes are controlled or non-controlled prescription medication; or

(ii) an Internet site that has no significant use other than, or is designed, operated, or marketed by its operator or persons operating in concert with the operator, and facts or circumstances suggest is used, primarily as a means for—

(I) offering, selling, dispensing, or distributing any controlled or non-controlled prescription medication, and does so regularly without a valid prescription; or

(II) offering, selling, dispensing, or distributing any controlled or non-controlled prescription medication, and does so regularly for medication that is adulterated or misbranded;

(C) the term ''misbranded'' has the same meaning as in section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352); and

(D) the term ''valid prescription'' has the same meaning as in section 309(e)(2)(A) of the Controlled Substances Act (21 U.S.C. 829(e)(2)(A)).

SEC. 6. SAVINGS CLAUSES.

(a) RULE OF CONSTRUCTION RELATING TO CIVIL AND CRIMINAL REMEDIES.—Nothing in this Act shall be construed to limit or expand civil or criminal remedies available to any person (including the United States) for infringing activities on the Internet pursuant to any other Federal or State law.

(b) RULE OF CONSTRUCTION RELATING TO VICARIOUS OR CONTRIBUTORY LIABILITY.—Nothing in this Act shall be construed to enlarge or diminish vicarious or contributory liability for any cause of action available under title 17, United States Code, including any limitations on liability under section 512 of such title 17, or to create an obligation to take action pursuant to section 5 of this Act.

(c) RELATIONSHIP WITH SECTION 512 OF TITLE 17.—Nothing in this Act, and no order issued or served pursuant to sections 3 or 4 of this Act, shall serve as a basis for determining the application of section 512 of title 17, United States Code.

SEC. 7. GUIDELINES AND STUDIES.

(a) GUIDELINES.—The Attorney General shall—

(1) publish procedures developed in consultation with other relevant law enforcement agencies, including the United States Immigration and Customs Enforcement, to receive information from the public about Internet sites dedicated to infringing activities;

(2) provide guidance to intellectual property rights holders about what information such rights holders should provide law enforcement agencies to initiate an investigation pursuant to this Act;

(3) provide guidance to intellectual property rights holders about how to supplement an ongoing investigation initiated pursuant to this Act;

(4) establish standards for prioritization of actions brought under this Act;

(5) provide appropriate resources and procedures for case management and development to affect timely disposition of actions brought under this Act; and

(6) develop a deconfliction process in consultation with other law enforcement agencies, including the United States Immigration and Customs Enforcement, to coordinate enforcement activities brought under this Act.

(b) REPORTS.—

(1) REPORT ON EFFECTIVENESS OF CERTAIN MEASURES.—Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce, in coordination with the Attorney General, the Secretary of Homeland Security, and the Intellectual Property Enforcement Coordinator, shall conduct a study and report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the following:

(A) An assessment of the effects, if any, of the implementation of section 3(d)(2)(A) on the accessibility of Internet sites dedicated to infringing activity.

(B) An assessment of the effects, if any, of the implementation of section 3(d)(2)(A) on the deployment, security, and reliability of the domain name system and associated Internet processes, including Domain Name System Security Extensions.

(C) Recommendations, if any, for modifying or amending this Act to increase effectiveness or ameliorate any unintended effects of section 3(d)(2)(A).

(2) REPORT ON OVERALL EFFECTIVENESS.—The Register of Copyrights shall, in consultation with the appropriate departments and agencies of the United States and other stakeholders—

(A) conduct a study on—

(i) the enforcement and effectiveness of this Act; and

(ii) the need to modify or amend this Act to apply to emerging technologies; and

(B) not later than 2 years after the date of enactment of this Act, submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on—

(i) the results of the study conducted under subparagraph (A); and

(ii) any recommendations that the Register may have as a result of the study.

Mr. HATCH. Mr. President, I rise to express support for S. 968, the Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property, PROTECT, Act as introduced by my colleague, Senator LEAHY. Chairman LEAHY and I have worked together on the protection of intellectual property rights on a number of occasions over the years and I am pleased to partner with him once again on this important bill. I also want to recognize the efforts of Senator GRASSLEY, the distinguished Ranking Minority Member of the Senate Judiciary Committee. He is a valued friend and his support is greatly appreciated as we move forward.

With this legislation, we are sending a strong message to those selling or distributing counterfeit goods online, namely that the United States will strongly protect its intellectual property, IP, rights. Despite what seems to be a common assumption, just because something is available on the Internet does not mean it is free. Fake pharmaceuticals threaten people's lives. Stolen movies, music, and other products threaten the jobs and livelihoods of many people. Every year, these online thieves are making hundreds of millions of dollars by stealing American IP, and this undermines legitimate commerce. This is why protecting property rights is a critical imperative and is why we have come together to introduce the PROTECT IP Act.

Utah is considered a very popular State for film and television production activity. Indeed, many American classics have been filmed in my home State. Nothing compares to the red rock of Southern Utah or the sweeping grandeur of the Wasatch Mountains. Not to mention Utah's workforce, which is one of the most highly educated and hardworking in our country. It is estimated that the motion picture and television industries are responsible for thousands of jobs and tens of millions of dollars in wages in Utah. So, IP theft has a direct, negative impact on Utah's economy and its workforce, and this same impact can be seen nationwide.

There is no question that the legislative process can be tedious at times, and often it takes multiple Congresses to get things right. We witnessed this first hand in the patent reform debate. It took three Congresses for the Senate to pass patent reform legislation. I was pleased to be the lead Republican sponsor of the America Invents Act, S. 23, which passed the Senate in March by a vote of 95 to 5. I can confirm that the final Senate-passed bill was a product of countless hours of negotiation and legislative fine-tuning. While I hope the bill before us will not take nearly as long, I can confirm that significant and positive changes have already occurred since we introduced the bipartisan legislation last year. These changes include a narrower definition of the type of Internet sites to which the bill applies, specifically those ''dedicated to infringing activities;'' authorization for the Attorney General to serve an issued court order on a search engine, in addition to payment processors, advertising networks and Internet service providers; authorization for both the Attorney General and rights holders to bring actions against online infringers operating an Internet site or domain where the site is ''dedicated to infringing activities,'' but with remedies limited to eliminating the financial viability of the site, not blocking access; requirement of plaintiffs to attempt to bring an action against the owner or registrant of the domain name used to access an Internet site ''dedicated to infringing activities'' before bringing an action against the domain name itself; protection for domain name registries, registrars, search engines, payment processors, and advertising networks from damages resulting from their voluntary action against an Internet site ''dedicated to infringing activities,'' where that site also ''endangers the public health,'' by offering controlled or non-controlled prescription medication.

It is worth underscoring that the purpose of the PROTECT IP Act is to take down Internet sites dedicated to infringing activities, or in other words, the most egregious offenders in the world of online IP theft. Indeed, the bill authorizes the Department of Justice, DOJ, to file a civil action against the registrant or owner of a domain name that accesses a foreign infringing Internet site, or the foreign-registered domain name itself. However, DOJ officials must seek approval from a Federal court before taking any action. I trust that a Federal judge will weigh all of the facts carefully before issuing an order, in accordance with the Federal Rules of Civil Procedure, to shut down a Web site dedicated to infringing activities.

There is no quick fix to this problem. But doing nothing is not an option. We must explore ways, albeit in incremental steps, to take down offending

Web sites. For this reason, I believe the PROTECT IP Act is a critical step in our ongoing fight against online piracy and counterfeiting. I am pleased with the progress that we have made so far on this bill and look forward to working with my colleagues on further refinements as it moves through the legislative process.

We must take steps to combat those Web sites that are profiting from stolen American intellectual property.

By Mr. WYDEN (for himself and Mr. THUNE):

S. 971. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

Mr. WYDEN. Mr. President, I rise today to introduce the Digital Goods and Services Tax Fairness Act. I am pleased to be joined by my colleague from South Dakota, Senator THUNE, in introducing this needed legislation.

The creation and consumption of downloadable digital goods, like books, songs, ringtones and video games, and the provision of digital services, like health care monitoring and cloud computing, represent a rapidly growing segment of our national economy. These goods and services, which are supporting a growing number of American jobs, are sold over communications networks that transcend numerous state and local boundaries. Tax law, not surprisingly, has failed to keep pace with the rapidly changing technology and economy. The lack of a national framework addressing how State and local taxes can be imposed upon these products has led to a confusing process that will only grow more burdensome for consumers and the providers of digital commerce as new, innovative and emerging technologies become available.

Since digital goods and services can be downloaded in a mobile environment, there is a significant question as to which jurisdiction has the authority to tax such purchases. In fact, there is substantial risk that, without a national framework, multiple States and localities will claim they have authority to tax the same digital transaction. For example, if a consumer is on vacation in another State and downloads a song, the State the consumer is visiting, the State that houses the server providing the song, and the consumer's home State could all claim the authority to tax the purchase. This is not only an unfair tax burden on the consumer, but also for the seller that is responsible for identifying the jurisdiction on whose behalf it should be collecting taxes. Left unchecked, these multiple taxes could stifle the digital commerce and crush a growing industry that is creating the good jobs that our country needs.

We can't let that happen. We need a uniform solution that will modernize our State and local tax system to appropriately address the inherent complexities that digital commerce presents.

Neutrality should guide tax policy and administration in the area of digital commerce. Transactions involving similar types of goods and services should be taxed fairly, regardless of the method and means of distribution, whether through electronic transfer or through other channels of commerce. To ensure neutrality and avoid multiple taxation, rules should be adopted to reflect the unique nature of electronic commerce and how digital goods and digital services are provided.

I am introducing the Digital Goods and Services Tax Fairness Act to establish a framework for when and how local governments can tax digital goods and services. The framework put forward in the legislation respects States' authority to tax these products while also fostering innovation and growth in this segment of global commerce.

In most cases, this legislation will use the address of the consumer to determine which jurisdiction has the authority to tax a digital purchase, as long as the State has passed a law to do so and is lawfully able under the Internet Tax Freedom Act and the Supreme Court's Quill decision. Similar to mobile phones, digital purchases should be taxed by the State the consumer resides, not the State that they may have been traveling through while they downloaded the digital product.

This legislation would also preclude discriminatory taxes from being imposed on digital goods and services solely because they are transmitted over communication networks. Additionally, this legislation would ensure that if States tax digital goods and services, they should only be taxed at the same rate imposed upon other tangible goods taxed under the general sales tax.

The Digital Goods and Services Tax Fairness Act of 2011 is structured to provide discipline, but also certainty to States and local governments that wish to tax digital commerce and to the businesses and consumers that are engaged in this marketplace. Our economy is changing in a variety of exciting ways. Congress must be responsive to this reality and consider this legislation soon.

By Mr. WHITEHOUSE (for himself, Ms. SNOWE, Mr. ROCKEFELLER, Mr. NELSON of Florida, Ms. LANDRIEU, and Ms. STABENOW):

S. 973. A bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States ocean, coastal, and Great Lakes ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. WHITEHOUSE. Mr. President, I rise this afternoon to discuss an important piece of bipartisan legislation that I am introducing today with my friend and fellow New Englander, Senator SNOWE, to establish a national endowment for the study, conservation, and restoration of our Nation's oceans, coasts, and Great Lakes.

Let me begin with a particular thank-you to our original cosponsors: the chairman of the Commerce Committee, Senator ROCKEFELLER of West Virginia; the chairman of the Appropriations Committee, Senator INOUYE of Hawaii; my colleague from the great State of Michigan, Senator STABENOW; and two colleagues from the Gulf of Mexico region, Senator BILL NELSON of Florida and Senator LANDRIEU from Louisiana.

As any Rhode Islander can tell you, the ocean is central to our State's way of life. I tell colleagues that Rhode Island's coast is one of the most beautiful places on Earth. But we don't call Rhode Island the Ocean State just because it is beautiful. We are the Ocean State because from our earliest days we have relied on the ocean and our beloved Narragansett Bay for trade, for food, for recreation, and for jobs in the shipbuilding, shipping, fishing, and tourism industries.

And we are not alone—across America, our oceans and coasts directly provide over $130 billion to our country's gross domestic product, and support 2.3 million America jobs. But one impact goes far beyond that.

Our coastal zone areas generate nearly 50 percent of our Nation's gross domestic product and support more than 28 million jobs.

In part, it is Americans' love of and reliance on the oceans that drives the need now to protect and restore them. Coastal America is experiencing a huge population boom, leading to more and more construction that puts significant pressure on our natural coastline and our wetlands.

Worldwide demand for seafood grows at a pace that our fish stocks cannot keep pace with, and our demand for energy leads us ever deeper into the ocean in search of fuel.

There is an old adage, that nothing focuses the mind like a crisis. If this is true, it must be time to focus on taking care of our oceans, because I believe that our oceans are facing what can be characterized as nothing less than a crisis. Our oceans are facing an array of threats, from marine debris aggregating in gyres the size of Texas, to whales so full of bio-accumulative toxins that they constitute swimming hazardous waste.

These are just a few of the headlines from just the past year:

This spring, we have watched in horror as Japan, already suffering from a terrible earthquake and tsunami—and our hearts go out to them—battled to keep the Fukushima Nuclear Plant intact. Leaks from the plant have sent harmful levels of radiation into the ocean.

In July of 2010, the Midwest experienced its largest oil spill ever, after a leaking Michigan pipeline poured oil into the Kalamazoo River and thence into the Great Lakes.

Last June, the journal Science published a literature review by researchers from the University of Queensland

and UNC Chapel Hill, revealing mounting evidence that:

Rapidly rising greenhouse gas concentrations are driving ocean systems toward conditions not seen for millions of years, with an associated risk of fundamental and irreversible ecological transformation.

In my home State of Rhode Island, the Narragansett Bay has witnessed a 4-degree increase in average annual winter water temperature, causing what amounts to a full ecosystem shift.

And of course, in April 2010, we witnessed the horrific explosion of the Deepwater Horizon, the tragic loss of life, and the unfolding of the largest environmental disaster our country has ever seen. The Gulf of Mexico, and the people who depend on this ecosystem for their sustenance and livelihoods, are still struggling to recover.

We are now 13 months beyond the Deepwater Horizon explosion. Lives are still shattered; livelihoods reliant on the gulf ecosystem are still threatened. But we are within the window of action. It is not too late to provide for short-term restoration of the gulf coast to enact legislation that reduces the risk of future oilspills, and as my cosponsors and I seek to provide dedicated funding to study, protect, and restore the marine and coastal ecosystems within the United States' boundaries.

The National Endowment for the Oceans is our proposal to meet this last challenge. The Endowment would make grants available to coastal and Great Lakes States, local government agencies, regional planning bodies, academic institutions, and nonprofit organizations so these entities could embark on projects to learn more about and do a better job of protecting our precious natural resource. Projects that allow researchers to hire technicians, mechanics, computer scientists and students. Projects that put people to work relocating critical public infrastructure jeopardized by sea level rise. Projects that solve resource management problems and restore our natural ecosystems. Projects that protect jobs by restoring commercial fisheries habitat, and creating new fisheries gear for sustainable and profitable fishing.

The National Oceanic Atmospheric Administration received $167 million for coastal restoration projects under the Recovery Act. More than 800 proposals for shovel-ready construction and engineering projects came in, totaling $3 billion worth of work. But NOAA could only fund 50 of the 800.

The National Endowment for the Oceans would help us move forward with these projects and others that protect our oceans and drive our economy. As I stand here today, more than a year after the beginning of the oilspill in the gulf, and in the face of mounting evidence that our oceans and coasts are truly facing a crisis, I understand the feelings of concern and frustration. But, again, I believe it is not too late.

In fact, I believe the time is now to pass legislation that will help to restore the gulf ecosystem. The time is now to pass legislation that will reduce the risk of future oilspills. And it is time now to provide dedicated funding for the study, restoration, and protection of our Nation's ocean and coastal resources.

We need to put the stewardship of our natural resources, our ocean resources, at the forefront of our national agenda. The National Endowment for the Oceans, as I said, is bipartisan. I thank Senator OLYMPIA SNOWE for her leadership in this effort. This legislation is science based, with much of the money made available through a competitive grant program. This legislation is cost effective, coordinating existing efforts of Federal, local, and private programs, reducing duplication of research efforts, and crossing political borders to ensure that every dollar is spent with the greatest possible effect.

Finally, this legislation is appropriately paid for with revenue generated from the Oil Spill Liability Trust Fund, a portion of royalties from Outer Continental Shelf energy development, and fines and damages collected for violations of Federal law off our coastline. Put simply, a small portion of the revenue we extract from our oceans and great waters will be reinvested to now protect the long-term viability of those oceans and great waters.

The ocean provides us with great bounty, and we will continue to take advantage of that, as we should. We will fish, we will sail, and we will trade. We will dispose of waste. We will extract fuel and construct wind farms. Navies and cruise ships, sail boats and supertankers will plow the ocean surface. We cannot change how reliant we are on our ocean. What we can change is what we do in return.

We can for the first time give back. We can become stewards of our oceans, not just takers but caretakers. The oceans contain immense potential for new discoveries, immense potential for new jobs, and immense potential for new solutions to the emerging oceans crisis. But to meet the demands of this moment, we must respond to the challenges before us. We must heed the alarm bells that are ringing from the arctic seas to our tropic oceans, from the top of the food chain to the bottom, alarm bells indeed are ringing.

I urge my colleagues to join Senator SNOWE and myself in support of the National Endowment for the Oceans. Let ours be the generation that tips the increasingly troubling balance between mankind and our oceans a little bit back toward the benefit of our oceans for the long-term benefit of mankind.

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 974. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Finance.

Ms. SNOWE. Mr. President, as ranking member of the Senate Small Business Committee, I am delighted to rise today, on the eve of National Small Business Week, with Senator LANDRIEU, who is Chair of the Committee, to introduce the Small Business Tax Equalization and Compliance Act.

Our bipartisan measure is a pro-small business bill and would allow the salon industry to have the same tax rules on tips paid to employees as is permitted in the restaurant industry. The legislation would increase compliance with payroll tax obligations and will make sure that the women who work in the salon industry earn all the Social Security retirement and disability benefits they should be entitled to. It would also help to prevent salons that do not follow the tax law from gaining a competitive disadvantage against those that do follow the law. Congressman SAM JOHNSON, R–TX, is leading the charge on a companion bill in the House.

Clearly this legislation will help all parts of the salon industry, big and small, men and women. But the reality is that because 84 percent of the workforce in the salon industry is female, this issue has special relevance for women. When women work as independent contractors at hair salons, they are less likely to disclose all of their tips for purposes of paying Social Security taxes. As a result, they reduce their future right to earn retirement and disability benefits in the Social Security system and reduce the size of any benefit they do ultimately earn. Making sure that working women are correctly paying into Social Security is critical to their future retirement security because many of these women will have had no other retirement benefits available to them.

We know that women are disproportionately dependent on Social Security for their retirement benefits, a March 2010 study by the Women for Women's Policy Research showed that women's Social Security benefits in 2008 were only about 75 percent of the benefits earned by men and it comprised about half of their total retirement income. By contrast, Social Security benefits comprised roughly one-third of men's retirement income. Earning the right to collect a decent Social Security benefit is vital to women.

As a small business issue, salons are a quintessential small business on Main Streets across America. According to the U.S. Census Bureau, 98 percent of salon industry firms have only one establishment; 92 percent of salon establishments have sales of less than $500,000; and 82 percent of salon establishments have fewer than 10 employees. Extending the tip tax credit to salon owners would allow them to reinvest in their businesses and employees,

create new jobs, granting new economic and employment opportunities in their local communities.

I specifically want to explain what this legislation would do. First, it would provide to the salon industry with the same type of tax credit currently available in the restaurant industry. The credit is for employers to offset the matching Social Security and Medicare taxes that the salon pays on the tips that employees receive from customers. Next, the bill would help to make more even-handed IRS enforcement of laws on payroll and income taxes. Without this legislation it is often the lopsided practice of the IRS to seek back taxes from the employer but rarely from the employee or independent contractor despite the requirement that taxes be paid in equal measure.

The legislation will protect both legitimate independent contractors and employees who pay their taxes but frees up IRS resources to focus on those bad actors who are not complying with the law. Although non-employer salons comprise 87 percent of establishments, their reported sales represent only 36 percent of total salon industry revenues, implying a significant underreporting of income in the non-employer segment. This legislation includes education and reporting requirements which will help address the ''tax gap'' and reveal a valuable new source of tax revenues for the federal government. This is a win-win-win for the salons, for employees, and for the government.

This bill is supported by the Professional Beauty Association, the largest association in the professional beauty industry, which is comprised of salon and spa owners, manufacturers and distributors of salon and spa products, and individual licensed cosmetologists.

Finally, I want to thank two salon owners who brought this issue to my attention, Alan Labos of Akari Salon in Portland, ME, Tiffany Conway of bei capelli salon in Scarborough, ME.

In conclusion, I urge my colleagues on both sides of the aisle to support our bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 974

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 ''Small Business Tax Equalization and Compliance Act of 2011''.

SEC. 2. EXPANSION OF CREDIT FOR PORTION OF SOCIAL SECURITY TAXES PAID WITH RESPECT TO EMPLOYEE TIPS.

(a) EXPANSION OF CREDIT TO OTHER LINES OF BUSINESS.—Paragraph (2) of section 45B(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) APPLICATION ONLY TO CERTAIN LINES OF BUSINESS.—In applying paragraph (1), there shall be taken into account only tips received from customers or clients in connection with—

''(A) the providing, delivering, or serving of food or beverages for consumption if the tipping of employees delivering or serving food or beverages by customers is customary, or

''(B) the providing of any cosmetology service for customers or clients at a facility licensed to provide such service if the tipping of employees providing such service is customary.''.

(b) DEFINITION OF COSMETOLOGY SERVICE.—Section 45B of such Code is amended by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and by inserting after subsection (b) the following new subsection:

''(c) COSMETOLOGY SERVICE.—For purposes of this section, the term 'cosmetology service' means—

''(1) hairdressing,

''(2) haircutting,

''(3) manicures and pedicures,

''(4) body waxing, facials, mud packs, wraps, and other similar skin treatments, and

''(5) any other beauty-related service provided at a facility at which a majority of the services provided (as determined on the basis of gross revenue) are described in paragraphs (1) through (4).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to tips received for services performed after December 31, 2010.

SEC. 3. INFORMATION REPORTING AND TAXPAYER EDUCATION FOR PROVIDERS OF COSMETOLOGY SERVICES.

(a) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6050W the following new section:

''SEC. 6050X. RETURNS RELATING TO COSMETOLOGY SERVICES AND INFORMATION TO BE PROVIDED TO COSMETOLOGISTS.

''(a) IN GENERAL.—Every person (referred to in this section as a 'reporting person') who—

''(1) employs 1 or more cosmetologists to provide any cosmetology service,

''(2) rents a chair to 1 or more cosmetologists to provide any cosmetology service on at least 5 calendar days during a calendar year, or

''(3) in connection with its trade or business or rental activity, otherwise receives compensation from, or pays compensation to, 1 or more cosmetologists for the right to provide cosmetology services to, or for cosmetology services provided to, third-party patrons,

shall comply with the return requirements of subsection (b) and the taxpayer education requirements of subsection (c).

''(b) RETURN REQUIREMENTS.—The return requirements of this subsection are met by a reporting person if the requirements of each of the following paragraphs applicable to such person are met.

''(1) EMPLOYEES.—In the case of a reporting person who employs 1 or more cosmetologists to provide cosmetology services, the requirements of this paragraph are met if such person meets the requirements of sections 6051 (relating to receipts for employees) and 6053(b) (relating to tip reporting) with respect to each such employee.

''(2) INDEPENDENT CONTRACTORS.—In the case of a reporting person who pays compensation to 1 or more cosmetologists (other than as employees) for cosmetology services provided to third-party patrons, the requirements of this paragraph are met if such person meets the applicable requirements of section 6041 (relating to returns filed by persons making payments of $600 or more in the course of a trade or business), section 6041A (relating to returns to be filed by service-recipients who pay more than $600 in a calendar year for services from a service provider), and each other provision of this subpart that may be applicable to such compensation.

''(3) CHAIR RENTERS.—

''(A) IN GENERAL.—In the case of a reporting person who receives rent or other fees or compensation from 1 or more cosmetologists for use of a chair or for rights to provide any cosmetology service at a salon or other similar facility for more than 5 days in a calendar year, the requirements of this paragraph are met if such person—

''(i) makes a return, according to the forms or regulations prescribed by the Secretary, setting forth the name, address, and TIN of each such cosmetologist and the amount received from each such cosmetologist, and

''(ii) furnishes to each cosmetologist whose name is required to be set forth on such return a written statement showing—

''(I) the name, address, and phone number of the information contact of the reporting person,

''(II) the amount received from such cosmetologist, and

''(III) a statement informing such cosmetologist that (as required by this section), the reporting person has advised the Internal Revenue Service that the cosmetologist provided cosmetology services during the calendar year to which the statement relates.

''(B) METHOD AND TIME FOR PROVIDING STATEMENT.—The written statement required by clause (ii) of subparagraph (A) shall be furnished (either in person or by first-class mail which includes adequate notice that the statement or information is enclosed) to the person on or before January 31 of the year following the calendar year for which the return under clause (i) of subparagraph (A) is to be made.

''(c) TAXPAYER EDUCATION REQUIREMENTS.—In the case of a reporting person who is required to provide a statement pursuant to subsection (b), the requirements of this subsection are met if such person provides to each such cosmetologist annually a publication, as designated by the Secretary, describing—

''(1) in the case of an employee, the tax and tip reporting obligations of employees, and

''(2) in the case of a cosmetologist who is not an employee of the reporting person, the tax obligations of independent contractors or proprietorships.

The publications shall be furnished either in person or by first-class mail which includes adequate notice that the publication is enclosed.

''(d) DEFINITIONS.—For purposes of this section—

''(1) COSMETOLOGIST.—

''(A) IN GENERAL.—The term 'cosmetologist' means an individual who provides any cosmetology service.

''(B) ANTI-AVOIDANCE RULE.—The Secretary may by regulation or ruling expand the term 'cosmetologist' to include any entity or arrangement if the Secretary determines that entities are being formed to circumvent the reporting requirements of this section.

''(2) COSMETOLOGY SERVICE.—The term 'cosmetology service' has the meaning given to such term by section 45B(c).

''(3) CHAIR.—The term 'chair' includes a chair, booth, or other furniture or equipment from which an individual provides a cosmetology service (determined without regard to whether the cosmetologist is entitled to use a specific chair, booth, or other similar furniture or equipment or has an exclusive right to use any such chair, booth, or other similar furniture or equipment).

''(e) EXCEPTIONS FOR CERTAIN EMPLOYEES.—Subsection (c) shall not apply to a reporting person with respect to an employee who is employed in a capacity for which tipping (or sharing tips) is not customary.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 6724(d)(1)(B) of such Code (relating to the definition of information returns) is amended by striking ''or'' at the end of clause (xxiv), by striking ''and'' at the end of clause (xxv) and inserting ''or'', and by inserting after clause (xxv) the following new clause:

''(xvi) section 6050X(a) (relating to returns by cosmetology service providers), and''.

(2) Section 6724(d)(2) of such Code is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by inserting after subparagraph (HH) the following new subparagraph:

''(II) subsections (b)(3)(A)(ii) and (c) of section 6050X (relating to cosmetology service providers) even if the recipient is not a payee.''.

(3) The table of sections for subpart B of part III of subchapter A of chapter 61 of such Code is amended by adding after the item relating to section 6050W the following new item:

''Sec. 6050X. Returns relating to cosmetology services and information to be provided to cosmetologists.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years after 2010.

By Mr. DURBIN (for himself, Mr. LIEBERMAN, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. REED):

S. 979. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 979

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''America's Red Rock Wilderness Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—DESIGNATION OF WILDERNESS AREAS

Sec. 101. Great Basin Wilderness Areas.
Sec. 102. Grand Staircase-Escalante Wilderness Areas.
Sec. 103. Moab-La Sal Canyons Wilderness Areas.
Sec. 104. Henry Mountains Wilderness Areas.
Sec. 105. Glen Canyon Wilderness Areas.
Sec. 106. San Juan-Anasazi Wilderness Areas.
Sec. 107. Canyonlands Basin Wilderness Areas.
Sec. 108. San Rafael Swell Wilderness Areas.
Sec. 109. Book Cliffs and Uinta Basin Wilderness Areas.

TITLE II—ADMINISTRATIVE PROVISIONS

Sec. 201. General provisions.
Sec. 202. Administration.
Sec. 203. State school trust land within wilderness areas.
Sec. 204. Water.
Sec. 205. Roads.
Sec. 206. Livestock.
Sec. 207. Fish and wildlife.
Sec. 208. Management of newly acquired land.
Sec. 209. Withdrawal.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Land Management.

(2) STATE.—The term ''State'' means the State of Utah.

TITLE I—DESIGNATION OF WILDERNESS AREAS

SEC. 101. GREAT BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the Great Basin region of western Utah is comprised of starkly beautiful mountain ranges that rise as islands from the desert floor;

(2) the Wah Wah Mountains in the Great Basin region are arid and austere, with massive cliff faces and leathery slopes speckled with piñon and juniper;

(3) the Pilot Range and Stansbury Mountains in the Great Basin region are high enough to draw moisture from passing clouds and support ecosystems found nowhere else on earth;

(4) from bristlecone pine, the world's oldest living organism, to newly-flowered mountain meadows, mountains of the Great Basin region are islands of nature that—

(A) support remarkable biological diversity; and

(B) provide opportunities to experience the colossal silence of the Great Basin; and

(5) the Great Basin region of western Utah should be protected and managed to ensure the preservation of the natural conditions of the region.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Antelope Range (approximately 17,000 acres).

(2) Barn Hills (approximately 20,000 acres).

(3) Black Hills (approximately 9,000 acres).

(4) Bullgrass Knoll (approximately 15,000 acres).

(5) Burbank Hills/Tunnel Spring (approximately 92,000 acres).

(6) Conger Mountains (approximately 21,000 acres).

(7) Crater Bench (approximately 35,000 acres).

(8) Crater and Silver Island Mountains (approximately 121,000 acres).

(9) Cricket Mountains Cluster (approximately 62,000 acres).

(10) Deep Creek Mountains (approximately 126,000 acres).

(11) Drum Mountains (approximately 39,000 acres).

(12) Dugway Mountains (approximately 24,000 acres).

(13) Essex Canyon (approximately 1,300 acres).

(14) Fish Springs Range (approximately 64,000 acres).

(15) Granite Peak (approximately 19,000 acres).

(16) Grassy Mountains (approximately 23,000 acres).

(17) Grouse Creek Mountains (approximately 15,000 acres).

(18) House Range (approximately 201,000 acres).

(19) Keg Mountains (approximately 38,000 acres).

(20) Kern Mountains (approximately 15,000 acres).

(21) King Top (approximately 110,000 acres).

(22) Ledger Canyon (approximately 9,000 acres).

(23) Little Goose Creek (approximately 1,200 acres).

(24) Middle/Granite Mountains (approximately 80,000 acres).

(25) Mount Escalante (approximately 18,000 acres).

(26) Mountain Home Range (approximately 90,000 acres).

(27) Newfoundland Mountains (approximately 22,000 acres).

(28) Ochre Mountain (approximately 13,000 acres).

(29) Oquirrh Mountains (approximately 9,000 acres).

(30) Painted Rock Mountain (approximately 26,000 acres).

(31) Paradise/Steamboat Mountains (approximately 144,000 acres).

(32) Pilot Range (approximately 45,000 acres).

(33) Red Tops (approximately 28,000 acres).

(34) Rockwell-Little Sahara (approximately 21,000 acres).

(35) San Francisco Mountains (approximately 39,000 acres).

(36) Sand Ridge (approximately 73,000 acres).

(37) Simpson Mountains (approximately 42,000 acres).

(38) Snake Valley (approximately 100,000 acres).

(39) Spring Creek Canyon (approximately 4,000 acres).

(40) Stansbury Island (approximately 10,000 acres).

(41) Stansbury Mountains (approximately 24,000 acres).

(42) Thomas Range (approximately 36,000 acres).

(43) Tule Valley (approximately 159,000 acres).

(44) Wah Wah Mountains (approximately 167,000 acres).

(45) Wasatch/Sevier Plateaus (approximately 29,000 acres).

(46) White Rock Range (approximately 5,200 acres).

SEC. 102. GRAND STAIRCASE-ESCALANTE WILDERNESS AREAS.

(a) GRAND STAIRCASE AREA.—

(1) FINDINGS.—Congress finds that—

(A) the area known as the Grand Staircase rises more than 6,000 feet in a series of great cliffs and plateaus from the depths of the Grand Canyon to the forested rim of Bryce Canyon;

(B) the Grand Staircase—

(i) spans 6 major life zones, from the lower Sonoran Desert to the alpine forest; and

(ii) encompasses geologic formations that display 3,000,000,000 years of Earth's history;

(C) land managed by the Secretary lines the intricate canyon system of the Paria River and forms a vital natural corridor connection to the deserts and forests of those national parks;

(D) land described in paragraph (2) (other than East of Bryce, Upper Kanab Creek, Moquith Mountain, Bunting Point, and Vermillion Cliffs) is located within the Grand Staircase-Escalante National Monument; and

(E) the Grand Staircase in Utah should be protected and managed as a wilderness area.

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) Bryce View (approximately 4,500 acres).

(B) Bunting Point (approximately 11,000 acres).

(C) Canaan Mountain (approximately 16,000 acres in Kane County).
(D) Canaan Peak Slopes (approximately 2,300 acres).
(E) East of Bryce (approximately 750 acres).
(F) Glass Eye Canyon (approximately 24,000 acres).
(G) Ladder Canyon (approximately 14,000 acres).
(H) Moquith Mountain (approximately 16,000 acres).
(I) Nephi Point (approximately 14,000 acres).
(J) Orderville Canyon (approximately 9,200 acres)
(K) Paria-Hackberry (approximately 188,000 acres).
(L) Paria Wilderness Expansion (approximately 3,300 acres).
(M) Parunuweap Canyon (approximately 43,000 acres).
(N) Pine Hollow (approximately 11,000 acres).
(O) Slopes of Bryce (approximately 2,600 acres).
(P) Timber Mountain (approximately 51,000 acres).
(Q) Upper Kanab Creek (approximately 49,000 acres).
(R) Vermillion Cliffs (approximately 26,000 acres).
(S) Willis Creek (approximately 21,000 acres).

(b) KAIPAROWITS PLATEAU.—
(1) FINDINGS.—Congress finds that—
(A) the Kaiparowits Plateau east of the Paria River is 1 of the most rugged and isolated wilderness regions in the United States;
(B) the Kaiparowits Plateau, a windswept land of harsh beauty, contains distant vistas and a remarkable variety of plant and animal species;
(C) ancient forests, an abundance of big game animals, and 22 species of raptors thrive undisturbed on the grassland mesa tops of the Kaiparowits Plateau;
(D) each of the areas described in paragraph (2) (other than Heaps Canyon, Little Valley, and Wide Hollow) is located within the Grand Staircase-Escalante National Monument; and
(E) the Kaiparowits Plateau should be protected and managed as a wilderness area.
(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
(A) Andalex Not (approximately 18,000 acres).
(B) The Blues (approximately 21,000 acres).
(C) Box Canyon (approximately 2,800 acres).
(D) Burning Hills (approximately 80,000 acres).
(E) Carcass Canyon (approximately 83,000 acres).
(F) The Cockscomb (approximately 11,000 acres).
(G) Fiftymile Bench (approximately 12,000 acres).
(H) Fiftymile Mountain (approximately 203,000 acres).
(I) Heaps Canyon (approximately 4,000 acres).
(J) Horse Spring Canyon (approximately 31,000 acres).
(K) Kodachrome Headlands (approximately 10,000 acres).
(L) Little Valley Canyon (approximately 4,000 acres).
(M) Mud Spring Canyon (approximately 65,000 acres).
(N) Nipple Bench (approximately 32,000 acres).
(O) Paradise Canyon-Wahweap (approximately 262,000 acres).
(P) Rock Cove (approximately 16,000 acres).
(Q) Warm Creek (approximately 23,000 acres).
(R) Wide Hollow (approximately 6,800 acres).

(c) ESCALANTE CANYONS.—
(1) FINDINGS.—Congress finds that—
(A) glens and coves carved in massive sandstone cliffs, spring-watered hanging gardens, and the silence of ancient Anasazi ruins are examples of the unique features that entice hikers, campers, and sightseers from around the world to Escalante Canyon;
(B) Escalante Canyon links the spruce fir forests of the 11,000-foot Aquarius Plateau with winding slickrock canyons that flow into Glen Canyon;
(C) Escalante Canyon, 1 of Utah's most popular natural areas, contains critical habitat for deer, elk, and wild bighorn sheep that also enhances the scenic integrity of the area;
(D) each of the areas described in paragraph (2) is located within the Grand Staircase-Escalante National Monument; and
(E) Escalante Canyon should be protected and managed as a wilderness area.
(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
(A) Brinkerhof Flats (approximately 3,000 acres).
(B) Colt Mesa (approximately 28,000 acres).
(C) Death Hollow (approximately 49,000 acres).
(D) Forty Mile Gulch (approximately 6,600 acres).
(E) Hurricane Wash (approximately 9,000 acres).
(F) Lampstand (approximately 7,900 acres).
(G) Muley Twist Flank (approximately 3,600 acres).
(H) North Escalante Canyons (approximately 176,000 acres).
(I) Pioneer Mesa (approximately 11,000 acres).
(J) Scorpion (approximately 53,000 acres).
(K) Sooner Bench (approximately 390 acres).
(L) Steep Creek (approximately 35,000 acres).
(M) Studhorse Peaks (approximately 24,000 acres).

SEC. 103. MOAB-LA SAL CANYONS WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—
(1) the canyons surrounding the La Sal Mountains and the town of Moab offer a variety of extraordinary landscapes;
(2) outstanding examples of natural formations and landscapes in the Moab-La Sal area include the huge sandstone fins of Behind the Rocks, the mysterious Fisher Towers, and the whitewater rapids of Westwater Canyon; and
(3) the Moab-La Sal area should be protected and managed as a wilderness area.
(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
(1) Arches Adjacent (approximately 12,000 acres).
(2) Beaver Creek (approximately 41,000 acres).
(3) Behind the Rocks and Hunters Canyon (approximately 22,000 acres).
(4) Big Triangle (approximately 20,000 acres).
(5) Coyote Wash (approximately 28,000 acres).
(6) Dome Plateau-Professor Valley (approximately 35,000 acres).
(7) Fisher Towers (approximately 18,000 acres).
(8) Goldbar Canyon (approximately 9,000 acres).
(9) Granite Creek (approximately 5,000 acres).
(10) Mary Jane Canyon (approximately 25,000 acres).
(11) Mill Creek (approximately 14,000 acres).
(12) Porcupine Rim and Morning Glory (approximately 20,000 acres).
(13) Renegade Point (approximately 6,600 acres).
(14) Westwater Canyon (approximately 37,000 acres).
(15) Yellow Bird (approximately 4,200 acres).

SEC. 104. HENRY MOUNTAINS WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—
(1) the Henry Mountain Range, the last mountain range to be discovered and named by early explorers in the contiguous United States, still retains a wild and undiscovered quality;
(2) fluted badlands that surround the flanks of 11,000-foot Mounts Ellen and Pennell contain areas of critical habitat for mule deer and for the largest herd of free-roaming buffalo in the United States;
(3) despite their relative accessibility, the Henry Mountain Range remains 1 of the wildest, least-known ranges in the United States; and
(4) the Henry Mountain range should be protected and managed to ensure the preservation of the range as a wilderness area.
(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
(1) Bull Mountain (approximately 16,000 acres).
(2) Bullfrog Creek (approximately 35,000 acres).
(3) Dogwater Creek (approximately 3,400 acres).
(4) Fremont Gorge (approximately 20,000 acres).
(5) Long Canyon (approximately 16,000 acres).
(6) Mount Ellen-Blue Hills (approximately 140,000 acres).
(7) Mount Hillers (approximately 21,000 acres).
(8) Mount Pennell (approximately 147,000 acres).
(9) Notom Bench (approximately 6,200 acres).
(10) Oak Creek (approximately 1,700 acres).
(11) Ragged Mountain (approximately 28,000 acres).

SEC. 105. GLEN CANYON WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—
(1) the side canyons of Glen Canyon, including the Dirty Devil River and the Red, White and Blue Canyons, contain some of the most remote and outstanding landscapes in southern Utah;
(2) the Dirty Devil River, once the fortress hideout of outlaw Butch Cassidy's Wild Bunch, has sculpted a maze of slickrock canyons through an imposing landscape of monoliths and inaccessible mesas;
(3) the Red and Blue Canyons contain colorful Chinle/Moenkopi badlands found nowhere else in the region; and
(4) the canyons of Glen Canyon in the State should be protected and managed as wilderness areas.
(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Cane Spring Desert (approximately 18,000 acres).
(2) Dark Canyon (approximately 134,000 acres).
(3) Dirty Devil (approximately 242,000 acres).
(4) Fiddler Butte (approximately 92,000 acres).
(5) Flat Tops (approximately 30,000 acres).
(6) Little Rockies (approximately 64,000 acres).
(7) The Needle (approximately 11,000 acres).
(8) Red Rock Plateau (approximately 213,000 acres).
(9) White Canyon (approximately 98,000 acres).

SEC. 106. SAN JUAN-ANASAZI WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—
(1) more than 1,000 years ago, the Anasazi Indian culture flourished in the slickrock canyons and on the piñon-covered mesas of southeastern Utah;
(2) evidence of the ancient presence of the Anasazi pervades the Cedar Mesa area of the San Juan-Anasazi area where cliff dwellings, rock art, and ceremonial kivas embellish sandstone overhangs and isolated benchlands;
(3) the Cedar Mesa area is in need of protection from the vandalism and theft of its unique cultural resources;
(4) the Cedar Mesa wilderness areas should be created to protect both the archaeological heritage and the extraordinary wilderness, scenic, and ecological values of the United States; and
(5) the San Juan-Anasazi area should be protected and managed as a wilderness area to ensure the preservation of the unique and valuable resources of that area.
(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
(1) Allen Canyon (approximately 5,900 acres).
(2) Arch Canyon (approximately 30,000 acres).
(3) Comb Ridge (approximately 15,000 acres).
(4) East Montezuma (approximately 45,000 acres).
(5) Fish and Owl Creek Canyons (approximately 73,000 acres).
(6) Grand Gulch (approximately 159,000 acres).
(7) Hammond Canyon (approximately 4,400 acres).
(8) Nokai Dome (approximately 93,000 acres).
(9) Road Canyon (approximately 63,000 acres).
(10) San Juan River (Sugarloaf) (approximately 15,000 acres).
(11) The Tabernacle (approximately 7,000 acres).
(12) Valley of the Gods (approximately 21,000 acres).

SEC. 107. CANYONLANDS BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—
(1) Canyonlands National Park safeguards only a small portion of the extraordinary red-hued, cliff-walled canyonland region of the Colorado Plateau;
(2) areas near Arches National Park and Canyonlands National Park contain canyons with rushing perennial streams, natural arches, bridges, and towers;
(3) the gorges of the Green and Colorado Rivers lie on adjacent land managed by the Secretary;
(4) popular overlooks in Canyonlands Nations Park and Dead Horse Point State Park have views directly into adjacent areas, including Lockhart Basin and Indian Creek; and
(5) designation of those areas as wilderness would ensure the protection of this erosional masterpiece of nature and of the rich pockets of wildlife found within its expanded boundaries.
(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
(1) Bridger Jack Mesa (approximately 33,000 acres).
(2) Butler Wash (approximately 27,000 acres).
(3) Dead Horse Cliffs (approximately 5,300 acres).
(4) Demon's Playground (approximately 3,700 acres).
(5) Duma Point (approximately 14,000 acres).
(6) Gooseneck (approximately 9,000 acres).
(7) Hatch Point Canyons/Lockhart Basin (approximately 149,000 acres).
(8) Horsethief Point (approximately 15,000 acres).
(9) Indian Creek (approximately 28,000 acres).
(10) Labyrinth Canyon (approximately 150,000 acres).
(11) San Rafael River (approximately 101,000 acres).
(12) Shay Mountain (approximately 14,000 acres).
(13) Sweetwater Reef (approximately 69,000 acres).
(14) Upper Horseshoe Canyon (approximately 60,000 acres).

SEC. 108. SAN RAFAEL SWELL WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—
(1) the San Rafael Swell towers above the desert like a castle, ringed by 1,000-foot ramparts of Navajo Sandstone;
(2) the highlands of the San Rafael Swell have been fractured by uplift and rendered hollow by erosion over countless millennia, leaving a tremendous basin punctuated by mesas, buttes, and canyons and traversed by sediment-laden desert streams;
(3) among other places, the San Rafael wilderness offers exceptional back country opportunities in the colorful Wild Horse Badlands, the monoliths of North Caineville Mesa, the rock towers of Cliff Wash, and colorful cliffs of Humbug Canyon;
(4) the mountains within these areas are among Utah's most valuable habitat for desert bighorn sheep; and
(5) the San Rafael Swell area should be protected and managed to ensure its preservation as a wilderness area.
(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
(1) Cedar Mountain (approximately 15,000 acres).
(2) Devils Canyon (approximately 23,000 acres).
(3) Eagle Canyon (approximately 38,000 acres).
(4) Factory Butte (approximately 22,000 acres).
(5) Hondu Country (approximately 20,000 acres).
(6) Jones Bench (approximately 2,800 acres).
(7) Limestone Cliffs (approximately 25,000 acres).
(8) Lost Spring Wash (approximately 37,000 acres).
(9) Mexican Mountain (approximately 100,000 acres).
(10) Molen Reef (approximately 33,000 acres).
(11) Muddy Creek (approximately 240,000 acres).
(12) Mussentuchit Badlands (approximately 25,000 acres).
(13) Pleasant Creek Bench (approximately 1,100 acres).
(14) Price River-Humbug (approximately 120,000 acres).
(15) Red Desert (approximately 40,000 acres).
(16) Rock Canyon (approximately 18,000 acres).
(17) San Rafael Knob (approximately 15,000 acres).
(18) San Rafael Reef (approximately 114,000 acres).
(19) Sids Mountain (approximately 107,000 acres).
(20) Upper Muddy Creek (approximately 19,000 acres).
(21) Wild Horse Mesa (approximately 92,000 acres).

SEC. 109. BOOK CLIFFS AND UINTA BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—
(1) the Book Cliffs and Uinta Basin wilderness areas offer—
(A) unique big game hunting opportunities in verdant high-plateau forests;
(B) the opportunity for float trips of several days duration down the Green River in Desolation Canyon; and
(C) the opportunity for calm water canoe weekends on the White River;
(2) the long rampart of the Book Cliffs bounds the area on the south, while seldom-visited uplands, dissected by the rivers and streams, slope away to the north into the Uinta Basin;
(3) bears, Bighorn sheep, cougars, elk, and mule deer flourish in the back country of the Book Cliffs; and
(4) the Book Cliffs and Uinta Basin areas should be protected and managed to ensure the protection of the areas as wilderness.
(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System.
(1) Bourdette Draw (approximately 15,000 acres).
(2) Bull Canyon (approximately 2,800 acres).
(3) Chipeta (approximately 95,000 acres).
(4) Dead Horse Pass (approximately 8,000 acres).
(5) Desbrough Canyon (approximately 13,000 acres).
(6) Desolation Canyon (approximately 555,000 acres).
(7) Diamond Breaks (approximately 9,000 acres).
(8) Diamond Canyon (approximately 166,000 acres).
(9) Diamond Mountain (also known as ''Wild Mountain'') (approximately 27,000 acres).
(10) Dinosaur Adjacent (approximately 10,000 acres).
(11) Goslin Mountain (approximately 4,900 acres).
(12) Hideout Canyon (approximately 12,000 acres).
(13) Lower Bitter Creek (approximately 14,000 acres).
(14) Lower Flaming Gorge (approximately 21,000 acres).
(15) Mexico Point (approximately 15,000 acres).
(16) Moonshine Draw (also known as ''Daniels Canyon'') (approximately 10,000 acres).
(17) Mountain Home (approximately 9,000 acres).
(18) O-Wi-Yu-Kuts (approximately 13,000 acres).
(19) Red Creek Badlands (approximately 3,600 acres).

(20) Seep Canyon (approximately 21,000 acres).

(21) Sunday School Canyon (approximately 18,000 acres).

(22) Survey Point (approximately 8,000 acres).

(23) Turtle Canyon (approximately 39,000 acres).

(24) White River (approximately 23,000 acres).

(25) Winter Ridge (approximately 38,000 acres).

(26) Wolf Point (approximately 15,000 acres).

TITLE II—ADMINISTRATIVE PROVISIONS

SEC. 201. GENERAL PROVISIONS.

(a) NAMES OF WILDERNESS AREAS.—Each wilderness area named in title I shall—

(1) consist of the quantity of land referenced with respect to that named area, as generally depicted on the map entitled ''Utah BLM Wilderness Proposed by S. [_____], 112th Congress''; and

(2) be known by the name given to it in title I.

(b) MAP AND DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by this Act with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the Office of the Director of the Bureau of Land Management.

SEC. 202. ADMINISTRATION.

Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this Act shall be administered by the Secretary in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 203. STATE SCHOOL TRUST LAND WITHIN WILDERNESS AREAS.

(a) IN GENERAL.—Subject to subsection (b), if State-owned land is included in an area designated by this Act as a wilderness area, the Secretary shall offer to exchange land owned by the United States in the State of approximately equal value in accordance with section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) and section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)).

(b) MINERAL INTERESTS.—The Secretary shall not transfer any mineral interests under subsection (a) unless the State transfers to the Secretary any mineral interests in land designated by this Act as a wilderness area.

SEC. 204. WATER.

(a) RESERVATION.—

(1) WATER FOR WILDERNESS AREAS.—

(A) IN GENERAL.—With respect to each wilderness area designated by this Act, Congress reserves a quantity of water determined by the Secretary to be sufficient for the wilderness area.

(B) PRIORITY DATE.—The priority date of a right reserved under subparagraph (A) shall be the date of enactment of this Act.

(2) PROTECTION OF RIGHTS.—The Secretary and other officers and employees of the United States shall take any steps necessary to protect the rights reserved by paragraph (1)(A), including the filing of a claim for the quantification of the rights in any present or future appropriate stream adjudication in the courts of the State—

(A) in which the United States is or may be joined; and

(B) that is conducted in accordance with section 208 of the Department of Justice Appropriation Act, 1953 (66 Stat. 560, chapter 651).

(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in this Act relinquishes or reduces any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(c) ADMINISTRATION.—

(1) SPECIFICATION OF RIGHTS.—The Federal water rights reserved by this Act are specific to the wilderness areas designated by this Act.

(2) NO PRECEDENT ESTABLISHED.—Nothing in this Act related to reserved Federal water rights—

(A) shall establish a precedent with regard to any future designation of water rights; or

(B) shall affect the interpretation of any other Act or any designation made under any other Act.

SEC. 205. ROADS.

(a) SETBACKS.—

(1) MEASUREMENT IN GENERAL.—A setback under this section shall be measured from the center line of the road.

(2) WILDERNESS ON 1 SIDE OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on only 1 side shall be set at—

(A) 300 feet from a paved Federal or State highway;

(B) 100 feet from any other paved road or high standard dirt or gravel road; and

(C) 30 feet from any other road.

(3) WILDERNESS ON BOTH SIDES OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on both sides (including cherry-stems or roads separating 2 wilderness units) shall be set at—

(A) 200 feet from a paved Federal or State highway;

(B) 40 feet from any other paved road or high standard dirt or gravel road; and

(C) 10 feet from any other roads.

(b) SETBACK EXCEPTIONS.—

(1) WELL-DEFINED TOPOGRAPHICAL BARRIERS.—If, between the road and the boundary of a setback area described in paragraph (2) or (3) of subsection (a), there is a well-defined cliff edge, stream bank, or other topographical barrier, the Secretary shall use the barrier as the wilderness boundary.

(2) FENCES.—If, between the road and the boundary of a setback area specified in paragraph (2) or (3) of subsection (a), there is a fence running parallel to a road, the Secretary shall use the fence as the wilderness boundary if, in the opinion of the Secretary, doing so would result in a more manageable boundary.

(3) DEVIATIONS FROM SETBACK AREAS.—

(A) EXCLUSION OF DISTURBANCES FROM WILDERNESS BOUNDARIES.—In cases where there is an existing livestock development, dispersed camping area, borrow pit, or similar disturbance within 100 feet of a road that forms part of a wilderness boundary, the Secretary may delineate the boundary so as to exclude the disturbance from the wilderness area.

(B) LIMITATION ON EXCLUSION OF DISTURBANCES.—The Secretary shall make a boundary adjustment under subparagraph (A) only if the Secretary determines that doing so is consistent with wilderness management goals.

(C) DEVIATIONS RESTRICTED TO MINIMUM NECESSARY.—Any deviation under this paragraph from the setbacks required under in paragraph (2) or (3) of subsection (a) shall be the minimum necessary to exclude the disturbance.

(c) DELINEATION WITHIN SETBACK AREA.—The Secretary may delineate a wilderness boundary at a location within a setback under paragraph (2) or (3) of subsection (a) if, as determined by the Secretary, the delineation would enhance wilderness management goals.

SEC. 206. LIVESTOCK.

Within the wilderness areas designated under title I, the grazing of livestock authorized on the date of enactment of this Act shall be permitted to continue subject to such reasonable regulations and procedures as the Secretary considers necessary, as long as the regulations and procedures are consistent with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) section 101(f) of the Arizona Desert Wilderness Act of 1990 (Public Law 101–628; 104 Stat. 4469).

SEC. 207. FISH AND WILDLIFE.

Nothing in this Act affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State.

SEC. 208. MANAGEMENT OF NEWLY ACQUIRED LAND.

Any land within the boundaries of a wilderness area designated under this Act that is acquired by the Federal Government shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with this Act and other laws applicable to wilderness areas.

SEC. 209. WITHDRAWAL.

Subject to valid rights existing on the date of enactment of this Act, the Federal land referred to in title I is withdrawn from all forms of—

(1) entry, appropriation, or disposal under public law;

(2) location, entry, and patent under mining law; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 981. A bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator MCCAIN and I are today introducing, by request, the Obama administration's proposed National Defense Authorization Act for fiscal year 2012. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the Administration's proposals before Congress and the public without expressing our own views on the substance of these proposals. As Chairman and Ranking Member of the Armed Services Committee, we look forward to giving the Administration's requested legislation our most careful review and thoughtful consideration.

By Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. LIEBERMAN, Mr. CHAMBLISS, Mr. BROWN of Massachusetts, Mr. RUBIO, and Mr. WEBB):

S. 982. A bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes; to the Committee on Armed Services.

Ms. AYOTTE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 982

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 ''Detaining Terrorists to Secure America Act of 2011.''

SEC. 2. FINDINGS.

Congress makes the following finding:

(1) The United States and its international partners are in an armed conflict with violent Islamist extremist groups, including al Qaeda and associated terrorist organizations, that are committed to killing Americans and our allies.

(2) In the last 2 years, terrorists have repeatedly attempted to kill Americans both here at home and abroad, including the following attacks, plots, or alleged plots and attacks:

(A) A September 2009 plot by Najibullah Zazi—who received training from al Qaeda in Pakistan—to conduct a suicide bomb attack on the New York, New York, subway system.

(B) A November 2009 attack by Nidal Malik Hasan at Fort Hood, Texas, that killed 13 people and wounded 32.

(C) A Christmas Day 2009 attempt by Umar Farouk Abdulmutallab to detonate a bomb sewn into his underwear on an international flight to Detroit, Michigan.

(D) A May 2010 attempt by Faisal Shahzad to bomb Times Square in New York, New York, on a crowded Saturday evening, an attack that was unsuccessful only because the car bomb failed to detonate.

(E) An October 2010 attempt by terrorists in Yemen to send, via commercial cargo flights, 2 packages of explosives to Jewish centers in Chicago, Illinois.

(F) A February 2011 plot by Khaled Aldawsari, a Saudi-born student, to manufacture explosives and potentially attack New York, New York, the Dallas, Texas, home of former President George W. Bush, as well as hydroelectric dams, nuclear power plants, and a nightclub.

(3) Since the September 11, 2001, attacks on our Nation, the United States and allied forces have captured thousands of individuals fighting for or supporting al Qaeda and associated terrorist organizations that do not abide by the law of war, including detainees at United States Naval Station, Guantanamo Bay, Cuba, who served as planners of those attacks, trainers of terrorists, financiers of terrorists, bomb makers, bodyguards for Osama bin Laden, recruiters of terrorists, and facilitators of terrorism.

(4) Many of the detainees at United States Naval Station, Guantanamo Bay provided valuable intelligence that gave the United States insight into al Qaeda and its methods, prevented terrorist attacks, and saved lives.

(5) Intelligence obtained from detainees at United States Naval Station, Guantanamo Bay was critical to eventually identifying the location of Osama bin Laden.

(6) In a February 17, 2011, hearing of the Committee on Armed Services of the Senate, the Secretary of Defense confirmed that approximately 25 percent of detainees released from the detention facility at United States Naval Station, Guantanamo Bay are confirmed to have reengaged in hostilities or are suspected of having reengaged in hostilities against the United States or our allies.

(7) Al Qaeda in the Arabian Peninsula, an organization that includes former detainees at United States Naval Station, Guantanamo Bay among its leadership and ranks, has claimed responsibility for several of the recent plots and attacks against the United States.

(8) Detention according to the law of war is a matter of national security and military necessity and has long been recognized as legitimate under international law.

(9) Detaining unprivileged enemy belligerents prevents them from returning to the battlefield to attack United States and allied military personnel and engaging in future terrorist attacks against innocent civilians.

(10) The Joint Task Force-Guantanamo provides for the humane, legal, and transparent care and custody of detainees at United States Naval Station, Guantanamo Bay, notwithstanding regular assaults on the guard force by some detainees.

(11) The International Committee of the Red Cross visits detainees at United States Naval Station, Guantanamo Bay on a quarterly basis.

(12) The detention facility at United States Naval Station, Guantanamo Bay benefits from robust oversight by Congress.

SEC. 3. REAFFIRMATION OF AUTHORITY TO MAINTAIN UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AS A LOCATION FOR THE DETENTION OF UNPRIVILEGED ENEMY BELLIGERENTS HELD BY THE DEPARTMENT OF DEFENSE.

(a) REAFFIRMATION OF AUTHORITY AS LOCATION FOR DETENTION OF UNPRIVILEGED ENEMY BELLIGERENTS.—United States Naval Station, Guantanamo Bay, Cuba, is and shall be a location for the detention of individuals in the custody or under the control of the Department of Defense who have engaged in, or supported, hostilities against the United States or its coalition partners on behalf of al Qaeda, the Taliban, or an affiliated group to which the Authorization for Use of Military Force (Public Law 107–40) applies.

(b) MAINTENANCE AS AN OPERATIONAL FACILITY FOR DETENTION.—The Secretary of Defense shall take appropriate actions to maintain United States Naval Station, Guantanamo Bay, Cuba, as an open and operating facility for the detention of current and future individuals as described in subsection (a).

(c) PERMANENT EXTENSION AND EXPANSION OF CERTAIN LIMITATIONS RELATING TO DETAINEES AND DETENTION FACILITIES.—

(1) LIMITATION ON TRANSFER OF DETAINEES TO FOREIGN ENTITIES.—Section 1033 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4351) is amended—

(A) in subsection (a)(1), by striking ''during the one-year period'' and all that follows through ''by this Act'' and inserting ''the Secretary of Defense may not use any amounts authorized to be appropriated''; and

(B) in subsection (d)(1), by striking ''as of October 1, 2009,'' and inserting ''as of or after October 1, 2009,''.

(2) PROHIBITION ON CONSTRUCTION OF DETENTION FACILITIES IN UNITED STATES.—Section 1034 of such Act (124 Stat. 4353) is amended—

(A) in subsection (a), by striking ''None of the funds authorized to be appropriated by this Act'' and inserting ''No funds authorized to be appropriated or otherwise made available to the Department of Defense, or to or for any other department or agency of the United States Government,''; and

(B) in subsection (c), by striking ''as of October 1, 2009,'' and inserting ''as of or after October 1, 2009,''.

(d) SUPERSEDURE OF EXECUTIVE ORDER.—Sections 3, 4(c)(2), 4(c)(3), 4(c)(5), and 7 of Executive Order No. 13492, dated January 22, 2009, shall have no further force or effect.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. MERKLEY, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. INOUYE, Mr. LEVIN, Mr. KERRY, Mr. AKAKA, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 984. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, last weekend we observed Mother's Day and celebrated our families. When we reflect on our own mothers, many of us think about the woman who nursed us when we were sick, took us to the doctor for checkups, and cared for our grandparents as they aged, while at the same time working to put food on the table.

These balancing acts are hard enough. But for many moms, and dads, across the country, juggling all these roles means making impossible choices. This is especially true for people who do not have the basic right of paid sick days. For these workers, missing work due to an illness, injury, or doctor's appointment can mean putting their job and their family's financial security in jeopardy. So they are forced to choose between the jobs they need and the families they love. In these difficult economic times, no one should have to make that choice.

But for a huge segment of the American workforce, these difficult choices are a daily reality. Four in ten U.S. workers have no paid sick days, they cannot miss a day of work with the guarantee of their pay or the assurance that their job will be there when they come back. What is more, 2/3 of low-wage workers, those who can least afford to lose a paycheck or a job, have no paid sick days. This means many of these workers report to work sick or send their children to school or day care sick, spreading their illness to others.

This robs workers of their basic dignity, and that shouldn't happen in a country as wealthy and successful as America. In fact, the U.S. is the only developed country that does not guarantee paid sick days to its workers, and our workers are the most productive in the world! America's workers deserve to earn a decent living; a living where they can provide for their families without being punished when they or their children catch the flu. America's workers deserve paid sick days.

Lack of access to paid sick days isn't just a crisis for individual families—it's a public health crisis as well. Health officials urge people with contagious illnesses to stay home from work to avoid spreading disease. But the workers in industries with the most contact with the public, such as food service and hospitality, are the least likely to have paid sick days. A recent survey shows that nearly two-thirds of restaurant workers, 3/4 of whom don't have paid sick days, report cooking or serving food while sick. This puts the health of all of us in jeopardy. And not having paid sick days puts these workers in the terrible position of choosing between the health of their customers and their family's health and economic security.

But this doesn't have to be the case. We can give working people the tools they need to protect their health and their families' health while also safeguarding the public health. Workers want to do the right thing and stay home when they are ill or stay home with their sick children rather than sending them to school. But our current laws simply do not protect them.

This is why Congresswoman ROSA DELAURO and I are introducing the Healthy Families Act, which will allow U.S. workers to earn up to 7 paid sick days per year to recover from short-term illness, care for a sick family member, seek routine medical care, or seek help if they are victims of domestic violence. This important legislation will provide much-needed security for hardworking families struggling to balance the obligations of work and family. It will improve public health and decrease health costs by preventing the spread of disease and giving employees the access they need to obtain preventive care and treatment. It will also help victims of domestic violence to protect their families and their futures.

Providing paid sick days to workers will be good for working people and their families, and good for our businesses and our economy as well. Allowing workers to tend to their health or their families' engenders good will and loyalty, and boosts morale at the workplace. Businesses will save because the greatest cause of lost productivity due to illness is not absenteeism but ''presenteeism,'' the practice of sick workers coming to work, infecting their colleagues, and being less productive themselves. Businesses whose workers have paid sick days will also benefit from reduced turnover, and its high associated costs, when workers can hold on to their jobs. Experience bears this out, in San Francisco, where workers have had guaranteed paid sick days since 2007, surveys show that 6 out of 7 employers found no negative effect on profit. Indeed, 4 years after implementation, two-thirds of surveyed employers were supportive of the city's paid sick days law.

The overall economy will benefit from reduced health costs as well. Ensuring that workers are able to seek preventive care as well as care in a doctor's office, rather than the ER, will minimize health care costs. Reducing the spread of contagious illnesses by allowing workers or children to stay at home where they won't infect their coworkers or classmates will also reduce health costs by keeping more people healthy in the first place.

Most of all, workers will have peace of mind and financial security. They won't be faced with a potentially long search for new work, while collecting unemployment benefits. They won't face reduced income and having to cut back on their spending on food, medicine, and other necessities bought in their local communities. Working people will have the security of knowing that if illness strikes, they will be able to tend to their families without losing their jobs or their paychecks.

The Healthy Families Act has had the strongest of Senate champions who have led the fight for workers' rights, Senator Kennedy and Senator Dodd. I am proud to be the new leader for this vital piece of legislation. I thank my colleagues who are joining me today as original cosponsors, and I encourage all Senators to join us in supporting the Healthy Families Act. This bill will provide health, peace of mind, and security for America's workers and their families. At a time when the American Dream and the middle class seem to be slipping away, these goals could never be more important.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 984

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 ''Healthy Families Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Working Americans need time to meet their own health care needs and to care for family members, including their children, spouse, parents, and parents-in-law, and other children and adults for whom they are caregivers.

(2) Health care needs include preventive health care, diagnostic procedures, medical treatment, and recovery in response to short- and long-term illnesses and injuries.

(3) Providing employees time off to meet health care needs ensures that they will be healthier in the long run. Preventive care helps avoid illnesses and injuries and routine medical care helps detect illnesses early and shorten their duration.

(4) When parents are available to care for their children who become sick, children recover faster, more serious illnesses are prevented, and children's overall mental and physical health improve. In a 2009 study published in the American Journal of Public Health, 81 percent of parents of a child with special health care needs reported that taking leave from work to be with their child had a ''good'' or ''very good'' effect on their child's physical health. Similarly, 85 percent of parents of such a child found that taking such leave had a ''good'' or ''very good'' effect on their child's emotional health.

(5) When parents cannot afford to miss work and must send children with contagious illnesses to child care centers or schools, infection can spread rapidly through child care centers and schools.

(6) Providing paid sick time improves public health by reducing infectious disease. Policies that make it easier for sick adults and children to be isolated at home reduce the spread of infectious disease.

(7) Routine medical care reduces medical costs by detecting and treating illness and injury early, decreasing the need for emergency care. These savings benefit public and private payers of health insurance, including private businesses.

(8) The provision of individual and family sick time by large and small businesses, both here in the United States and elsewhere, demonstrates that policy solutions are both feasible and affordable in a competitive economy. A 2009 study by the Center for Economic and Policy Research found that, of 22 countries with comparable economies, the United States was 1 of only 3 countries that did not provide any paid time off for workers with short-term illnesses.

(9) Measures that ensure that employees are in good health and do not need to worry about unmet family health problems help businesses by promoting productivity and reducing employee turnover.

(10) The American Productivity Audit completed in 2003 found that lost productivity due to illness costs $226,000,000,000 annually, and that 71 percent of that cost stems from presenteeism, the practice of employees coming to work despite illness. Studies in the Journal of Occupational and Environmental Medicine, the Employee Benefit News, and the Harvard Business Review show that presenteeism is a larger productivity drain than either absenteeism or short-term disability.

(11) The absence of paid sick time has forced Americans to make untenable choices between needed income and jobs on the one hand and caring for their own and their family's health on the other.

(12) Nearly 40 percent of the private-sector workforce (about 40,000,000 workers) lack paid sick time. Another 4,000,000 theoretically have access to sick time, but have not been on the job long enough to use it. Millions more lack sick time they can use to care for a sick child or ill family member.

(13) Workers' access to paid sick time varies dramatically by wage level. For private-sector workers in the lowest quartile of earners, 68 percent lack paid sick time. For workers in the next 2 quartiles, 34 and 25 percent, respectively, lack paid sick time. Even for workers in the highest income quartile, 16 percent lack paid sick time. In addition, millions of workers cannot use paid sick time to care for ill family members.

(14) Due to the roles of men and women in society, the primary responsibility for family caregiving often falls on women, and such responsibility affects the working lives of women more than it affects the working lives of men.

(15) An increasing number of men are also taking on caregiving obligations, and men who request paid time for caregiving purposes are often denied accommodation or penalized because of stereotypes that caregiving is only ''women's work''.

(16) Employers' reliance on persistent stereotypes about the ''proper'' roles of both men and women in the workplace and in the home continues a cycle of discrimination and fosters stereotypical views about women's commitment to work and their value as employees.

(17) Employment standards that apply to only one gender have serious potential for encouraging employers to discriminate against employees and applicants for employment who are of that gender.

(18) It is in the national interest to ensure that all Americans can care for their own health and the health of their families while prospering at work.

(19) Nearly 1 in 3 American women report physical or sexual abuse by a husband or boyfriend at some point in their lives. Domestic violence also affects men. Women account for about 85 percent of the victims of domestic violence and men account for approximately 15 percent of the victims. Therefore, women disproportionately need time off to care for their health or to find solutions, such as obtaining a restraining order or finding housing, to avoid or prevent physical or sexual abuse.

(20) One study showed that 85 percent of domestic violence victims at a women's shelter who were employed missed work because of abuse. The mean number of days of paid work lost by a rape victim is 8.1 days, by a victim of physical assault is 7.2 days, and by a victim of stalking is 10.1 days. Nationwide, domestic violence victims lose almost 8,000,000 days of paid work per year.

(21) Without paid sick days that can be used to address the effects of domestic violence, these victims are in grave danger of losing their jobs. One survey found that 96 percent of employed domestic violence victims experienced problems at work related to the violence. The Government Accountability Office similarly found that 24 to 52 percent of victims report losing a job due, at least in part, to domestic violence. The loss of employment can be particularly devastating for victims of domestic violence, who often need economic security to ensure safety.

(22) The Centers for Disease Control and Prevention has estimated that domestic violence costs over $700,000,000 annually due to the victims' lost productivity in employment.

(23) Efforts to assist abused employees result in positive outcomes for employers as well as employees because employers can retain workers who might otherwise be compelled to leave.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to ensure that all working Americans can address their own health needs and the health needs of their families by requiring employers to permit employees to earn up to 56 hours of paid sick time including paid time for family care;

(2) to diminish public and private health care costs by enabling workers to seek early and routine medical care for themselves and their family members;

(3) to assist employees who are, or whose family members are, victims of domestic violence, sexual assault, or stalking, by providing the employees with paid time away from work to allow the victims to receive treatment and to take the necessary steps to ensure their protection;

(4) to accomplish the purposes described in paragraphs (1) through (3) in a manner that is feasible for employers; and

(5) consistent with the provision of the 14th amendment to the Constitution relating to equal protection of the laws, and pursuant to Congress' power to enforce that provision under section 5 of that amendment—

(A) to accomplish the purposes described in paragraphs (1) through (3) in a manner that minimizes the potential for employment discrimination on the basis of sex by ensuring generally that paid sick time is available for eligible medical reasons on a gender-neutral basis; and

(B) to promote the goal of equal employment opportunity for women and men.

SEC. 4. DEFINITIONS.

In this Act:

(1) CHILD.—The term ''child'' means a biological, foster, or adopted child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is—

(A) under 18 years of age; or

(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

(2) DOMESTIC VIOLENCE.—The term ''domestic violence'' has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)), except that the reference in such section to the term ''jurisdiction receiving grant monies'' shall be deemed to mean the jurisdiction in which the victim lives or the jurisdiction in which the employer involved is located.

(3) EMPLOYEE.—The term ''employee'' means an individual who is—

(A)(i) an employee, as defined in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)), who is not covered under subparagraph (E), including such an employee of the Library of Congress, except that a reference in such section to an employer shall be considered to be a reference to an employer described in clauses (i)(I) and (ii) of paragraph (4)(A); or

(ii) an employee of the Government Accountability Office;

(B) a State employee described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16c(a));

(C) a covered employee, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), other than an applicant for employment;

(D) a covered employee, as defined in section 411(c) of title 3, United States Code; or

(E) a Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code.

(4) EMPLOYER.—

(A) IN GENERAL.—The term ''employer'' means a person who is—

(i)(I) a covered employer, as defined in subparagraph (B), who is not covered under subclause (V);

(II) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991;

(III) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995;

(IV) an employing office, as defined in section 411(c) of title 3, United States Code; or

(V) an employing agency covered under subchapter V of chapter 63 of title 5, United States Code; and

(ii) is engaged in commerce (including government), or an industry or activity affecting commerce (including government), as defined in subparagraph (B)(iii).

(B) COVERED EMPLOYER.—

(i) IN GENERAL.—In subparagraph (A)(i)(I), the term ''covered employer''—

(I) means any person engaged in commerce or in any industry or activity affecting commerce who employs 15 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year;

(II) includes—

(aa) any person who acts, directly or indirectly, in the interest of an employer to any of the employees of such employer; and

(bb) any successor in interest of an employer;

(III) includes any ''public agency'', as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)); and

(IV) includes the Government Accountability Office and the Library of Congress.

(ii) PUBLIC AGENCY.—For purposes of clause (i)(III), a public agency shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

(iii) DEFINITIONS.—For purposes of this subparagraph:

(I) COMMERCE.—The terms ''commerce'' and ''industry or activity affecting commerce'' mean any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include ''commerce'' and any ''industry affecting commerce'', as defined in paragraphs (1) and (3) of section 501 of the Labor Management Relations Act, 1947 (29 U.S.C. 142 (1) and (3)).

(II) EMPLOYEE.—The term ''employee'' has the same meaning given such term in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)).

(III) PERSON.—The term ''person'' has the same meaning given such term in section 3(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(a)).

(C) PREDECESSORS.—Any reference in this paragraph to an employer shall include a reference to any predecessor of such employer.

(5) EMPLOYMENT BENEFITS.—The term ''employment benefits'' means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an ''employee benefit plan'', as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)).

(6) HEALTH CARE PROVIDER.—The term ''health care provider'' means a provider who—

(A)(i) is a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or

(ii) is any other person determined by the Secretary to be capable of providing health care services; and

(B) is not employed by an employer for whom the provider issues certification under this Act.

(7) PAID SICK TIME.—The term ''paid sick time'' means an increment of compensated leave that can be earned by an employee for use during an absence from employment for any of the reasons described in paragraphs (1) through (4) of section 5(b).

(8) PARENT.—The term ''parent'' means a biological, foster, or adoptive parent of an employee, a stepparent of an employee, or a legal guardian or other person who stood in loco parentis to an employee when the employee was a child.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(10) SEXUAL ASSAULT.—The term ''sexual assault'' has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

(11) SPOUSE.—The term ''spouse'', with respect to an employee, has the meaning given such term by the marriage laws of the State in which the employee resides.

(12) STALKING.—The term ''stalking'' has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

(13) VICTIM SERVICES ORGANIZATION.—The term ''victim services organization'' means a nonprofit, nongovernmental organization that provides assistance to victims of domestic violence, sexual assault, or stalking or advocates for such victims, including a rape crisis center, an organization carrying out a domestic violence, sexual assault, or stalking prevention or treatment program, an organization operating a shelter or providing

counseling services, or a legal services organization or other organization providing assistance through the legal process.

SEC. 5. PROVISION OF PAID SICK TIME.

(a) ACCRUAL OF PAID SICK TIME.—

(1) IN GENERAL.—An employer shall permit each employee employed by the employer to earn not less than 1 hour of paid sick time for every 30 hours worked, to be used as described in subsection (b). An employer shall not be required to permit an employee to earn, under this section, more than 56 hours of paid sick time in a calendar year, unless the employer chooses to set a higher limit.

(2) EXEMPT EMPLOYEES.—

(A) IN GENERAL.—Except as provided in paragraph (3), for purposes of this section, an employee who is exempt from overtime requirements under section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)) shall be assumed to work 40 hours in each workweek.

(B) SHORTER NORMAL WORKWEEK.—If the normal workweek of such an employee is less than 40 hours, the employee shall earn paid sick time based upon that normal work week.

(3) DATES OF ACCRUAL AND USE.—Employees shall begin to earn paid sick time under this section at the commencement of their employment. An employee shall be entitled to use the earned paid sick time beginning on the 60th calendar day following commencement of the employee's employment. After that 60th calendar day, the employee may use the paid sick time as the time is earned. An employer may, at the discretion of the employer, loan paid sick time to an employee in advance of the earning of such time under this section by such employee.

(4) CARRYOVER.—

(A) IN GENERAL.—Except as provided in subparagraph (B), paid sick time earned under this section shall carry over from 1 calendar year to the next.

(B) CONSTRUCTION.—This Act shall not be construed to require an employer to permit an employee to accrue more than 56 hours of earned paid sick time at a given time.

(5) EMPLOYERS WITH EXISTING POLICIES.—Any employer with a paid leave policy who makes available an amount of paid leave that is sufficient to meet the requirements of this section and that may be used for the same purposes and under the same conditions as the purposes and conditions outlined in subsection (b) shall not be required to permit an employee to earn additional paid sick time under this section.

(6) CONSTRUCTION.—Nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for earned paid sick time that has not been used.

(7) REINSTATEMENT.—If an employee is separated from employment with an employer and is rehired, within 12 months after that separation, by the same employer, the employer shall reinstate the employee's previously earned paid sick time. The employee shall be entitled to use the earned paid sick time and earn additional paid sick time at the recommencement of employment with the employer.

(8) PROHIBITION.—An employer may not require, as a condition of providing paid sick time under this Act, that the employee involved search for or find a replacement worker to cover the hours during which the employee is using paid sick time.

(b) USES.—Paid sick time earned under this section may be used by an employee for any of the following:

(1) An absence resulting from a physical or mental illness, injury, or medical condition of the employee.

(2) An absence resulting from obtaining professional medical diagnosis or care, or preventive medical care, for the employee.

(3) An absence for the purpose of caring for a child, a parent, a spouse, or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, who—

(A) has any of the conditions or needs for diagnosis or care described in paragraph (1) or (2); and

(B) in the case of someone who is not a child, is otherwise in need of care.

(4) An absence resulting from domestic violence, sexual assault, or stalking, if the time is to—

(A) seek medical attention for the employee or the employee's child, parent, or spouse, or an individual related to the employee as described in paragraph (3), to recover from physical or psychological injury or disability caused by domestic violence, sexual assault, or stalking;

(B) obtain or assist a related person described in paragraph (3) in obtaining services from a victim services organization;

(C) obtain or assist a related person described in paragraph (3) in obtaining psychological or other counseling;

(D) seek relocation; or

(E) take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic violence, sexual assault, or stalking.

(c) SCHEDULING.—An employee shall make a reasonable effort to schedule a period of paid sick time under this Act in a manner that does not unduly disrupt the operations of the employer.

(d) PROCEDURES.—

(1) IN GENERAL.—Paid sick time shall be provided upon the oral or written request of an employee. Such request shall—

(A) include the expected duration of the period of such time;

(B) in a case in which the need for such period of time is foreseeable at least 7 days in advance of such period, be provided at least 7 days in advance of such period; and

(C) otherwise, be provided as soon as practicable after the employee is aware of the need for such period.

(2) CERTIFICATION IN GENERAL.—

(A) PROVISION.—

(i) IN GENERAL.—Subject to subparagraph (C), an employer may require that a request for paid sick time under this section for a purpose described in paragraph (1), (2), or (3) of subsection (b) be supported by a certification issued by the health care provider of the eligible employee or of an individual described in subsection (b)(3), as appropriate, if the period of such time covers more than 3 consecutive workdays.

(ii) TIMELINESS.—The employee shall provide a copy of such certification to the employer in a timely manner, not later than 30 days after the first day of the period of time. The employer shall not delay the commencement of the period of time on the basis that the employer has not yet received the certification.

(B) SUFFICIENT CERTIFICATION.—

(i) IN GENERAL.—A certification provided under subparagraph (A) shall be sufficient if it states—

(I) the date on which the period of time will be needed;

(II) the probable duration of the period of time;

(III) the appropriate medical facts within the knowledge of the health care provider regarding the condition involved, subject to clause (ii); and

(IV)(aa) for purposes of paid sick time under subsection (b)(1), a statement that absence from work is medically necessary;

(bb) for purposes of such time under subsection (b)(2), the dates on which testing for a medical diagnosis or care is expected to be given and the duration of such testing or care; and

(cc) for purposes of such time under subsection (b)(3), in the case of time to care for someone who is not a child, a statement that care is needed for an individual described in such subsection, and an estimate of the amount of time that such care is needed for such individual.

(ii) LIMITATION.—In issuing a certification under subparagraph (A), a health care provider shall make reasonable efforts to limit the medical facts described in clause (i)(III) that are disclosed in the certification to the minimum necessary to establish a need for the employee to utilize paid sick time.

(C) REGULATIONS.—Regulations prescribed under section 13 shall specify the manner in which an employee who does not have health insurance shall provide a certification for purposes of this paragraph.

(D) CONFIDENTIALITY AND NONDISCLOSURE.—

(i) PROTECTED HEALTH INFORMATION.—Nothing in this Act shall be construed to require a health care provider to disclose information in violation of section 1177 of the Social Security Act (42 U.S.C. 1320d–6) or the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

(ii) HEALTH INFORMATION RECORDS.—If an employer possesses health information about an employee or an employee's child, parent, spouse or other individual described in subsection (b)(3), such information shall—

(I) be maintained on a separate form and in a separate file from other personnel information;

(II) be treated as a confidential medical record; and

(III) not be disclosed except to the affected employee or with the permission of the affected employee.

(3) CERTIFICATION IN THE CASE OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING.—

(A) IN GENERAL.—An employer may require that a request for paid sick time under this section for a purpose described in subsection (b)(4) be supported by 1 of the following forms of documentation:

(i) A police report indicating that the employee, or a member of the employee's family described in subsection (b)(4), was a victim of domestic violence, sexual assault, or stalking.

(ii) A court order protecting or separating the employee or a member of the employee's family described in subsection (b)(4) from the perpetrator of an act of domestic violence, sexual assault, or stalking, or other evidence from the court or prosecuting attorney that the employee or a member of the employee's family described in subsection (b)(4) has appeared in court or is scheduled to appear in court in a proceeding related to domestic violence, sexual assault, or stalking.

(iii) Other documentation signed by an employee or volunteer working for a victim services organization, an attorney, a police officer, a medical professional, a social worker, an antiviolence counselor, or a member of the clergy, affirming that the employee or a member of the employee's family described in subsection (b)(4) is a victim of domestic violence, sexual assault, or stalking.

(B) REQUIREMENTS.—The requirements of paragraph (2) shall apply to certifications under this paragraph, except that—

(i) subclauses (III) and (IV) of subparagraph (B)(i) and subparagraph (B)(ii) of such paragraph shall not apply;

(ii) the certification shall state the reason that the leave is required with the facts to

be disclosed limited to the minimum necessary to establish a need for the employee to be absent from work, and the employee shall not be required to explain the details of the domestic violence, sexual assault, or stalking involved; and

(iii) with respect to confidentiality under subparagraph (D) of such paragraph, any information provided to the employer under this paragraph shall be confidential, except to the extent that any disclosure of such information is—

(I) requested or consented to in writing by the employee; or

(II) otherwise required by applicable Federal or State law.

SEC. 6. POSTING REQUIREMENT.

(a) IN GENERAL.—Each employer shall post and keep posted a notice, to be prepared or approved in accordance with procedures specified in regulations prescribed under section 13, setting forth excerpts from, or summaries of, the pertinent provisions of this Act including—

(1) information describing paid sick time available to employees under this Act;

(2) information pertaining to the filing of an action under this Act;

(3) the details of the notice requirement for a foreseeable period of time under section 5(d)(1)(B); and

(4) information that describes—

(A) the protections that an employee has in exercising rights under this Act; and

(B) how the employee can contact the Secretary (or other appropriate authority as described in section 8) if any of the rights are violated.

(b) LOCATION.—The notice described under subsection (a) shall be posted—

(1) in conspicuous places on the premises of the employer, where notices to employees (including applicants) are customarily posted; or

(2) in employee handbooks.

(c) VIOLATION; PENALTY.—Any employer who willfully violates the posting requirements of this section shall be subject to a civil fine in an amount not to exceed $100 for each separate offense.

SEC. 7. PROHIBITED ACTS.

(a) INTERFERENCE WITH RIGHTS.—

(1) EXERCISE OF RIGHTS.—It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under this Act, including—

(A) discharging or discriminating against (including retaliating against) any individual, including a job applicant, for exercising, or attempting to exercise, any right provided under this Act;

(B) using the taking of paid sick time under this Act as a negative factor in an employment action, such as hiring, promotion, or a disciplinary action; or

(C) counting the paid sick time under a no-fault attendance policy or any other absence control policy.

(2) DISCRIMINATION.—It shall be unlawful for any employer to discharge or in any other manner discriminate against (including retaliating against) any individual, including a job applicant, for opposing any practice made unlawful by this Act.

(b) INTERFERENCE WITH PROCEEDINGS OR INQUIRIES.—It shall be unlawful for any person to discharge or in any other manner discriminate against (including retaliating against) any individual, including a job applicant, because such individual—

(1) has filed an action, or has instituted or caused to be instituted any proceeding, under or related to this Act;

(2) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this Act; or

(3) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this Act.

(c) CONSTRUCTION.—Nothing in this section shall be construed to state or imply that the scope of the activities prohibited by section 105 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2615) is less than the scope of the activities prohibited by this section.

SEC. 8. ENFORCEMENT AUTHORITY.

(a) IN GENERAL.—

(1) DEFINITION.—In this subsection:

(A) the term ''employee'' means an employee described in subparagraph (A) or (B) of section 4(3); and

(B) the term ''employer'' means an employer described in subclause (I) or (II) of section 4(4)(A)(i).

(2) INVESTIGATIVE AUTHORITY.—

(A) IN GENERAL.—To ensure compliance with the provisions of this Act, or any regulation or order issued under this Act, the Secretary shall have, subject to subparagraph (C), the investigative authority provided under section 11(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(a)), with respect to employers, employees, and other individuals affected.

(B) OBLIGATION TO KEEP AND PRESERVE RECORDS.—An employer shall make, keep, and preserve records pertaining to compliance with this Act in accordance with section 11(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(c)) and in accordance with regulations prescribed by the Secretary.

(C) REQUIRED SUBMISSIONS GENERALLY LIMITED TO AN ANNUAL BASIS.—The Secretary shall not require, under the authority of this paragraph, an employer to submit to the Secretary any books or records more than once during any 12-month period, unless the Secretary has reasonable cause to believe there may exist a violation of this Act or any regulation or order issued pursuant to this Act, or is investigating a charge pursuant to paragraph (4).

(D) SUBPOENA AUTHORITY.—For the purposes of any investigation provided for in this paragraph, the Secretary shall have the subpoena authority provided for under section 9 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209).

(3) CIVIL ACTION BY EMPLOYEES OR INDIVIDUALS.—

(A) RIGHT OF ACTION.—An action to recover the damages or equitable relief prescribed in subparagraph (B) may be maintained against any employer in any Federal or State court of competent jurisdiction by one or more employees or individuals or their representative for and on behalf of—

(i) the employees or individuals; or

(ii) the employees or individuals and others similarly situated.

(B) LIABILITY.—Any employer who violates section 7 (including a violation relating to rights provided under section 5) shall be liable to any employee or individual affected—

(i) for damages equal to—

(I) the amount of—

(aa) any wages, salary, employment benefits, or other compensation denied or lost by reason of the violation; or

(bb) in a case in which wages, salary, employment benefits, or other compensation have not been denied or lost, any actual monetary losses sustained as a direct result of the violation up to a sum equal to 56 hours of wages or salary for the employee or individual;

(II) the interest on the amount described in subclause (I) calculated at the prevailing rate; and

(III) an additional amount as liquidated damages; and

(ii) for such equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(C) FEES AND COSTS.—The court in an action under this paragraph shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(4) ACTION BY THE SECRETARY.—

(A) ADMINISTRATIVE ACTION.—The Secretary shall receive, investigate, and attempt to resolve complaints of violations of section 7 (including a violation relating to rights provided under section 5) in the same manner that the Secretary receives, investigates, and attempts to resolve complaints of violations of sections 6 and 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207).

(B) CIVIL ACTION.—The Secretary may bring an action in any court of competent jurisdiction to recover the damages described in paragraph (3)(B)(i).

(C) SUMS RECOVERED.—Any sums recovered by the Secretary pursuant to subparagraph (B) shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to each employee or individual affected. Any such sums not paid to an employee or individual affected because of inability to do so within a period of 3 years shall be deposited into the Treasury of the United States as miscellaneous receipts.

(5) LIMITATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an action may be brought under paragraph (3), (4), or (6) not later than 2 years after the date of the last event constituting the alleged violation for which the action is brought.

(B) WILLFUL VIOLATION.—In the case of an action brought for a willful violation of section 7 (including a willful violation relating to rights provided under section 5), such action may be brought within 3 years of the date of the last event constituting the alleged violation for which such action is brought.

(C) COMMENCEMENT.—In determining when an action is commenced under paragraph (3), (4), or (6) for the purposes of this paragraph, it shall be considered to be commenced on the date when the complaint is filed.

(6) ACTION FOR INJUNCTION BY SECRETARY.—The district courts of the United States shall have jurisdiction, for cause shown, in an action brought by the Secretary—

(A) to restrain violations of section 7 (including a violation relating to rights provided under section 5), including the restraint of any withholding of payment of wages, salary, employment benefits, or other compensation, plus interest, found by the court to be due to employees or individuals eligible under this Act; or

(B) to award such other equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(7) SOLICITOR OF LABOR.—The Solicitor of Labor may appear for and represent the Secretary on any litigation brought under paragraph (4) or (6).

(8) GOVERNMENT ACCOUNTABILITY OFFICE AND LIBRARY OF CONGRESS.—Notwithstanding any other provision of this subsection, in the case of the Government Accountability Office and the Library of Congress, the authority of the Secretary of Labor under this subsection shall be exercised respectively by the Comptroller General of the United States and the Librarian of Congress.

(b) EMPLOYEES COVERED BY CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—The powers, remedies, and procedures provided in the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) to the Board (as defined in section 101 of that Act (2 U.S.C. 1301)), or any person, alleging a violation of section 202(a)(1) of that Act (2 U.S.C. 1312(a)(1)) shall be the powers, remedies, and procedures this

Act provides to that Board, or any person, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(3)(C).

(c) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—The powers, remedies, and procedures provided in chapter 5 of title 3, United States Code, to the President, the Merit Systems Protection Board, or any person, alleging a violation of section 412(a)(1) of that title, shall be the powers, remedies, and procedures this Act provides to the President, that Board, or any person, respectively, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(3)(D).

(d) EMPLOYEES COVERED BY CHAPTER 63 OF TITLE 5, UNITED STATES CODE.—The powers, remedies, and procedures provided in title 5, United States Code, to an employing agency, provided in chapter 12 of that title to the Merit Systems Protection Board, or provided in that title to any person, alleging a violation of chapter 63 of that title, shall be the powers, remedies, and procedures this Act provides to that agency, that Board, or any person, respectively, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(3)(E).

(e) REMEDIES FOR STATE EMPLOYEES.—

(1) WAIVER OF SOVEREIGN IMMUNITY.—A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th amendment to the Constitution or otherwise, to a suit brought by an employee of that program or activity under this Act for equitable, legal, or other relief authorized under this Act.

(2) OFFICIAL CAPACITY.—An official of a State may be sued in the official capacity of the official by any employee who has complied with the procedures under subsection (a)(3), for injunctive relief that is authorized under this Act. In such a suit the court may award to the prevailing party those costs authorized by section 722 of the Revised Statutes (42 U.S.C. 1988).

(3) APPLICABILITY.—With respect to a particular program or activity, paragraph (1) applies to conduct occurring on or after the day, after the date of enactment of this Act, on which a State first receives or uses Federal financial assistance for that program or activity.

(4) DEFINITION OF PROGRAM OR ACTIVITY.—In this subsection, the term ''program or activity'' has the meaning given the term in section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–4a).

SEC. 9. COLLECTION OF DATA ON PAID SICK TIME AND FURTHER STUDY.

(a) COMPILATION OF INFORMATION.—Effective 90 days after the date of enactment of this Act, the Commissioner of Labor Statistics shall annually compile information on the following:

(1) The number of employees who used paid sick time.

(2) The number of hours of paid sick time used.

(3) The number of employees who used paid sick time for absences necessary due to domestic violence, sexual assault, or stalking.

(4) The demographic characteristics of employees who were eligible for and who used paid sick time.

(b) GAO STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall annually conduct a study to determine the following:

(A)(i) The number of days employees used paid sick time and the reasons for the use.

(ii) The number of employees who used the paid sick time for periods of time covering more than 3 consecutive workdays.

(B) The cost and benefits to employers of implementing the paid sick time policies.

(C) The cost to employees of providing certification to obtain the paid sick time.

(D) The benefits of the paid sick time to employees and their family members, including effects on employees' ability to care for their family members or to provide for their own health needs.

(E) Whether the paid sick time affected employees' ability to sustain an adequate income while meeting needs of the employees and their family members.

(F) Whether employers who administered paid sick time policies prior to the date of enactment of this Act were affected by the provisions of this Act.

(G) Whether other types of leave were affected by this Act.

(H) Whether paid sick time affected retention and turnover and costs of presenteeism.

(I) Whether the paid sick time increased the use of less costly preventive medical care and lowered the use of emergency room care.

(J) Whether the paid sick time reduced the number of children sent to school when the children were sick.

(2) AGGREGATING DATA.—The data collected under subparagraphs (A) and (D) of paragraph (1) shall be aggregated by gender, race, disability, earnings level, age, marital status, family type, including parental status, and industry.

(3) REPORTS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the appropriate committees of Congress concerning the results of the study conducted pursuant to paragraph (1) and the data aggregated under paragraph (2).

(B) FOLLOWUP REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a followup report to the appropriate committees of Congress concerning the results of the study conducted pursuant to paragraph (1) and the data aggregated under paragraph (2).

SEC. 10. EFFECT ON OTHER LAWS.

(a) FEDERAL AND STATE ANTIDISCRIMINATION LAWS.—Nothing in this Act shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, national origin, sex, age, or disability.

(b) STATE AND LOCAL LAWS.—Nothing in this Act shall be construed to supersede (including preempting) any provision of any State or local law that provides greater paid sick time or leave rights (including greater paid sick time or leave, or greater coverage of those eligible for paid sick time or leave) than the rights established under this Act.

SEC. 11. EFFECT ON EXISTING EMPLOYMENT BENEFITS.

(a) MORE PROTECTIVE.—Nothing in this Act shall be construed to diminish the obligation of an employer to comply with any contract, collective bargaining agreement, or any employment benefit program or plan that provides greater paid sick leave or other leave rights to employees or individuals than the rights established under this Act.

(b) LESS PROTECTIVE.—The rights established for employees under this Act shall not be diminished by any contract, collective bargaining agreement, or any employment benefit program or plan.

SEC. 12. ENCOURAGEMENT OF MORE GENEROUS LEAVE POLICIES.

Nothing in this Act shall be construed to discourage employers from adopting or retaining leave policies more generous than policies that comply with the requirements of this Act.

SEC. 13. REGULATIONS.

(a) IN GENERAL.—

(1) AUTHORITY.—Except as provided in paragraph (2), not later than 180 days after the date of enactment of this Act, the Secretary shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in subparagraph (A) or (B) of section 4(3) and other individuals affected by employers described in subclause (I) or (II) of section 4(4)(A)(i).

(2) GOVERNMENT ACCOUNTABILITY OFFICE; LIBRARY OF CONGRESS.—The Comptroller General of the United States and the Librarian of Congress shall prescribe the regulations with respect to employees of the Government Accountability Office and the Library of Congress, respectively and other individuals affected by the Comptroller General of the United States and the Librarian of Congress, respectively.

(b) EMPLOYEES COVERED BY CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Board of Directors of the Office of Compliance shall prescribe (in accordance with section 304 of the Congressional Accountability Act of 1995 (2 U.S.C. 1384)) such regulations as are necessary to carry out this Act with respect to employees described in section 4(3)(C) and other individuals affected by employers described in section 4(4)(A)(i)(III).

(2) AGENCY REGULATIONS.—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the Board may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementation of the rights and protections involved under this section.

(c) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—

(1) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the President (or the designee of the President) shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in section 4(3)(D) and other individuals affected by employers described in section 4(4)(A)(i)(IV).

(2) AGENCY REGULATIONS.—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the President (or designee) may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementation of the rights and protections involved under this section.

(d) EMPLOYEES COVERED BY CHAPTER 63 OF TITLE 5, UNITED STATES CODE.—

(1) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in section 4(3)(E) and other individuals affected by employers described in section 4(4)(A)(i)(V).

(2) AGENCY REGULATIONS.—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the Director may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementation of the rights and protections involved under this section.

SEC. 14. EFFECTIVE DATES.

(a) EFFECTIVE DATE.—This Act shall take effect 6 months after the date of issuance of regulations under section 13(a)(1).

(b) COLLECTIVE BARGAINING AGREEMENTS.—In the case of a collective bargaining agreement in effect on the effective date prescribed by subsection (a), this Act shall take effect on the earlier of—

(1) the date of the termination of such agreement; or

(2) the date that occurs 18 months after the date of issuance of regulations under section 13(a)(1).

By Mrs. BOXER:

S. 992. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, as we mark the end of National Nurses Week, I want to express my heartfelt appreciation to the nurses who serve on the front lines of our health care system. Nurses are heroes, not just to their patients, but to the families and loved ones who rely on their compassion and care.

While we celebrate nurses this week, we must also acknowledge that too many nurses are overworked because of staffing levels that are simply inadequate.

For decades nurses have been telling us that we need more of them to provide quality care to our loved ones, especially in hospitals. Study after study has been done, we know there is a nationwide nursing shortage.

By 2020, it is estimated that the demand for full time nurses will exceed supply by 1 million nurses.

That is why I am introducing the National Nursing Shortage Reform and Patient Advocacy Act, which will not only help address the nationwide shortage of skilled nurses, it will improve the quality of health care for all Americans.

The National Nursing Shortage Reform and Patient Advocacy Act champions nursing rights, nursing ratios, and nursing reform.

This bill protects the rights of nurses to speak out for their patients and to speak out for themselves, without the fear of discrimination or retaliation, because if there is a problem in a hospital nurses should be able to talk about it.

This bill sets minimum nurse to patient ratios, because if we expect nurses to give patients high quality care we need to give nurses the time to provide it. It lays out a transparent process for establishing staffing plans in hospitals and puts forward the tools for nurses to report inadequate staffing or care.

This bill reforms the role of hospitals not just in working with nurses to improve care, but also in training nurses. It creates mentorship and preceptorship programs to support nurses as they adapt to the hospital setting and grow in their profession.

Twelve years ago, nurses in California fought and won a major battle for their patients and for themselves, and the results were minimum nurse to patient ratios in California hospitals.

I am proud to join with nurses in their effort to improve care for their patients, and introduce Federal legislation that would extend these rights, ratios and reforms to nurses in hospitals across the country.

Reports on California ratios have only begun to show what so many of the nurses I meet already know, that setting a minimum standard for safe staffing can mean the difference between life and death of patients.

A 2002 study found that for every patient added to a nurse's workload there is a 7 percent increase in the chance of death following common surgeries.

In California, the hospitals that have seen the greatest effect in reduced mortality were the ones that started with the worst staffing ratios.

We also know that hospitals are losing good nurses because of these staffing shortages. A poll of nurses nationwide found that almost half of the nurses who plan to quit their job say that inadequate staffing is the reason they are leaving. The cost of replacing these valuable workers has been estimated at $25,000 to $60,000 per nurse. That is an added cost that we know our health care system cannot afford.

Too many nurses get burned out by being overloaded with too many patients. Too many nurses have given up on serving in hospitals because the hospitals have given up on providing a better environment for both nurses and patients.

Investing more in nursing staff will help hospitals avoid costly medical mistakes and provide better care for their patients and most importantly, will save lives.

I joined many of my colleagues in supporting provisions of health care reform that invested in our health care workforce. At 2.9 million strong, nurses are the largest health care workforce in our country, and this investment is long overdue.

I am pleased to share that this bill has the support of the California Nurses Association as well as AFSCME-United Nurses of America.

Nurses are not just the face of the movement to improve health care in our country, they are the face of health care in our country. This bill is for them and the patients they so faithfully serve.

By Mr. KIRK (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. DURBIN):

S. 994. A bill to amend title 23, United States Code, to protect States that have in effect laws or orders with respect to pay-to-play reform, and for other purposes; to the Committee on Environment and Public Works.

Mr. KIRK. Mr. President, I am pleased to join my colleagues Senators MENENDEZ, LAUTENBERG and DURBIN in introducing the State Ethics Law Protection Act. This legislation would ensure that States are allowed to pass meaningful ethics reform laws without being penalized by the Federal government.

Current law allows the Federal Highway Administration, FHWA, to withhold Federal highway funds from States that ban pay-to-play contracting. At least 9 States and 60 cities have enacted anti pay-to-play laws. These laws vary widely, but they generally limit political contributions from entities doing business with the state. The FHWA claims that these laws could reduce the number of potential bidders, thus violating an unrestricted bidding requirement set forth in Federal law. FHWA has selectively threatened to withhold money to certain States. In my home State of Illinois, the State legislature was forced to change its pay-to-play law just days after our former governor was indicted for allegedly engaging in numerous pay-to-play schemes. Illinois was forced to create a giant loophole in the ethics law so as not to lose out on millions in Federal transportation funds.

States have the right to ensure their contracting processes adhere to the highest ethical standards and offer the best protection to the taxpayers. Selected Federal intervention is an unwarranted and unhelpful power grab by Federal regulators. Pay-to-play laws are designed to enhance, not undermine, competitive bidding. They are designed to ensure that the competitive bidding process is open and fair, not motivated by political considerations.

Our legislation would allow States to pass ethics laws that are in their best interests, without fear of Federal retaliation, by amending FHWA's contracting requirements to explicitly provide that no State or locality shall be considered in violation of the competitive bidding requirements based on political contributions. The legislation does not prescribe any new requirements for states, nor does it advocate for the passage of any single ethics law. The bill simply allows States to enact meaningful anti-corruption laws if they choose to do so. As Federal budgets tighten in these challenging economic times, it is imperative that we not hamstring States even further by denying them Federal funds for trying to limit public corruption.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 994

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 ''State Ethics Law Protection Act of 2011''.

SEC. 2. PAY-TO-PLAY REFORM.

Section 112 of title 23, United States Code, is amended by adding at the end the following:

''(h) PAY-TO-PLAY REFORM.—A State transportation department shall not be considered to have violated a requirement of this section solely because the State in which that State transportation department is located, or a local government within that State, has in effect a law or an order that limits the amount of money an individual or entity that is doing business with a State or local agency with respect to a Federal-aid highway project may contribute to a political party, campaign, candidate, or elected official.''.

By Mr. KIRK:

S. 995. A bill to amend title 18, United States Code, to prohibit public officials from engaging in undisclosed self-dealing; to the Committee on the Judiciary.

Mr. KIRK. Mr. President, I am pleased to introduce the Public Officials Accountability Act, to ensure that our elected leaders cannot use their office for their own personal benefit. Public corruption has turned the ''Land of Honest Abe'' into the ''Land of Political Corruption.'' Illinois is the 6th most corrupt state in the Union, based on the number of public corruption convictions over the last decade. If just the northern district of Illinois were a state, it would have had the 7th highest number of public corruption convictions in the country in 2009. Illinois taxpayers pay the price for this in the form of a hidden public corruption tax. We need to make sure our laws help Federal prosecutors crack down on public corruption and restore integrity to Illinois. One such tool is the honest services law.

For the past 30 years, the Department of Justice has fought public corruption by convicting scores of public officials who deny citizens the right to ''honest services.'' We are all too familiar with politicians failing to perform their public duties honestly in Illinois.

The most famous Illinois politicians to be convicted of honest services fraud include former Governor Otto Kerner, late Congressman Dan Rostenkowski, former city of Chicago official Robert Sorich, and former Governor George Ryan. William Jefferson and Congressman Bob Ney are a few notable national figures to be convicted of this crime.

Back in Illinois, our former governor Rod Blagojevich is currently on trial after having turned Illinois into a corrupt political circus and a national joke. A number of charges in his original indictment were based on honest services fraud, including those related to his alleged scheme to sell President Obama's U.S. Senate seat for his own personal gain.

Unfortunately, last year the Supreme court drastically narrowed the scope of the honest services law in the famous 2010 Enron decision, Skilling v. U.S. The Court struck down a significant portion of the law because it was unconstitutionally vague. As a result of the Supreme Court review, U.S. prosecutors reindicted Blagojevich, leaving out all honest services charges so as not to complicate the case. Blagojevich later was convicted on just one charge.

The Blagojevich case was not the only one affected by the decision. According to the Wall Street Journal, ''In 2008 and 2009, the government brought honest services fraud charges in more than 100 cases a year,'' but in 2010 ''new prosecutions using the statute slowed to a trickle'' due to the Supreme Court review of the issue.

In order to continue fighting public corruption effectively, the Department of Justice asked Congress to enact a clear and specific honest services law to withstand any constitutional review. Our bill, the Public Officials Accountability Act, would do just that. It would very clearly reinstate the portion of the law the Supreme Court struck down in terms that remove all ambiguity. The Public Officials Accountability Act would restore one of prosecutors' most important tools and decades of congressional intent to ensure elected leaders cannot use their office to further their own careers or pocketbooks.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 995

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 ''Public Officials Accountability Act''.

SEC. 2. PROHIBITION ON UNDISCLOSED SELF-DEALING BY PUBLIC OFFICIALS.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by inserting after section 1346 the following new section:

''§ 1346A. Undisclosed self-dealing by public officials

''(a) UNDISCLOSED SELF-DEALING BY PUBLIC OFFICIALS.—For purposes of this chapter, the term 'scheme or artifice to defraud' also includes a scheme or artifice by a public official to engage in undisclosed self-dealing.

''(b) DEFINITIONS.—As used in this section:

''(1) OFFICIAL ACT.—The term 'official act'—

''(A) includes any act within the range of official duty, and any decision, recommendation, or action on any question, matter, cause, suit, proceeding, or controversy, which may at any time be pending, or which may by law be brought before any public official, in such public official's official capacity or in such official's place of trust or profit;

''(B) may be a single act, more than one act, or a course of conduct; and

''(C) includes a decision or recommendation that a government should not take action.

''(2) PUBLIC OFFICIAL.—The term 'public official' means an officer, employee, or elected or appointed representative, or person acting for or on behalf of, the United States, a State, or a subdivision of a State, or any department, agency or branch of government thereof, in any official function, under or by authority of any such department, agency, or branch of government.

''(3) STATE.—The term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(4) UNDISCLOSED SELF-DEALING.—The term 'undisclosed self-dealing' means that—

''(A) a public official performs an official act for the purpose, in whole or in part, of benefitting or furthering a financial interest of—

''(i) the public official;

''(ii) the spouse or minor child of a public official;

''(iii) a general business partner of the public official;

''(iv) a business or organization in which the public official is serving as an employee, officer, director, trustee, or general partner; or

''(v) an individual, business, or organization with whom the public official is negotiating for, or has any arrangement concerning, prospective employment or financial compensation; and

''(B) the public official knowingly falsifies, conceals, covers up, or fails to disclose material information regarding that financial interest that is required to be disclosed by any Federal, State, or local statute, rule, regulation, or charter applicable to the public official.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by inserting after the item relating to section 1346 the following new item:

''1346A. Undisclosed self-dealing by public officials.''.

(c) APPLICABILITY.—The amendments made by this section apply to acts engaged in on or after the date of the enactment of this Act.

By Mr. AKAKA (for himself, Mr. HARKIN, and Mr. DURBIN):

S. 998. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Health, Education, Labor, and Pensions.

Mr. AKAKA. Mr. President, today I am introducing the Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act to ensure fair treatment of commercial airline pilot retirees. Joining me in this effort are Senators HARKIN and DURBIN, as well as Representative GEORGE MILLER, who is introducing the companion bill in the House of Representatives today.

The Pension Benefit Guaranty Corporation, PBGC, is the Federal agency that assumes responsibility for pension plans that are terminated because they do not have enough money to pay all benefits. PBGC's insurance program pays monthly benefits to the retirees that the pension plan provided, up to the limits set by law. PBGC requires individuals to retire at age 65 to receive the maximum retirement benefit. For years, this law was in conflict with the Federal Aviation Administration, FAA, requirement that pilots retire by age 60. For commercial airline pilots caught between these conflicting policies, their retirement benefits were significantly reduced.

Congress partially addressed this issue with the passage of the Fair Treatment of Experienced Pilots Act, which was signed into law on December

13, 2007. The Act increased the FAA mandatory retirement age for pilots to age 65. However, the change did nothing to help those pilots who had already retired. As such, pilots who retired while the FAA age 60 rule was in effect are still denied the maximum pension benefit administered by the PBGC and are unable to rejoin the workforce as pilots.

The conflicting FAA and PBGC requirements have had a substantial adverse effect on thousands of retired pilots. In general, these pilots have had their maximum retirement benefit reduced by one-third. For example, the maximum benefit from the PBGC for someone that retired at age 65 in 2006 is $47,659 a year. For those who retired at age 60 of that same year, the maximum is $30,978. Our legislation ends this unfair penalty. The Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act would direct the PBGC to calculate pension benefits based on retirement eligibility beginning at age 60 instead of age 65 for retired pilots whose pensions are affected by the discrepancy between the FAA and PBGC retirement requirements. We must pass this bill to provide some relief for pilots from Aloha Airlines, Delta, TWA, United Airlines, and US Airways, as well as other pilots who have had their pensions terminated and taken over by the PBGC and suffer from this wrongly imposed penalty.

I urge my colleagues to support this bill so that we can finally correct this wrong.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 998

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 ''Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act''.

SEC. 2. AGE REQUIREMENT FOR AIRLINE PILOTS.

(a) SINGLE-EMPLOYER PLAN BENEFITS GUARANTEED.—Section 4022(b)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322(b)(3)) is amended by inserting at the end the following: ''If, at the time of termination of a plan under this title, or at the time of freezing benefit accruals under a plan pursuant to subsections (a)(1) and (b) of section 402 of the Pension Protection Act of 2006, regulations prescribed by the Federal Aviation Administration required an individual to separate from service as a commercial airline pilot after attaining any age before age 65, this paragraph shall be applied to an individual who is a participant in the plan by reason of such service by substituting such age for age 65. The calculation of benefit liabilities and unfunded benefit liabilities under this section, and the allocation of assets under section 4044, shall not reflect any additional benefits the corporation must guarantee due to the application of the preceding sentence.''.

(b) AGGREGATE LIMIT ON BENEFITS GUARANTEED; CRITERIA APPLICABLE.—Section 4022B(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322b(a)) is amended by adding at the end the following: ''If, at the time of termination of a plan under this title, or at the time of freezing benefit accrual under a plan pursuant to subsections (a)(1) and (b) of section 402 of the Pension Protection Act of 2006, regulations prescribed by the Federal Aviation Administration required an individual to separate from service as a commercial airline pilot after attaining any age before age 65, this subsection shall be applied to an individual who is a participant in the plan by reason of such service by substituting such age for age 65.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply to benefits payable on or after the date of enactment of this Act.

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. HATCH, Mr. RISCH, and Mr. CORNYN):

S.J. Res. 12. A joint resolution proposing an amendment to the Constitution of the United States to give States the right to repeal Federal laws and regulations when ratified by the legislatures of two-thirds of the several States; to the Committee on the Judiciary.

Mr. ENZI. Mr. President, I rise today to discuss the growing burdens placed on states by our Federal Government in recent years and how we can stop this trend.

Our States have faced many Federal mandates in recent years that have hurt, not helped, the citizenry of our country. In 2009 alone, the Federal Government issued over 3,300 new rules and regulations. This puts the total number of Federal rules and regulations placed on our States and citizens at around 75,000 as of 2010. In addition, incredible price tags have been placed on our citizens due to these laws and regulations. Our country is facing trillions of dollars in debt and forcing further expenses onto our taxpayers is inexcusable.

This Federal top-down approach does not encourage a strong economy. States and local governments should have the ability to address the needs of their citizens in ways that actually fix the problem without their hands being tied by burdensome Federal rules, regulations, and laws. I have always believed that the ingenuity of individuals should not be hampered and top-down approaches do just that. As of now, states have one recourse, go through the court system which is already backlogged.

No matter who has the political power within our Federal Government, States need to have the ability to force the Federal Government to reconsider laws and regulations that do not support them. Providing states with the option of repealing any Federal law or regulation is the next step. Allowing a repeal option would also institute a check against egregious congressional actions and especially un-elected bureaucratic action.

Today, I am introducing the Repeal Amendment to address this issue. My colleague Representative ROB BISHOP of Utah is introducing this important piece of legislation in the House of Representatives so that we can give the states a real voice. Allowing States the option to say no will allow them the breathing room to decide what policies are best for them.

The Repeal Amendment would allow States to remove unnecessary and burdensome Federal laws and regulations. When 2/3 of the States collectively find a Federal law or regulation so out of touch and destructive, they will have the power to repeal it if they so choose.

States must be given back their role as an equal partner in addressing the needs and issues of the people of the United States. The growing Federal Government must be put in check and I believe that the Repeal Amendment will do just that.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 181—DESIGNATING MAY 15, 2011, AS ''NATIONAL MPS AWARENESS DAY''

Mr. GRAHAM (for himself, Mr. CONRAD, Mr. BURR, Mr. INOUYE, Mr. BEGICH, Mr. KERRY, and Ms. MURKOWSKI) submitted the following resolution, which was considered and agreed to:

S. RES. 181

Whereas mucopolysaccharidosis (referred to in this resolution as ''MPS'') are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system; and

(2) often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be a significant impediment to effectively treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases;

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases; and

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2011, as ''National MPS Awareness Day''; and

(2) supports the goals and ideals of ''National MPS Awareness Day''.

SENATE RESOLUTION 182—EXPRESSING THE CONDOLENCES OF THE UNITED STATES TO THE VICTIMS OF THE DEVASTATING TORNADOES THAT TOUCHED DOWN IN THE SOUTH IN APRIL 2011, COMMENDING THE RESILIENCY OF THE PEOPLE OF THE AFFECTED STATES, INCLUDING THE PEOPLE OF THE STATES OF ALABAMA, TENNESSEE, MISSISSIPPI, GEORGIA, VIRGINIA, AND NORTH CAROLINA, AND COMMITTING TO STAND BY THE PEOPLE AFFECTED IN THE RELIEF AND RECOVERY EFFORTS

Mr. SESSIONS (for himself, Mr. SHELBY, Mr. ALEXANDER, Mr. CORKER, Mr. COCHRAN, Mr. WICKER, Mr. CHAMBLISS, Mr. ISAKSON, Mr. BURR, and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 182

Whereas during the month of April 2011, a historic series of powerful storms and tornadoes tracked across the South;

Whereas preliminary estimates of the National Oceanic and Atmospheric Administration indicate that more than 600 tornadoes were produced by storms that occurred across the United States in April 2011;

Whereas preliminary estimates of the National Oceanic and Atmospheric Administration indicate that 305 tornadoes were produced by storms that occurred across the South during the period of April 25 through 28, 2011;

Whereas the previous record number of tornadoes occurring during the month of April was 267 tornadoes, which was set in April 1974, and the previous record number of tornadoes during any month was 542 tornadoes, which was set in May 2003;

Whereas the National Oceanic and Atmospheric Administration estimates that there were at least 358 fatalities as a result of the storms and tornadoes in April 2011;

Whereas as of the date of approval of this resolution, the number of fatalities resulting from the devastating storms and tornadoes in the State of Alabama is approaching 250;

Whereas there were 38 fatalities resulting from the devastating storms and tornadoes in the State of Tennessee;

Whereas tornadoes in the State of Mississippi resulted in at least 35 fatalities, at least 163 injuries, and at least 2,500 damaged homes, of which approximately 1,000 were severely damaged or destroyed;

Whereas as of the date of approval of this resolution, the total number of fatalities in the State of Georgia is at least 15;

Whereas tornadoes and massive storms in the Commonwealth of Virginia resulted in at least 6 fatalities, destroyed more than 160 homes, and caused damage to more than 800 homes and businesses;

Whereas a number of tornadoes touched down in the Virginia counties of Gloucester, Goochland, Halifax, Middlesex, Pulaski, Shenandoah, and Washington;

Whereas in April 2011, devastating storms and at least 30 tornadoes resulted in 24 fatalities in the State of North Carolina;

Whereas the Tuscaloosa-Birmingham tornado of April 27, 2011, which caused at least 65 fatalities and more than 1,000 injuries, had a maximum width of 1.5 miles and a track length of 80 miles;

Whereas Smithville, Mississippi, a town of fewer than 900, lost 15 of its citizens, as well as its post office, school, city hall, most of its churches, and almost every home;

Whereas an Enhanced Fujita category 5 (referred to in this preamble as an ''EF5'') tornado is defined by the National Weather Service of the National Oceanic and Atmospheric Administration as the rarest and most severe type of tornado, with sustained winds of greater than 200 miles per hour and that results in total destruction of well-built, structurally-sound buildings;

Whereas 3 of the 5 EF5 rated tornadoes recorded in the United states since 2000 occurred as part of the April 25 through 28, 2011 tornado outbreak in the States of Mississippi and Alabama;

Whereas the Washington County, Virginia tornado traveled approximately 14 miles and had a maximum path width of 2 miles;

Whereas the National Weather Service estimates that 40 tornadoes hit the State of Tennessee from April 27 through 28, 2011;

Whereas the National Weather Service has confirmed that a total of 15 tornadoes hit the State of Georgia throughout the period of April 25 through 28, 2011, including a powerful EF4 tornado which devastated the city of Ringgold, Georgia;

Whereas dozens of rural communities throughout the South, including in the States of Alabama, Mississippi, Georgia, Tennessee, Virginia, and North Carolina, have been decimated by the devastating storms and tornadoes of April 2011;

Whereas more than 500 homes were damaged or destroyed in the State of Tennessee as a result of the devastating storms and tornadoes;

Whereas the massive storms impacted cities and towns in the State of Alabama, including Arab, Berry, Birmingham, Concord, Eclectic, Forkland, Fultondale, Hackleburg, Phil Campbell, Pleasant Grove, Rainsville, and Tuscaloosa;

Whereas President Obama declared 10 counties in the State of Tennessee to be in a state of major disaster and approved the request made by Governor Haslam for Federal disaster assistance;

Whereas the tornado that swept from Monroe County, Mississippi into Marion County, Alabama and destroyed Smithville, Mississippi was—

(1) the sixth deadliest tornado ever recorded in the State of Mississippi;

(2) the first EF5 tornado recorded in the State of Mississippi since 1966; and

(3) the first EF5 tornado recorded in the United States since May 2008.

Whereas the massive storms and tornadoes caused widespread damage in the Georgian counties of Bartow, Catoosa, Cherokee, Coweta, Dade, Floyd, Gordon, Greene, Habersham, Harris, Heard, Lamar, Lumpkin, Meriwether, Monroe, Morgan, Newton, Pickens, Polk, Rabun, Spalding, Troup, Upson, Walker, and White;

Whereas the massive storms and tornadoes caused widespread damage in the North Carolina counties of Bertie, Bladen, Craven, Cumberland, Currituck, Greene, Halifax, Harnett, Hertford, Hoke, Johnston, Lee Onslow, Pitt, Robeson, Sampson, Tyrell, Wake, and Wilson;

Whereas the tornado that swept from Neshoba County, Mississippi to Noxubee County, Mississippi was just the second EF5 tornado recorded in the State of Mississippi since 1966;

Whereas April 27, 2011, marks the third highest number of tornado-related fatalities occurring in a single day since March 18, 1925, when a series of tornadoes caused 747 fatalities across 7 States;

Whereas as of the date of approval of this resolution, the total number of fatalities resulting from the devastating storms and tornadoes remains unknown;

Whereas the suffering and distress of thousands of people affected by the storms and tornadoes is ongoing, particularly for those who lost loved ones, homes, and livelihoods;

Whereas immediate humanitarian aid is critically needed in many of the devastated regions;

Whereas the local emergency responders, National Guard, and many ordinary citizens of the affected regions have risked their lives to save others;

Whereas throughout the crisis, doctors, nurses, and medical personnel in the affected regions worked expeditiously to ensure that hospitals, medical centers, and triage units provided needed care;

Whereas many faith-based organizations and other volunteer organizations and charities are supplying the victims of the storms and tornadoes with food, water, and shelter;

Whereas the Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina Emergency Management Agencies, the first responders in the affected communities, and countless volunteers immediately came to the aid of those affected by the storms;

Whereas the Governor of Alabama, Robert Bentley, the Governor of Tennessee, Bill Haslam, the Governor of Mississippi, Haley Barbour, the Governor of Georgia, Nathan Deal, the Governor of Virginia, Robert McDonnell, and the Governor of North Carolina, Beverly Perdue, reacted swiftly and with great leadership in the immediate aftermath of the destructive storms and tornadoes;

Whereas President Obama responded quickly and efficiently to approve the requests made by Governors Bentley, Haslam, Barbour, Deal, and Perdue for Federal disaster assistance;

Whereas in response to the declaration by the President of a major disaster, the Administrator of the Federal Emergency Management Agency has made federal disaster assistance available for the State of Alabama and elsewhere in the South to assist in local recovery efforts; and

Whereas thousands of volunteers and government employees from across the United States have committed time and resources to help with recovery efforts: Now, therefore, be it

Resolved, That the Senate—

(1) expresses the heartfelt condolences of the Senate to the families and friends of those who lost their lives, homes, and livelihoods in the tragic storms and tornadoes of April 2011;

(2) commends the resiliency and courage of the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina;

(3) extends the wishes of the Senate for a full recovery for all those who were injured in the storms and tornadoes;

(4) extends the thanks of the Senate to the forecasters, first responders, firefighters, law

enforcement personnel, volunteers, and medical personnel who took quick action to provide warnings, aid, and comfort to the victims of the storms and tornadoes;

(5) commits to provide the necessary resources and to stand by the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, in the relief, recovery, and rebuilding efforts; and

(6) stands with the people affected by the storms and tornadoes, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, as those people begin the healing process following this terrible event.

SENATE RESOLUTION 183—DESIGNATING MAY 14, 2011, AS ''NATIONAL POLICE SURVIVORS DAY''

Ms. MURKOWSKI (for herself, Mrs. MURRAY, Mr. KERRY, Ms. MIKULSKI, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 183

Whereas the National Law Enforcement Officers Memorial in Judiciary Square in Washington, D.C. lists on a Wall of Remembrance the names of more than 19,000 law enforcement officers who have died in the line of duty;

Whereas in the United States, 1 law enforcement officer is killed every 53 hours;

Whereas in 2010, 152 law enforcement officers lost their lives in the line of duty;

Whereas on May 14, 1983, on the eve of the 2nd annual National Peace Officers' Memorial Service, 10 widows of fallen law enforcement officers came together to discuss the lack of support for law enforcement survivors;

Whereas 1 year later, that discussion led to the formation of Concerns of Police Survivors, Inc. at the 1st annual National Police Survivors' Seminar, which drew 110 law enforcement survivors from throughout the United States;

Whereas Concerns of Police Survivors, Inc. has grown to serve more than 15,000 surviving families of fallen law enforcement officers by providing healing, love, and the opportunity for a renewed life;

Whereas Concerns of Police Survivors, Inc. and its 52 chapters throughout the United States provide a program of peer support and counseling to law enforcement survivors, help survivors obtain the death benefits to which they are entitled, and sponsor scholarships to enable children and surviving spouses to pursue postsecondary education;

Whereas Concerns of Police Survivors, Inc. sponsors a year-round series of seminars, meetings, and youth activities, including the National Police Survivors' Seminar during National Police Week, retreats for parents, spouses, and siblings, and programs and summer activities for children;

Whereas Concerns of Police Survivors, Inc. helps law enforcement agencies cope with the loss of an officer by promoting the adoption of standardized policies and procedures for line-of-duty deaths; and

Whereas Concerns of Police Survivors, Inc. inspires the public to recognize the sacrifices made by law enforcement families by encouraging all citizens of the United States to tie a blue ribbon to their car antenna during National Police Week: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 14, 2011, as ''National Police Survivors Day''; and

(2) calls on the people of the United States to observe ''National Police Survivors Day'' with appropriate ceremonies to pay respect to—

(A) the survivors of the fallen heroes of law enforcement; and

(B) the fallen law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to the community.

SENATE RESOLUTION 184—RECOGNIZING THE LIFE AND SERVICE OF THE HONORABLE HUBERT H. HUMPHREY, DISTINGUISHED FORMER SENATOR FROM THE STATE OF MINNESOTA AND FORMER VICE PRESIDENT OF THE UNITED STATES, UPON THE 100TH ANNIVERSARY OF HIS BIRTH

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 184

Whereas Hubert H. Humphrey was born in Wallace, South Dakota on May 27, 1911;

Whereas Hubert Humphrey, from his early years, recognized the importance of public service by becoming a registered pharmacist and serving his friends and neighbors in the Humphrey Drug Store in Huron, South Dakota from 1933 to 1937;

Whereas Hubert Humphrey received a Bachelor of Arts degree in political science from the University of Minnesota in 1939 and a Masters of Arts degree from Louisiana State University in 1940, subsequently teaching political science at Macalester College from 1943 to 1944 and at Macalester College and the University of Minnesota from 1969 to 1970;

Whereas Hubert Humphrey served in a variety of leadership positions in Minnesota during World War II, dealing with war production, employment, and manpower;

Whereas Hubert Humphrey served as Mayor of Minneapolis from 1945 to 1948, and during his tenure as mayor, he drove organized crime from the city and, among other achievements, created the Nation's first municipal equal employment opportunity commission;

Whereas Hubert Humphrey was a driving force behind the creation of the Democratic Farmer-Labor Party in Minnesota and was a founding member of Americans for Democratic Action in the aftermath of World War II;

Whereas Hubert Humphrey led forces at the 1948 Democratic National Convention in Philadelphia in support of the minority platform plank on civil rights and equal opportunity, challenging the delegates to ''walk out of the shadow of States' rights into the bright sunshine of human rights,'' resulting in the convention's adoption of the minority plank;

Whereas in 1948, Hubert Humphrey became the first Democrat from Minnesota elected to the Senate;

Whereas during his total 23 years of service in the Senate (including service from 1949 to 1964 and service from 1970 to 1978), Hubert Humphrey compiled a record of accomplishment virtually unmatched in the 20th century, encompassing, among other issues, civil and human rights, workforce development, labor rights, health care, arms control and disarmament, the Peace Corps, small business assistance, education reform, wilderness preservation, immigration reform, and agriculture;

Whereas his service as floor leader during the Senate's consideration of the Civil Rights Act of 1964 was essential to the eventual passage of the Act in the aftermath of breaking the filibuster against this historic legislation;

Whereas Hubert Humphrey, although a dedicated leader of the Democratic Party, always sought bipartisan support for his legislative goals and routinely shared credit with other Senators for his legislative victories;

Whereas Hubert Humphrey, as Vice President of the United States, loyally served President Lyndon Baines Johnson and successfully carried out a number of domestic and overseas assignments;

Whereas Hubert Humphrey, as the Democratic Party's nominee for President of the United States in 1968, waged one of the most courageous and hard-fought campaigns in the history of the United States, losing to Richard Nixon by less than 1 percentage point of the popular vote when he started the campaign some 15 points behind;

Whereas Hubert Humphrey was reelected by the people of Minnesota (in 1970 and 1976) to 2 additional terms in the Senate, thereby continuing his extraordinary record of legislative achievement with passage of such bills as the Humphrey-Hawkins Full Employment Act;

Whereas Hubert Humphrey, terminally ill with cancer, pursued his active public life with great courage, fortitude, and good humor, and in the memorable words of Vice President Walter F. Mondale at Hubert Humphrey's memorial observance in the rotunda of the United States Capitol, ''Hubert Humphrey taught us how to live and he taught us how to die''; and

Whereas the life and service of Hubert Humphrey were posthumously honored by Congress with the presentation of the Congressional Gold Medal, and by the President of the United States with the award of the Medal of Freedom: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, achievements, and distinguished career of Senator and Vice President Hubert H. Humphrey upon the occasion of his 100th birthday;

(2) recognizes that Hubert H. Humphrey's legislative achievements helped resolve many of this Nation's most polarizing issues, such as civil rights, equal opportunity, and nuclear arms control; and

(3) acknowledges the importance of a vibrant and responsive public sector, as illustrated by the numerous legislative achievements of Hubert H. Humphrey and his lifetime of service to all people in the United States and to people around the world.

SENATE CONCURRENT RESOLUTION 17—EXPRESSING THE SENSE OF CONGRESS THAT TAIWAN SHOULD BE ACCORDED OBSERVER STATUS IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)

Mr. MENENDEZ (for himself, Mr. INHOFE, Mr. WYDEN, Mr. BROWN of Ohio, Mr. CARDIN, Mr. COATS, Mr. BARRASSO, Mr. CRAPO, and Mr. KYL) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 17

Whereas the Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, approved the establishment of the International Civil Aviation Organization (ICAO), stating ''The aims and objectives of the Organization are to develop the

principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport'';

Whereas, following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that ''a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system,'' and that there should be a commitment to ''foster international cooperation in the field of aviation security and harmonize the implementation of security measures'';

Whereas, the 37th ICAO Assembly in October 2010 adopted a Declaration on Aviation Security largely in response to the attempted sabotage of Northwest Airlines Flight 253 on December 25, 2009, which established new criminal penalties for the use of civil aircraft as a weapon, the use of dangerous materials to attack aircraft or other targets on the ground, and the unlawful transport of biological, chemical, and nuclear weapons and related materials, along with extradition arrangements that facilitate cooperation among nations in apprehending and prosecuting those who have undertaken these and other criminal acts;

Whereas on October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of the Declaration on Aviation Security, but noted that ''because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world — and all nations must share the responsibility for securing that system'';

Whereas the Taipei Flight Information Region, under the jurisdiction of Taiwan, ROC, covers an airspace of 176,000 square nautical miles and provides air traffic control services to over 1,350,000 flights annually, with the Taiwan Taoyuan International Airport recognized as the 8th and 18th largest airport by international cargo volume and number of international passengers, respectively;

Whereas exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO;

Whereas the United States, in the 1994 Taiwan Policy Review, clearly declared its support for the participation of Taiwan in appropriate international organizations, in particular, on September 27, 1994, with the announcement by the Assistant Secretary of State for East Asian and Pacific Affairs that, pursuant to the Review and recognizing Taiwan's important role in transnational issues, the United States ''will support its membership in organizations where statehood is not a prerequisite, and [the United States] will support opportunities for Taiwan's voice to be heard in organizations where its membership is not possible''; and

Whereas ICAO rules and existing practices have allowed for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities through granting of observer status: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the International Civil Aviation Organization (ICAO) will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation;

(2) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO for the purpose of such participation; and

(3) the Department of State should provide briefings to or consult with Congress on any efforts conducted by the United States Government in support of Taiwan's attainment of observer status in the ICAO.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 17, 2011, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing will be to hear testimony on the following bills related to oil and gas development:

S. 516. A bill to extend outer Continental Shelf leases to accommodate permitting delays and to provide operators time to meet new drilling and safety requirements.

S. 843. A bill to establish outer Continental Shelf lease and permit processing coordination offices, and for other purposes.

S. 916. A bill to facilitate appropriate oil and gas development on Federal land and waters, to limit dependence of the United States on foreign sources of oil and gas, and for other purposes.

S. 917. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to Meagan_Gins@energy.senate.gov.

For further information, please contact Linda Lance or Meagan Gins.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, May 19, 2011, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on policies to reduce oil consumption through the promotion of advanced vehicle technologies and accelerated deployment of electric-drive vehicles, as proposed in S. 734 and S. 948.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to Abigail_Campbell@energy.senate.gov.

For further information, please contact Mike Carr or Abigail Campbell.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 12, 2011, at 9:30 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 12, 2011, at 9 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 12, 2011, at 9 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oil and Gas Tax Incentives and Rising Energy Prices.''

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 12, 2011, at 9:15 a.m., to hold a hearing entitled ''Assessing the Situation in Libya.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to

conduct a hearing entitled ''The Endangered Middle Class: Is the American Dream Slipping Out of Reach for American Families?'' on May 12, 2011, at 9:15 a.m., in 430 Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 12, 2011, at 2:30 p.m. to conduct a hearing entitled ''Ten Years After 9/11: Is Intelligence Reform Working?''

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 12, 2011, at 9:30 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 12, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 12, 2011, at 2:30 p.m. in Dirksen 406 to conduct a hearing entitled ''Federal Efforts to Protect Public Health by Reducing Diesel Emissions.''

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

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Housing, Transportation, and Community Development, be authorized to meet during the session of the Senate on May 12, 2011, at 2 p.m., to conduct a hearing entitled ''The Need for National Mortgage Servicing Standards.''

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

SUBCOMMITTEE ON SEAPOWER

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on May 12, 2011, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Carol Bruce and Brian Solarz, with the Senate Ethics Committee, be granted the privilege of the floor during today's session.

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

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tim Rieser:									
United States	Dollar				923.86				923.86
Colombia	Peso		175.00						175.00
Mexico	Peso		566.00						566.00
Senator Richard Durbin:									
United States	Dollar				9,742.70				9,742.70
Lithuania	Litas		325.64						325.64
Belarus	Ruble		271.99						271.99
Chris Homan:									
United States	Dollar				8,018.70				8,018.70
Lithuania	Litas		418.64						418.64
Belarus	Ruble		242.48						242.48
Margaret Cummisky:									
United States	Dollar				11,812.00				11,812.00
Chile	Peso		970.18						970.18
Jean Toal Eisen:									
United States	Dollar				11,812.00				11,812.00
Chile	Peso		1,276.00						1,276.00
Allen Cutler:									
United States	Dollar				12,012.00				12,012.00
Chile	Peso		1,276.00						1,276.00
Paul Grove:									
United States	Dollar				10,712.30				10,712.30
Thailand	Baht		542.00						542.00
Laos	Kip		458.00						458.00
Burma	Kyat		106.00						106.00
Michele Wymer:									
United States	Dollar				12,966.50				12,966.50
Democratic Republic of the Congo	Franc		420.00						420.00
Rwanda	Franc		144.00						144.00
Senator Lamar Alexander:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	Shekel		292.00						292.00
France	Euro		173.00						173.00
Erin Reif:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	Shekel		292.00						292.00
France	Euro		173.00						173.00
Senator Thad Cochran:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	Shekel		292.00						292.00
France	Euro		173.00						173.00
Janet Stormes:									
United States	Dollar				10,641.70				10,641.70
Georgia	Lari		90.00						90.00
Turkey	Lira		67.00						67.00
Michele Wyner:									
United States	Dollar				13,580.50				13,580.50

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Georgia	Lari		296.00						296.00
Turkey	Lira		354.00						354.00
Russia	Rubles		368.00						368.00
Paul Grove:									
United States	Dollar				3,090.90				3,090.90
Saudi Arabia	Riyal		148.00						148.00
Jordan	Dinar		254.00						254.00
Senator Patrick Leahy:									
Dominican Republic	Peso		540.00						540.00
Nikole Manatt:									
Dominican Republic	Peso		315.28						315.28
Tim Rieser:									
Dominican Republic	Peso		316.82						316.82
Senator Jon Tester:									
United States	Dollar				11,110.50				11,110.50
Afghanistan	Dollar		156.00						156.00
James Wise:									
United States	Dollar				11,110.50				11,110.50
Afghanistan	Dollar		156.00						156.00
Senator Lamar Alexander:									
United Kingdom	Pound		44.25						44.25
United States	Dollar				7,495.30				7,495.30
Total			12,986.03		127,534.16				140,520.19

SENATOR DANIEL K. INOUYE,
Chairman, Committee on Appropriations, April 14, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator James M. Inhofe:									
United Arab Emirates	Dollar		14.00						14.00
United States	Dollar				11,060.10				11,060.10
Anthony Lazarski:									
United States	Dollar				11,060.10				11,060.10
United Arab Emirates	Dollar		14.00						14.00
Senator John McCain:									
Colombia	Dollar		48.44						48.44
Brazil	Dollar		228.39						228.39
Chile	Dollar		138.22						138.22
Panama	Dollar		5.20						5.20
Brooke F. Buchanan:									
Colombia	Dollar		157.00						157.00
Brazil	Dollar		169.00						169.00
Chile	Dollar		149.00						149.00
Panama	Dollar		146.00						146.00
David M. Morriss:									
United States	Dollar				7,610.00				7,610.00
Saudi Arabia	Dollar		307.00				62.00		369.00
Michael J. Kuiken:									
United States	Dollar				620.40				620.40
Cuba	Peso		530.00						530.00
Daniel A. Lerner:									
United States	Dollar				9,732.00				9,732.00
Germany	Euro		568.71						568.71
Belgium	Euro		829.56						829.56
Senator Jack Reed:									
United States	Dollar				11,110.50				11,110.50
Afghanistan	Dollar		10.00						10.00
Carolyn Chuhta:									
United States	Dollar				11,110.50				11,110.50
Afghanistan	Dollar		18.00						18.00
Michael J. Noblet:									
United States	Dollar				10,203.00		86.00		10,289.00
Belgium	Euro		387.00						387.00
Germany	Euro		528.00						528.00
Adam J. Barker:									
United States	Dollar				10,203.20				10,203.20
Belgium	Dollar		336.00						336.00
Germany	Dollar		672.00						672.00
Michael J. Kuiken:									
United States	Dollar				10,168.00				10,168.00
Belgium	Euro		387.00						387.00
Germany	Euro		648.00						648.00
Brooke Buchanan:									
Germany	Dollar		382.00						382.00
Senator John McCain:									
Germany	Dollar		47.00						47.00
Lithuania	Dollar		92.00						92.00
Senator Lindsey Graham:									
United States	Dollar				4,409.68				4,409.68
Germany	Dollar		50.00						50.00
Senator Saxby Chambliss:									
Germany	Euro		50.00						50.00
Senator Mark Udall:									
Germany	Dollar		115.00						115.00
Richard W. Fieldhouse:									
United States	Dollar				9,677.00				9,677.00
Germany	Euro		309.00						309.00
Belgium	Euro		554.00						554.00
Senator Carl Levin:									
United States	Dollar				319.00				319.00
Cuba	Peso		729.00						729.00
Christian D. Brose:									
Colombia	Dollar		113.00						113.00
Brazil	Dollar		169.00						169.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Chile	Dollar		132.00						132.00
Panama	Dollar		97.00						97.00
Lithuania	Dollar		86.00						86.00
Germany	Dollar		191.00						191.00
Senator John McCain:									
Morocco	Dollar		188.00						188.00
Tunisia	Dollar		113.54						113.54
Lebanon	Dollar		76.65						76.65
Jordan	Dollar		219.69						219.69
Israel	Dollar		365.13						365.13
Egypt	Dollar		62.57						62.57
Senator Kay R. Hagan:									
Afghanistan	Dollar		14.00						14.00
John M. Harney:									
Afghanistan	Dollar		14.00						14.00
Brooke Buchanan:									
Morocco	Dollar		278.00						278.00
Tunisia	Dollar		276.00						276.00
Lebanon	Dollar		112.00						112.00
Jordan	Dollar		355.00						355.00
Israel	Dollar		392.00						392.00
Egypt	Dollar		142.00						142.00
Senator Joseph I. Lieberman:									
Germany	Euro		141.50						141.50
Christopher J. Griffin:									
Germany	Euro		242.00						242.00
Vance Serchuk:									
Germany	Euro		288.00						288.00
Christopher J. Paul:									
United States	Dollar				11,540.00				11,540.00
United Kingdom	Dollar		1,161,79		94.19				1,255.98
Pablo E. Carrillo:									
United States	Dollar				11,540.80				11,540.80
United Kingdom	Dollar		1,161.79		94.19				1,255.98
William G.P. Monahan:									
United States	Dollar				11,075.00				11,075.00
Yemen	Dollar		304.96						304.96
Afghanistan	Dollar		10.00						10.00
Senator Kay R. Hagan:									
Dominican Republic	Peso		445.41						445.41
Roger Pena:									
Dominican Republic	Peso		401.41						401.41
Senator Lindsey Graham:									
United Kingdom	Dollar				6,225.30				6,225.30
Alice James:									
United Kingdom	Dollar		221.00		6,225.30				6,446.30
Senator James M. Inhofe:									
Burkina Faso	Franc		81.41						81.41
Ethiopia	Birr		205.19						205.19
Israel	Shekel		96.50						96.50
Germany	Euro		95.56						95.56
Luke Holland:									
Burkina Faso	Franc		147.65						147.65
Ethiopia	Birr		254.93						254.93
Israel	Shekel		194.40						194.40
Germany	Euro		180.00						180.00
Anthony Lazarski:									
Burkina Faso	Franc		74.41						74.41
Ethiopia	Birr		180.19						180.19
Israel	Shekel		135.79						135.79
Germany	Euro		81.80						81.80
Mark Powers:									
Burkina Faso	Franc		74.36						74.36
Ethiopia	Birr		206.88						206.88
Israel	Shekel		189.31						189.31
Germany	Euro		98.79						98.79
Christian D. Brose:									
Morocco	Dollar		139.00						139.00
Tunisia	Dollar		211.00						211.00
Lebanon	Dollar		203.00						203.00
Jordan	Dollar		273.00						273.00
Israel	Dollar		317.00						317.00
Egypt	Dollar		129.00						129.00
Matt Rimkunas:									
United Kingdom	Dollar		367.00		6,225.00				6,592.00
Senator Joseph I. Lieberman:									
Tunisia	Dinar		31.65						31.65
Jordan	Dinar		381.27						381.27
Israel	Shekel		255.44						255.44
Egypt	Pound		30.80						30.80
Vance Serchuk:									
Tunisia	Dinar		111.00						111.00
Jordan	Dinar		341.00						341.00
Israel	Shekel		383.00						383.00
Egypt	Pound		126.00						126.00
Margaret Goodlander:									
Tunisia	Dinar		103.00						103.00
Jordan	Dinar		357.00						357.00
Israel	Shekel		376.00						376.00
Egypt	Pound		118.00						118.00
Senator Joe Manchin III:									
Pakistan	Rupee		130.00						130.00
Afghanistan	Afghani		78.00						78.00
United Arab Emirates	Dirhams		193.00						193.00
Jordan	Dinarr		304.00						304.00
Israel	Shekel		488.00						488.00
Germany	Euro		340.00						340.00
Joanne W. McLaughlin:									
Pakistan	Rupee		130.00						130.00
Afghanistan	Afghani		78.00						78.00
United Arab Emirates	Dirham		193.00						193.00
Jordan	Dinar		304.00						304.00
Israel	Shekel		488.00						488.00
Germany	Euro		340.00						340.00
Chris Kofinis:									
Pakistan	Rupee		130.00						130.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Afghanistan	Afghani		78.00						78.00
United Arab Emirates	Dirham		193.00						193.00
Jordan	Dinar		304.00						304.00
Israel	Shekel		488.00						488.00
Germany	Euro		340.00						340.00
Senator Carl Levin:									
United States	Dollar				11,075.00				11,075.00
Yemen	Dollar		114.29						114.29
Richard D. DeBobes:									
United States	Dollar				11,075.00				11,075.00
Yemen	Dollar		114.29						114.29
Afghanistan	Dollar		10.00						10.00
Total			27,780.87		182,454.06		148.00		210,382.93

SENATOR CARL LEVIN,
Chairman, Committee on Armed Services, Apr. 12, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard C. Shelby:									
England	Pound		1,028.00						1,028.00
Germany	Euro		916.00						916.00
United States	Dollar				10,674.60				10,674.60
Anne Caldwell:									
England	Pound		1,028.00						1,028.00
Germany	Euro		916.00						916.00
United States	Dollar				10,674.60				10,674.60
Andrew Olmem:									
England	Pound		668.48						668.48
Germany	Euro		700.00						700.00
United States	Dollar				10,639.00				10,639.00
William D. Duhnke:									
England	Pound		1,028.00						1,028.00
Germany	Euro		916.00						916.00
United States	Dollar				10,639.00				10,639.00
Senator Richard C. Shelby:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Senator Roger F. Wicker:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Senator Mike Crapo:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
William D. Duhnke:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Anne Caldwell:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Peter Fischer:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Senator Mark Warner:									
England	Pound		551.00						551.00
Belgium	Euro		367.00						367.00
United States	Dollar				10,856.53				10,856.53
Nathan Steinwald:									
England	Pound		471.00						471.00
Belgium	Euro		350.00						350.00
United States	Dollar				10,856.53				10,856.53
Total			14,405.96		64,340.26				78,746.22

SENATOR TIM JOHNSON,
Chairman, Committee on Banking, Housing, and Urban Affairs, May 2, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE BUDGET FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Codel Leahy:									
Senator Kent Conrad:									
Dominican Republic	Peso		445.41						445.41
Sara Garland:									
Dominican Republic	Peso		401.41						401.41

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE BUDGET FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			846.82						846.82

SENATOR KENT CONRAD,
Chairman, Committee on the Budget, Apr. 20, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Allyson Anderson:									
United States	Dollar				6,749.20				6,749.20
France	Euro		1,800.00						1,800.00
Total			1,800.00		6,749.20				8,549.20

SENATOR JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, Apr. 11, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Thomas R. Carper:									
United States	Dollar				1,363.70				1,363.70
France	Euro		509.50				419.17		928.67
Laura Haynes:									
United States	Dollar				1,359.70				1,359.70
France	Euro		612.50				339.17		951.67
Senator John Boozman:									
Burkina Faso	Franc		85.00						85.00
Ethiopia	Birr		125.26						125.26
Israel	Shekel		58.84						58.84
Germany	Euro		92.63						92.63
Toni-Marie Higgins:									
Burkina Faso	Franc		74.35						74.35
Ethiopia	Birr		172.54						172.54
Israel	Shekel		47.91						47.91
Germany	Euro		63.99						63.99
Total			1,842.52		2,723.40		758.34		5,324.26

SENATOR BARBARA BOXER,
Chairman, Committee on Environment and Public Works, Apr. 15, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Max Baucus:									
Brazil	Real		99.58						99.58
Colombia	Peso		1,350.69						1,350.69
United States	Dollar				6,749.50				6,749.50
Chelsea Thomas:									
Brazil	Real		274.67						274.67
Colombia	Peso		1,430.87						1,430.87
United States	Dollar				5,673.40				5,673.40
John Lewis:									
Brazil	Real		216.82						216.82
Colombia	Peso		1,429.87						1,429.87
United States	Dollar				5,929.10				5,929.10
Scott Mulhauser:									
Brazil	Real		259.92						259.92
Colombia	Peso		1,503.36						1,503.36
United States	Dollar				6,244.50				6,244.50
Gabriel Adler:									
Brazil	Real		153.69						153.69
Colombia	Peso		1,458.70						1,458.70
United States	Dollar				6,215.40				6,215.40
Michael Smart:									
Brazil	Real		196.90						196.90
Colombia	Peso		1,368.83						1,368.83
United States	Dollar				6,665.50				6,665.50
Kate Downen:									
Brazil	Real		114.96						114.96
Colombia	Peso		1,193.84						1,193.84
United States	Dollar				5,928.10				5,928.10
*Delegation Expenses:									
United States	Dollar						39,260.00		39,260.00
Senator John Cornyn:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
*Delegation Expenses:									
United States	Dollar						3,159.16		3,159.16
Ryan Abraham:									
Luxembourg	Euro		830.73						830.73
United States	Dollar				2,917.00				2,917.00
Thomas Lynch:									
Luxembourg	Euro		827.66						827.66
United States	Dollar				2,915.40				2,915.40
Total			13,622.09		49,237.90		42,419.16		105,279.15

*Delegation expenses include interpretation, transportation, security, embassy overtime and official functions, as well as other official expenses in accordance with the responsibilities of the host county.

SENATOR MAX BAUCUS,
Chairman, Committee on Finance, Apr. 28, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754, COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Colombia	Peso		38.92						38.92
Brazil	Real		172.26						172.26
Chile	Peso		138.22						138.22
Panama	Dollar		5.20						5.20
Senator John Barrasso:									
Lithuania	Lita		14.00						14.00
Germany	Euro		50.00						50.00
Senator Christopher Coons:									
Afghanistan	Afghani		8.00						8.00
United Arab Emirates	Dirham		250.00						250.00
Jordan	Dinar		300.00						300.00
Israel	Shekel		300.00						300.00
United States	Dollar				11,099.85				11,099.85
Senator Bob Corker:									
Afghanistan	Afghani		15.00						15.00
United Arab Emirates	Dirham		19.00						19.00
United States	Dollar				10,480.00				10,480.00
Senator Johnny Isakson:									
Germany	Euro		70.72						70.72
Senator John Kerry:									
Sudan	Dinar		344.24						344.24
Israel	Shekel		12.50						12.50
United States	Dollar				8,766.20				8,766.20
Senator John Kerry:									
Switzerland	Franc		2,638.84						2,638.84
United States	Dollar				10,402.80				10,402.80
Senator John Kerry:									
United States	Dollar				11,717.00				11,717.00
Senator John Kerry:									
United Kingdom	Pound		89.18						89.18
Egypt	Pound		115.26						115.26
Israel	Shekel		111.64						111.64
United States	Dollar				12,873.80				12,873.80
Senator Jeanne Shaheen:									
Germany	Euro		22.00						22.00
Senator Jim Webb:									
Japan	Yen		440.00						440.00
United States	Dollar				13,022.00				13,022.00
Fulton Armstrong:									
United States	Dollar				1,099.35				1,099.35
Jonah Blank:									
Indonesia	Rupiah		1,248.00						1,248.00
Timor Leste	Dollar		297.00						297.00
United States	Dollar				10,358.90				10,358.90
Jason Bruder:									
Belgium	Euro		386.00						386.00
Cyprus	Euro		620.00						620.00
United States	Dollar				3,840.30				3,840.30
Perry Cammack:									
Egypt	Pound		276.00						276.00
Tunisia	Dinar		339.00						339.00
Bahrain	Dinar		298.00						298.00
United States	Dollar				8,914.20				8,914.20
Victor Cervino:									
United States	Dollar				1,106.50				1,106.50
Heidi Crebo-Rediker:									
United Kingdom	Pound		1,574.20						1,574.20
Luxembourg	Euro		477.08						477.08
United States	Dollar				2,458.20				2,458.20
Steven Feldstein:									
India	Rupee		2,816.00						2,816.00
United States	Dollar				8,336.00				8,336.00
Steven Feldstein:									
United States	Dollar				1,099.35				1,099.35
Doug Frantz:									
United Kingdom	Pound		514.00						514.00
Egypt	Pound		167.00						167.00
Israel	Shekel		657.00						657.00
United States	Dollar				10,202.20				10,202.20
Meghan Giulino:									
Costa Rica	Colon		162.00						162.00
United States	Dollar				635.00				635.00
Frank Jannuzi:									
Thailand	Baht		972.00						972.00
Cambodia	Riel		266.00						266.00
United States	Dollar				11,027.30				11,027.30
Tamara Klajn:									
Kenya	Shilling		140.00						140.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754, COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				3,708.00				3,708.00
Chad Kreikemeier:									
United Kingdom	Pound		93.00						93.00
Belgium	Euro		80.00						80.00
Robin Lerner:									
Jordan	Dinar		250.00						250.00
Tunisia	Dinar		150.00						150.00
Bahrain	Dinar		200.00						200.00
United States	Dollar				10,037.70				10,037.70
Frank Lowenstein:									
Sudan	Dinar		475.50						475.50
Israel	Shekel		12.50						12.50
United States	Dollar				5,595.95				5,595.95
Frank Lowenstein:									
Pakistan	Rupee		60.00						60.00
United States	Dollar				11,717.00				11,717.00
Frank Lowenstein:									
Israel	Shekel		307.00						307.00
United States	Dollar				7,977.20				7,977.20
Nicholas Ma:									
United Kingdom	Pound		1,574.20						1,574.20
Luxembourg	Euro		477.08						477.08
United States	Dollar				2,458.20				2,458.20
Marta McLellan Ross:									
Japan	Yen		440.00						440.00
United States	Dollar				13,022.00				13,022.00
Carl Meacham:									
Panama	Dollar		121.00						121.00
Colombia	Peso		260.00						260.00
United States	Dollar				908.10				908.10
Thomas Moore:									
Russia	Ruble		560.00						560.00
Belgium	Euro		778.00		95.26				873.26
France	Euro		1,150.00						1,150.00
United Kingdom	Pound		414.00						414.00
United States	Dollar				12,533.20				12,533.20
Ann Norris:									
Democratic Republic of Congo	Dollar		225.00						225.000
United States	Dollar				5,811.20				5,811.20
Stacie Oliver:									
United Arab Emirates	Dirham		27.00						27.00
Afghanistan	Afghani		30.00						30.00
Pakistan	Rupee		25.00						25.00
United States	Dollar				10,480.00				10,480.00
Michael Phelan:									
Pakistan	Rupee		130.00						130.00
Germany	Euro		817.00						817.00
United States	Dollar				14,785.40				14,785.40
Shannon Smith:									
Sudan	Dollar		390.00						390.00
United States	Dollar				10,120.00				10,120.00
Shannon Smith:									
Kenya	Shilling		215.00						215.00
United States	Dollar				3,708.00				3,708.00
Halie Soifer:									
United Arab Emirates	Dirham		250.00						250.00
Jordan	Dinar		300.00						300.00
Israel	Shekel		300.00						300.00
Afghanistan	Afghani		8.00						8.00
United States	Dollar				11,099.85				11,099.85
Joel Starr:									
Burkina Faso	CFA		63.94						63.94
Ethiopia	Birr		173.01						173.01
Israel	Shekel		40.52						40.52
Germany	Euro		48.57						48.57
Marik String:									
Georgia	Lari		464.00						464.00
United States	Dollar				10,706.70				10,706.70
Marik String:									
Russia	Ruble		560.00						560.00
Belgium	Euro		778.00		95.26				873.26
France	Euro		1,150.00						1,150.00
United Kingdom	Pound		414.00						414.00
United States	Dollar				12,533.20				12,533.20
Atman Trivedi:									
India	Rupee		2,260.00						2,260.00
United States	Dollar				9,204.10				9,204.00
Total			32,435.58		294,035.27				326,470.85

SENATOR JOHN F. KERRY,
Chairman, Committee on Foreign Relations, Apr. 21, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Susan M. Collins:									
Lithuania	litas		191.00						191.00
Germany	Euro		840.17						840.17
Senator Tom Coburn:									
Austria	Euro		975.85						975.85
Germany	Euro		828.69						828.69
London	Pound		882.27						882.27
Vance Serchuk:									
United States	Dollar				4,416.90				4,416.90
Egypt	Pound		1,312.00						1,312.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			5,029.98		4,416.90				9,446.88

SENATOR JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs,
May 4, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Jon Kyl:									
Germany	Euro		130.17						130.17
Total			130.17						130.17

SENATOR PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, Apr. 1, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Randall Bookout			1,427.00						1,427.00
	Dollar				9,902.20				9,902.20
Lorenzo Goco			1,357.00						1,357.00
	Dollar				9,902.00				9,902.00
Andrew Kerr			1,457.00						1,457.00
	Dollar				9,902.20				9,902.20
Clete Johnson			1,415.00						1,415.00
	Dollar				13,290.90				13,290.90
John Maguire			1,411.00						1,411.00
	Dollar				10,729.80				10,729.80
Brian Miller			467.16						467.16
Senator Dan Coats			105.25						105.25
Andrew Kerr			941.00						941.00
	Dollar				14,296.80				14,296.80
John Dickas			777.00						777.00
	Dollar				13,605.60				13,605.60
Theresa Ervin			559.41						559.41
Senator Saxby Chambliss			999.00						999.00
	Dollar						5,898.22		5,898.22
Senator Richard Burr			1,292.00						1,292.00
Jacqueline Russell			1,222.00						1,222.00
Martha Scott Poindexter			918.16						918.16
James Smythers			1,292.00						1,292.00
Jeffrey Howard			898.00						898.00
	Dollar				11,632.50				11,632.50
L. Christine Healey			215.00						215.00
	Dollar				11,092.00				11,092.00
Michael Pevzner			653.00						653.00
	Dollar				11,323,80				11,323.80
John Maguire			576.00						576.00
	Dollar				11,087.50				11,087.50
Senator Dan Coats			1,028.80						1,028.80
Total			19,010.78		126,765.30		5,898.22		151,674.30

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, May 4, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bernie Sanders:									
United States	Dollar				10,666.00				10,666.00
Pakistan	Rupee		446.97						446.97
Afghanistan	Afghani		15.00						15.00
United Arab Emirates	Emirati Dirham		20.95						20.95
Steve Robertson:									
United States	Dollar				12,298.00				12,298.00
Pakistan	Rupee		473.97						473.97
Afghanistan	Afghani		15.00						15.00
United Arab Emirates	Emirati Dirham		20.95						20.95
Senator Michael Enzi:									
Turkey	Lira		338.12		67.35				405.47
Syria	Pound		124.53						124.53
Israel	New Shekel		250.33		15.52				265.85
France	Euro		101.15		14.00				115.15
Coy Knobel:									
Turkey	Lira		325.62		67.35				392.97
Syria	Pound		124.53						124.53
Israel	New Shekel		125.25		15.52				140.77

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
France	Euro		62.06						62.06
Total			2,444.43		23,143.74				25,588.17

SENATOR TOM HARKIN,
Chairman, Committee on Health, Education, Labor, and Pensions,
Apr. 23, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Alcee Hastings:									
Austria	Euro		1,281.04						1,281.04
United States	Dollar				6,837.20				6,837.20
Hon. Robert Aderholt:									
Austria	Euro		1,281.04						1,281.04
United States	Dollar				1,345.60				1,345.60
Fred Turner:									
Austria	Euro		1,256.16						1,256.16
Germany	Euro		834.00						834.00
United States	Dollar				3,112.90				3,112.90
Mark Milosch:									
Austria	Euro		899.06						899.06
United States	Dollar				5,505.40				5,505.40
Ronald McNamara:									
Austria	Euro		1,077.04						1,077.04
United States	Dollar				5,505.40				5,505.40
Shelly Han:									
Canada	Dollar		338.49						338.49
United States	Dollar				2,805.73				2,805.73
France	Euro		2,303.00						2,303.00
United States	Dollar				1,045.40				1,045.40
Janice Helwig:									
Uzbekistan	Som		788.00						788.00
United States	Dollar				11,878.80				11,878.80
Alex Johnson:									
Austria	Euro		29,721.00						29,721.00
United States	Dollar				5,444.30				5,444.30
Total			39,778.83		43,480.73				83,259.56

SENATOR BENJAMIN L. CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Apr. 27, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON CODEL McCONNELL TRAVEL FROM JAN. 13 TO JAN. 18, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mitch McConnell:									
Kuwait	Dinar		357.00						357.00
Pakistan	Rupee		195.00						195.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		113.79						113.79
Senator Lindsey Graham:									
Kuwait	Dinar		435.73						435.73
Pakistan	Rupee		312.00						312.00
Afghanistan	Dollar		28.00						28.00
Senator Richard Burr:									
Kuwait	Dinar		474.00						474.00
Pakistan	Rupee		312.00						312.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		230.25						230.25
Senator Pat Toomey:									
Kuwait	Dinar		299.00						299.00
Pakistan	Rupee		262.00						262.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		105.79						105.79
Senator Marco Rubio:									
Kuwait	Dinar		374.00						374.00
Pakistan	Rupee		312.00						312.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		169.52						169.52
Senator Ron Johnson:									
Kuwait	Dinar								
Pakistan	Rupee								
Afghanistan	Dollar								
United Kingdom	Pound								
Senator Kelly Ayotte:									
Kuwait	Dinar		355.00						355.00
Pakistan	Rupee		194.00						194.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		80.00						80.00
Roy E. Brownell:									
Kuwait	Dinar		402.00						402.00
Pakistan	Rupee		240.22						240.22
Afghanistan	Dollar		28.00						28.00
Thomas Hawkins:									
Kuwait	Dinar		419.00						419.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON CODEL McCONNELL TRAVEL FROM JAN. 13 TO JAN. 18, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Pakistan	Rupee		268.22						268.22
Afghanistan	Dollar		28.00						28.00
Brian P. Monahan:									
Kuwait	Dinar		361.74						361.74
Pakistan	Rupee		312.00						312.00
Afghanistan	Dollar		28.00						28.00
*Delegation Expenses							9,245.80		
Total			6,836.26				9,245.80		16,082.06

*Delegation expenses include interpretation, transportation, security, embassy overtime and official functions, as well as other official expenses in accordance with the responsibilities of the host country.

SENATOR MITCH McCONNELL,
Chairman, Republican Leader, Mar. 30, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM FEB. 3 TO FEB. 6, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Rob Portman:									
Germany	Euro		1,228.42						1,228.42
Total			1,228.42						1,228.42

SENATOR MITCH McCONNELL,
Chairman, Republican Leader, Apr. 11, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), MAJORITY LEADER FOR TRAVEL FROM FEB. 18 TO FEB. 27, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Ross:									
United States	Dollar				10,595.60				10,595.60
Pakistan	Rupee								
Burma	Kyat		190.00				207.03		397.03
India	Rupee		689.00				27.15		716.15
Total			879.00		10,595.60		234.18		11,708.78

SENATOR HARRY REID,
Chairman, Majority Leader, Apr. 14, 2011.

ORDERS FOR TUESDAY, MAY 17, 2011

Mr. REID. I ask unanimous consent on Tuesday, May 17, 2011, at 10 a.m., the Senate proceed to executive session to consider Calendar No. 31, that there be 2 hours for debate equally divided in the usual form, that upon the use or yielding back of that time the Senate proceed to vote, without intervening action or debate, on Calendar No. 31; the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to the nomination, and statements related to the nomination be printed in the RECORD; the President be immediately notified and the Senate resume legislative session.

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

ENSURING OBJECTIVE INDEPENDENT REVIEW OF TASK AND DELIVERY ORDERS

Mr. REID. I ask unanimous consent the Senate proceed to Calendar No. 41, S. 498.

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

The assistant legislative clerk read as follows:

A bill (S. 498) to ensure objective independent review of task and delivery orders.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment.

S. 498

SEC. 3. USE OF EXISTING RESOURCES TO PROCESS TASK AND DELIVERY ORDER PROTESTS.

No amounts are authorized to be appropriated for the specific purpose of processing protests authorized under section 4106(f) of title 41, United States Code, as amended by section 2, and all such protests shall be processed using the existing resources of the Government Accountability Office and executive agencies.

Mr. REID. I ask unanimous consent the committee-reported amendment be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

RECOGNIZING THE DEFENSE INTELLIGENCE AGENCY ON ITS 50TH ANNIVERSARY

Mr. REID. Mr. President, I ask unanimous consent the Intelligence Committee be discharged from further consideration of S. Res. 86, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 86) recognizing the Defense Intelligence Agency on its 50th Anniversary.

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

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table with no

intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 86) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 86

Whereas, the Defense Intelligence Agency was created in 1961 as the United States lead military intelligence organization, approved by Secretary of Defense Robert McNamara on July 5, 1961, and activated on October 1, 1961;

Whereas, with military and civilian employees worldwide, the Defense Intelligence Agency produces military intelligence to warfighters and policymakers in the Department of Defense and the intelligence community, to support United States military planning, operations, and weapon systems acquisition;

Whereas the Defense Intelligence Agency possesses a diverse and expeditionary workforce that conducts all-source analysis, intelligence collection, and information technology infrastructure support around the world;

Whereas the Defense Intelligence Agency plays a critical role within the Department of Defense, the combatant commands, the intelligence community, and the Defense Intelligence Enterprise through the Defense Attaché System, Defense Counterintelligence and HUMINT Center, National Defense Intelligence College, National Media Exploitation Center, and National Center for Credibility Assessment;

Whereas the Defense Intelligence Agency leads the defense all-source analytic community including the Directorate for Analysis and four specialized centers known as the Underground Facility Analysis Center, the National Center for Medical Intelligence, the Joint Intelligence Task Force-Combating Terrorism, and the Missile and Space Intelligence Center, as well as synchronizes the analytic efforts of the Army National Ground Intelligence Center, Office of Naval Intelligence, Air Force National Air and Space Intelligence Center, Marine Corps Intelligence Activity, and ten United States combatant command intelligence centers;

Whereas the Defense Intelligence Agency has throughout its history provided intelligence support to United States policy makers and military commanders in both war and peacetime during significant national security events including the Cuban Missile Crisis, the Vietnam conflict, the Cold War and its aftermath, operations against state-sponsored terrorist organizations, Operation Desert Storm, and in support of United States military and coalition operations in Somalia, the former Yugoslavia, and Haiti;

Whereas, since the terrorist attacks of September 11, 2001, the men and women of the Defense Intelligence Agency have worked diligently to deter, detect, and prevent acts of terror by providing intelligence support to United States and coalition forces in support of the Global War on Terror, Operation Enduring Freedom in Afghanistan, and Operation Iraqi Freedom; and

Whereas the Defense Intelligence Agency and subordinate organizations within the Agency have been awarded seven Joint Meritorious Unit Awards reflecting the distinctive accomplishments of the personnel assigned to the Defense Intelligence Agency: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the men and women of the Defense Intelligence Agency on the occasion of the Agency's 50th Anniversary;

(2) honors the heroic sacrifice of the employees of the Defense Intelligence Agency who have given their lives, or have been wounded or injured, in the service of the United States during the past 50 years; and

(3) expresses gratitude to all the men and women of the Defense Intelligence Agency for their past and continued efforts to provide timely and accurate intelligence support to deliver overwhelming advantage to our warfighters, defense planners, and defense and national security policymakers in the defense and security of the United States.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 181, S. Res. 182, and S. Res. 183.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate will proceed to the consideration of the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no interviewing action or debate, and any statements be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 181

(National MPS Awareness Day)

Whereas mucopolysaccharidosis (referred to in this resolution as ''MPS'') are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system; and

(2) often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be a significant impediment to effectively treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases; and

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases; and

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2011, as ''National MPS Awareness Day''; and

(2) supports the goals and ideals of ''National MPS Awareness Day''.

S. RES. 182

(Expressing the condolences of the United States to the victims of the devastating tornadoes that touched down in the South)

Whereas during the month of April 2011, a historic series of powerful storms and tornadoes tracked across the South;

Whereas preliminary estimates of the National Oceanic and Atmospheric Administration indicate that more than 600 tornadoes were produced by storms that occurred across the United States in April 2011;

Whereas preliminary estimates of the National Oceanic and Atmospheric Administration indicate that 305 tornadoes were produced by storms that occurred across the South during the period of April 25 through 28, 2011;

Whereas the previous record number of tornadoes occurring during the month of April was 267 tornadoes, which was set in April 1974, and the previous record number of tornadoes during any month was 542 tornadoes, which was set in May 2003;

Whereas the National Oceanic and Atmospheric Administration estimates that there were at least 358 fatalities as a result of the storms and tornadoes in April 2011;

Whereas as of the date of approval of this resolution, the number of fatalities resulting from the devastating storms and tornadoes in the State of Alabama is approaching 250;

Whereas there were 38 fatalities resulting from the devastating storms and tornadoes in the State of Tennessee;

Whereas tornadoes in the State of Mississippi resulted in at least 35 fatalities, at least 163 injuries, and at least 2,500 damaged homes, of which approximately 1,000 were severely damaged or destroyed;

Whereas as of the date of approval of this resolution, the total number of fatalities in the State of Georgia is at least 15;

Whereas tornadoes and massive storms in the Commonwealth of Virginia resulted in at least 6 fatalities, destroyed more than 160 homes, and caused damage to more than 800 homes and businesses;

Whereas a number of tornadoes touched down in the Virginia counties of Gloucester, Goochland, Halifax, Middlesex, Pulaski, Shenandoah, and Washington;

Whereas in April 2011, devastating storms and at least 30 tornadoes resulted in 24 fatalities in the State of North Carolina;

Whereas the Tuscaloosa-Birmingham tornado of April 27, 2011, which caused at least 65 fatalities and more than 1,000 injuries, had a maximum width of 1.5 miles and a track length of 80 miles;

Whereas Smithville, Mississippi, a town of fewer than 900, lost 15 of its citizens, as well as its post office, school, city hall, most of its churches, and almost every home;

Whereas an Enhanced Fujita category 5 (referred to in this preamble as an ''EF5'') tornado is defined by the National Weather Service of the National Oceanic and Atmospheric Administration as the rarest and most severe type of tornado, with sustained winds of greater than 200 miles per hour and that results in total destruction of well-built, structurally-sound buildings;

Whereas 3 of the 5 EF5 rated tornadoes recorded in the United states since 2000 occurred as part of the April 25 through 28, 2011 tornado outbreak in the States of Mississippi and Alabama;

Whereas the Washington County, Virginia tornado traveled approximately 14 miles and had a maximum path width of 2 miles;

Whereas the National Weather Service estimates that 40 tornadoes hit the State of Tennessee from April 27 through 28, 2011;

Whereas the National Weather Service has confirmed that a total of 15 tornadoes hit the State of Georgia throughout the period of April 25 through 28, 2011, including a powerful EF4 tornado which devastated the city of Ringgold, Georgia;

Whereas dozens of rural communities throughout the South, including in the States of Alabama, Mississippi, Georgia, Tennessee, Virginia, and North Carolina, have been decimated by the devastating storms and tornadoes of April 2011;

Whereas more than 500 homes were damaged or destroyed in the State of Tennessee as a result of the devastating storms and tornadoes;

Whereas the massive storms impacted cities and towns in the State of Alabama, including Arab, Berry, Birmingham, Concord, Eclectic, Forkland, Fultondale, Hackleburg, Phil Campbell, Pleasant Grove, Rainsville, and Tuscaloosa;

Whereas President Obama declared 10 counties in the State of Tennessee to be in a state of major disaster and approved the request made by Governor Haslam for Federal disaster assistance;

Whereas the tornado that swept from Monroe County, Mississippi into Marion County, Alabama and destroyed Smithville, Mississippi was—

(1) the sixth deadliest tornado ever recorded in the State of Mississippi;

(2) the first EF5 tornado recorded in the State of Mississippi since 1966; and

(3) the first EF5 tornado recorded in the United States since May 2008.

Whereas the massive storms and tornadoes caused widespread damage in the Georgian counties of Bartow, Catoosa, Cherokee, Coweta, Dade, Floyd, Gordon, Greene, Habersham, Harris, Heard, Lamar, Lumpkin, Meriwether, Monroe, Morgan, Newton, Pickens, Polk, Rabun, Spalding, Troup, Upson, Walker, and White;

Whereas the massive storms and tornadoes caused widespread damage in the North Carolina counties of Bertie, Bladen, Craven, Cumberland, Currituck, Greene, Halifax, Harnett, Hertford, Hoke, Johnston, Lee Onslow, Pitt, Robeson, Sampson, Tyrell, Wake, and Wilson;

Whereas the tornado that swept from Neshoba County, Mississippi to Noxubee County, Mississippi was just the second EF5 tornado recorded in the State of Mississippi since 1966;

Whereas April 27, 2011, marks the third highest number of tornado-related fatalities occurring in a single day since March 18, 1925, when a series of tornadoes caused 747 fatalities across 7 States;

Whereas as of the date of approval of this resolution, the total number of fatalities resulting from the devastating storms and tornadoes remains unknown;

Whereas the suffering and distress of thousands of people affected by the storms and tornadoes is ongoing, particularly for those who lost loved ones, homes, and livelihoods;

Whereas immediate humanitarian aid is critically needed in many of the devastated regions;

Whereas the local emergency responders, National Guard, and many ordinary citizens of the affected regions have risked their lives to save others;

Whereas throughout the crisis, doctors, nurses, and medical personnel in the affected regions worked expeditiously to ensure that hospitals, medical centers, and triage units provided needed care;

Whereas many faith-based organizations and other volunteer organizations and charities are supplying the victims of the storms and tornadoes with food, water, and shelter;

Whereas the Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina Emergency Management Agencies, the first responders in the affected communities, and countless volunteers immediately came to the aid of those affected by the storms;

Whereas the Governor of Alabama, Robert Bentley, the Governor of Tennessee, Bill Haslam, the Governor of Mississippi, Haley Barbour, the Governor of Georgia, Nathan Deal, the Governor of Virginia, Robert McDonnell, and the Governor of North Carolina, Beverly Perdue, reacted swiftly and with great leadership in the immediate aftermath of the destructive storms and tornadoes;

Whereas President Obama responded quickly and efficiently to approve the requests made by Governors Bentley, Haslam, Barbour, Deal, and Perdue for Federal disaster assistance;

Whereas in response to the declaration by the President of a major disaster, the Administrator of the Federal Emergency Management Agency has made federal disaster assistance available for the State of Alabama and elsewhere in the South to assist in local recovery efforts; and

Whereas thousands of volunteers and government employees from across the United States have committed time and resources to help with recovery efforts: Now, therefore, be it

Resolved, That the Senate—

(1) expresses the heartfelt condolences of the Senate to the families and friends of those who lost their lives, homes, and livelihoods in the tragic storms and tornadoes of April 2011;

(2) commends the resiliency and courage of the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina;

(3) extends the wishes of the Senate for a full recovery for all those who were injured in the storms and tornadoes;

(4) extends the thanks of the Senate to the forecasters, first responders, firefighters, law enforcement personnel, volunteers, and medical personnel who took quick action to provide warnings, aid, and comfort to the victims of the storms and tornadoes;

(5) commits to provide the necessary resources and to stand by the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, in the relief, recovery, and rebuilding efforts; and

(6) stands with the people affected by the storms and tornadoes, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, as those people begin the healing process following this terrible event.

S. RES. 183

(National Police Survivors Day)

Whereas the National Law Enforcement Officers Memorial in Judiciary Square in Washington, D.C. lists on a Wall of Remembrance the names of more than 19,000 law enforcement officers who have died in the line of duty;

Whereas in the United States, 1 law enforcement officer is killed every 53 hours;

Whereas in 2010, 152 law enforcement officers lost their lives in the line of duty;

Whereas on May 14, 1983, on the eve of the 2nd annual National Peace Officers' Memorial Service, 10 widows of fallen law enforcement officers came together to discuss the lack of support for law enforcement survivors;

Whereas 1 year later, that discussion led to the formation of Concerns of Police Survivors, Inc. at the 1st annual National Police Survivors' Seminar, which drew 110 law enforcement survivors from throughout the United States;

Whereas Concerns of Police Survivors, Inc. has grown to serve more than 15,000 surviving families of fallen law enforcement officers by providing healing, love, and the opportunity for a renewed life;

Whereas Concerns of Police Survivors, Inc. and its 52 chapters throughout the United States provide a program of peer support and counseling to law enforcement survivors, help survivors obtain the death benefits to which they are entitled, and sponsor scholarships to enable children and surviving spouses to pursue postsecondary education;

Whereas Concerns of Police Survivors, Inc. sponsors a year-round series of seminars, meetings, and youth activities, including the National Police Survivors' Seminar during National Police Week, retreats for parents, spouses, and siblings, and programs and summer activities for children;

Whereas Concerns of Police Survivors, Inc. helps law enforcement agencies cope with the loss of an officer by promoting the adoption of standardized policies and procedures for line-of-duty deaths; and

Whereas Concerns of Police Survivors, Inc. inspires the public to recognize the sacrifices made by law enforcement families by encouraging all citizens of the United States to tie a blue ribbon to their car antenna during National Police Week: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 14, 2011, as ''National Police Survivors Day''; and

(2) calls on the people of the United States to observe ''National Police Survivors Day'' with appropriate ceremonies to pay respect to—

(A) the survivors of the fallen heroes of law enforcement; and

(B) the fallen law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to the community.

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 16.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 16) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 16) was agreed to.

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. REID. Mr. President, I ask unanimous consent the Senate now proceed to H. Con. Res. 46.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 46) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 46) was agreed to.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID. Mr. President, I ask unanimous consent to proceed to H. Con. Res. 50.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 50) providing for a conditional adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider laid upon the table, and there be no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 50) was agreed to.

MEASURES READ THE FIRST TIME—H.R. 1229 AND S. 990

Mr. REID. Mr. President, I am told there are two bills at the desk due for their first reading.

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

The assistant legislative clerk read as follows:

A bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

A bill (S. 990) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

Mr. REID. I now ask for the second readings en bloc, but I object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read the second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 101–509, the reappointment of Sheryl B. Vogt, of Georgia, to the Advisory Committee on the Records of Congress.

ORDERS FOR MONDAY, MAY 16, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, May 16; 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 following any leader remarks, the Senate proceed to a period of morning business for debate only until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be around noon on Tuesday, May 17, on the confirmation of the nomination of Susan Carney, of Connecticut, to be a U.S. circuit court judge. Senators are encouraged to come to the floor on Monday to debate the Carney nomination.

ADJOURNMENT UNTIL MONDAY, MAY 16, 2011, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:56 p.m., adjourned until Monday, May 16, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

POSTAL REGULATORY COMMISSION

MARK D. ACTON, OF KENTUCKY, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2016. (REAPPOINTMENT)

ROBERT G. TAUB, OF NEW YORK, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2016, VICE TONY HAMMOND, TERM EXPIRED.

COMMODITY FUTURES TRADING COMMISSION

MARK P. WETJEN, OF NEVADA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING JUNE 19, 2016, VICE MICHAEL V. DUNN, TERM EXPIRING.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

NAADIA LISA PORTER, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ENRIQUE A. BRUNET, OF TEXAS
RYAN ANDREW LAIRD MCGONAGLE, OF WASHINGTON
CHRISTINE N. NTEIREHO, OF VIRGINIA
ROSHANAK SALIMI, OF VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

DEPARTMENT OF COMMERCE

JAY BIGGS, OF OHIO
MARIA B. GALINDO, OF NEW JERSEY
JOSHUA HALPERN, OF NEW YORK

DEPARTMENT OF STATE

OWEN GILBERT ABBE, OF VIRGINIA
CASEY L. ADDIS, OF THE DISTRICT OF COLUMBIA
RYAN J. ALSABAGH, OF VIRGINIA
LAUREN A. ARESTIE, OF VIRGINIA
STACEY ANNE BA, OF KANSAS
KEVIN M. BARRY, OF VIRGINIA
DAVID G. BEAVERS, OF VIRGINIA
JULIE ANNE BEBERMAN, OF THE VIRGIN ISLANDS
RAIN CHE BIAN, OF NEW YORK
IAN MITCHELL BILLARD, OF MISSOURI
CHRISTINA J. BOBADILLA, OF FLORIDA
CARL D. BOOKSING, OF VIRGINIA
KENNETH C. BRENNAN, OF VIRGINIA
MICHAEL DAVID BREWER, OF NEW YORK
ROBERT A. BRINK, OF VIRGINIA
JAMES M. BRODT, OF VIRGINIA
M. LAURA BROOKINS, OF THE DISTRICT OF COLUMBIA
KEVIN J. BROSNAHAN, OF THE DISTRICT OF COLUMBIA
THOMAS V. B. BROUNS, OF CALIFORNIA
ANGELA Y. BROWN, OF FLORIDA
WYATT L. BUSBEE, OF VIRGINIA
JOHN K. BYINGTON, OF VIRGINIA
MEAGAN M. BYXBEE, OF WEST VIRGINIA
MERLYN CALDERON, OF CALIFORNIA
ADRIANA CALEJO, OF MARYLAND
BRIAN W. CAMPBELL, OF NEW YORK
DAVID SCOTT CAMPBELL, OF NEW MEXICO
TANYA R. CANADY, OF MARYLAND
DAVID RYAN CARR, OF OREGON
MARIYAM A. CEMENTWALA, OF CALIFORNIA
CHRISTINA CHARCHAR, OF VIRGINIA
DANIEL J. CHASSEN, OF THE DISTRICT OF COLUMBIA
ALICE B. CHEUNG, OF VIRGINIA
JOSHUA L. CHU, OF VIRGINIA
EMILY KATHLEEN CINTORA, OF ARIZONA
WILLIAM BENJAMIN COCKS, OF VIRGINIA
ERIC C. CONCHA, OF FLORIDA
ANDREW WILLIS COOK, OF VIRGINIA
DEVIN WAYNE COOPER, OF VIRGINIA
DIANA L. COSTA, OF MISSOURI
EVA HELENE D'AMBROSIO, OF INDIANA
JANE L. DENHAM, OF TEXAS
RANDALL E. DEPAUL, OF MARYLAND
JOE DICKERSON, OF VIRGINIA
MATTHEW J. DILBER, OF VIRGINIA
JORDAN T. DOVER, OF VIRGINIA
AIMEE DOWL, OF CALIFORNIA
PHILIP MARTIN DREWRY, OF TEXAS
J. SPENCER DRISCOLL, OF WASHINGTON
PAUL A. DUFRESNE, OF VIRGINIA
ANDREW SCOTT DUNN, OF THE DISTRICT OF COLUMBIA
THOMAS M. EDSALL, OF VIRGINIA
TRACY ELLERBY, OF MARYLAND
JOHN D. ELLIOTT, OF GEORGIA
ANDREW J. ELLIS, JR., OF MARYLAND
CHRISTOPHER ELSASSER, OF MARYLAND
ANGELA K. ENG, OF VIRGINIA
SCOTT EPSTEIN, OF VIRGINIA
ANNA ESTRINA, OF NEW YORK
NICOLE M. FINNEMANN, OF MICHIGAN
TERRENCE FINNERAN, OF FLORIDA
CATHERINE DELIA CAMPBELL FISCHER, OF CALIFORNIA
BON FLEMING, OF THE DISTRICT OF COLUMBIA
CLAUDIA S. FOSS, OF VIRGINIA
RUTH A. GASKELL, OF VIRGINIA
BRYAN M. GIBLIN, OF MARYLAND
KENNETH W. GIBSON, OF VIRGINIA
WILLIAM C. GILBERT, OF MISSOURI

KAREN ANDREA GLOCER, OF FLORIDA
JENNIFER L. GOLDSTEIN, OF ILLINOIS
PAUL GARRETT GRADDON, OF WASHINGTON
SARAH R. GROSSBLATT, OF MARYLAND
ROBERT E. GROSSMAN, OF NEW YORK
ALEXIS HART HAFTVANI, OF CALIFORNIA
JERROD E. HANSEN, OF WASHINGTON
JEFFREY WILLIAM HERMANSON, OF VIRGINIA
VALERIE E. HILL, OF VIRGINIA
JOHN OMAR HISHMEH, OF VIRGINIA
NOAH BENJAMIN HOGAN, OF INDIANA
JULIA MAGDALENA HOZAKOWSKA, OF PENNSYLVANIA
JASON HUGHES, OF MISSOURI
CHERYL O. IGIRI, OF THE DISTRICT OF COLUMBIA
OGNIANA VASSILEVA IVANOVA-SRIRAM, OF NEW YORK
KYLE B. JEMISON, OF VIRGINIA
JOHN P. JENKS, OF MARYLAND
JESSICA R. JOHN, OF THE DISTRICT OF COLUMBIA
ERIC W. JOHNSON, OF THE DISTRICT OF COLUMBIA
RUFUS H. JOHNSON, OF VIRGINIA
STACI R. JOHNSON, OF VIRGINIA
ADRIENNE A. JONES, OF VIRGINIA
ANDREW J. JONES, OF THE DISTRICT OF COLUMBIA
ELIOT S. JUNG, OF NEW YORK
KHULOOD KANDIL, OF FLORIDA
JAMES R. KAWKA, OF THE DISTRICT OF COLUMBIA
CHRISTOPHER A. KELLAND, OF VIRGINIA
DEREK R. KELLY, OF NEW YORK
JOHN THOMAS STUART KENNEDY, OF FLORIDA
JOHN H. KENT, OF VIRGINIA
JUSTIN M. KERNS, OF VIRGINIA
KIMBERLY KERR, OF UTAH
DAE GUN KIM, OF CALIFORNIA
MICHAEL R. KISELYCZNYK, OF VIRGINIA
DANIEL D. KOHANSKI, OF CALIFORNIA
JEREMY K. KOLOSOVSKY, OF THE DISTRICT OF COLUMBIA
JAY J. KOMMERS, OF VIRGINIA
KIRSTEN M. KRAWCZYK, OF VIRGINIA
ROBERT MATHEW KUBINEC, OF VIRGINIA
PETER M. LAPPE, OF MARYLAND
MARY LEBEAU, OF FLORIDA
CHUNG JOON LEE, OF CALIFORNIA
FRANK LEE, OF MARYLAND
JACOB JOSEPH LEVIN, OF ILLINOIS
LAURA E. LIPINSKI, OF VIRGINIA
GINA C. LOPRESTO, OF VIRGINIA
JENNIFER G. LUKOWITZ, OF NEW YORK
HOLLY M. MACKEY, OF VIRGINIA
DIANE D. MAENDER, OF THE DISTRICT OF COLUMBIA
CHARLES S. MAFFEY, OF VIRGINIA
MICHELLE D. MALLOY, OF VIRGINIA
DENISE R. MARQUES, OF VIRGINIA
PAUL EDWIN MASTIN, OF COLORADO
TRINA C. BRISCOE MATTHEWS, OF MARYLAND
ALEXANDER MAYER, OF TEXAS
DIMITRY MEDVEDEV, OF NEW JERSEY
KELLY R. MERRICK, OF CALIFORNIA
STEPHANIE G. MIRABELLO, OF VIRGINIA
WILLIAM JAMES MISKELLY III, OF INDIANA
THOMAS R. A. MONTGOMERY, OF CALIFORNIA
DAVID D. MOO, OF MISSOURI
ANDREW NELSON, OF CALIFORNIA
MICHAEL A. NILI, OF VIRGINIA
MANUEL A. ORELLANA, JR., OF MARYLAND
BRENDAN OWEN, OF VIRGINIA
STEVEN C. PAGE, OF VIRGINIA
JOSEPH ROBERT PALOMBO, JR., OF NEW HAMPSHIRE
DAVID D. PEMBERTON, OF VIRGINIA
JEREMY ROSS PETERSON, OF WASHINGTON
RICHARD T. PHELAN, OF VIRGINIA
DANIELLE M. PICARIELLO, OF VIRGINIA
GAVIN DOUGLAS PIERCY, OF ALASKA
JONATHAN PINOLI, OF FLORIDA
ALLEN LEWIS POWELL, OF VIRGINIA
PAUL PROKOP, OF WASHINGTON
JOHN E. REEKE, OF VIRGINIA
THERESA ANN REPEDE, OF VIRGINIA
NATHANIEL DAVID RETTENMAYER, OF VIRGINIA
MICHELLE J. RIFFE, OF VIRGINIA
KEVIN J. RILEY, OF THE DISTRICT OF COLUMBIA
CHRISTOPHER R. RINGENBACH, OF VIRGINIA
DANIEL O'MALLEY RITTENHOUSE, OF NEW YORK
BRUCE W. RITTER, OF VIRGINIA
JAMIE AZI ROBERTS, OF THE DISTRICT OF COLUMBIA
TAM T. ROBERTS, OF VIRGINIA
DAN ROSENTHAL, OF FLORIDA
MARTIN PAUL RYAN, OF WISCONSIN
MINDY NICOLE SARAFI-WIGGIN, OF VIRGINIA
ROBERT LAWRENCE SCHWARTZ, OF THE DISTRICT OF COLUMBIA
BRIAN A. SEIFIPOUR, OF VIRGINIA
BRIAN A SELLS, OF OHIO
GREGORY SIZEMORE, OF COLORADO
ANDREW R. SMITH, OF VIRGINIA
JEFFREY S. SMITH, OF VIRGINIA
DAMIAN J. STAFFORD, OF NEW YORK
JAMES E. STEVENSON, OF VIRGINIA
LAURA ANN SWANSON, OF VIRGINIA
ERIC SY, OF VIRGINIA
EARL SYMONDS III, OF VIRGINIA
JENNIFER ANN SYMONDS, OF VIRGINIA
DANIEL S. SZASZ, OF VIRGINIA
JESSICA N. TAI, OF VIRGINIA
DENIS TEST, OF CONNECTICUT
STEPHANIE P. THOMAS, OF VIRGINIA
KENNETH S. TOMLINSON, OF VIRGINIA
JOSEPH E. ULMSCHNEIDER, OF MARYLAND
JASON J. VAN NORMAN, OF VIRGINIA
SHARON VANDENABEELE, OF MICHIGAN
JACQUELINE D. VAUGHAN, OF VIRGINIA
JULIA B. VELAZQUEZ, OF VIRGINIA
HALIMA KAMRAN VOYLES, OF INDIANA
KARIN S. WALLACE, OF TEXAS
BRANDON THOMAS WATKINS, OF VIRGINIA
KATHY A. WEHRLY, OF WASHINGTON
CAROLEE ANNE WILLIAMSON, OF MINNESOTA
WARREN WILSON, OF TENNESSEE
KATHERINE W. WINKLER, OF VIRGINIA
ABRAHAM D. WISE, OF WASHINGTON
TODD G. WITT, OF VIRGINIA
ALEXANDER T. WOLF, OF THE DISTRICT OF COLUMBIA
JEFFREY GORDON WOODAHL, OF VIRGINIA
DEREK H. WRIGHT, OF INDIANA
JENNIFER T. WU, OF THE DISTRICT OF COLUMBIA
SETH F. YEAGER, OF VIRGINIA
NICHOLAS ZINSMEISTER, OF VIRGINIA

THE FOLLOWING NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR, EFFECTIVE JANUARY 16, 2010:

RONALD D. ACUFF, OF FLORIDA
MARA R. TEKACH-BALL, OF FLORIDA

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

WILLIAM L. NOONEY

CONFIRMATION

Executive nomination confirmed by the Senate May 12, 2011:

THE JUDICIARY

MICHAEL FRANCIS URBANSKI, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA.

EXTENSIONS OF REMARKS

MIKE SUMMERS RETIREMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and honor that I congratulate Mr. Michael Summers on his retirement. Mike, a 40-year member, 12-year officer, and Business Manager of Ironworkers Local #395, has dedicated his life to the interests of his fellow tradesmen and the entire community in Northwest Indiana. For his lifetime of service to the Ironworkers and the Northwestern Indiana Building and Construction Trades Council, Mike will be honored at a retirement dinner taking place at Avalon Manor in Merrillville, IN, on May 13, 2011.

During his 40-year membership in Ironworkers Local #395, Mike has held many positions and assisted the Building Trades in numerous capacities. Mike has represented the Ironworkers Local #395 as Trustee to the Health and Welfare Plan, the Annuity Plan, and the Joint Apprenticeship Training Committee. He has devoted much of his time to numerous boards and currently is a member of the Building Construction Resource Center. Additionally, he is a member of the Tri-Parte Committees for U.S. Steel, Arcelor Mittal Indiana Harbor, and Burns Harbor. Mike is the past President of the Northwestern Indiana Building and Construction Trades Council and has held elected office for the Ironworkers Local #395 as a Business Agent; currently, he is the Business Manager. Mike's passion, devotion, and continuous support to the Building Trades is truly remarkable and he is worthy of the highest praise.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty to its members and service to the community. Mike Summers has always displayed these qualities and I profoundly respect his unwavering dedication to his own members and all the members of the Building Trades. I also deeply value his community involvement that has touched and inspired so many. When it comes to serving those in need throughout the community, Michael Summers has always been the first in line. He is generous to a fault.

Mr. Speaker, Michael Summers has given his time and efforts selflessly to those he has worked with and represented. He has been a true role model to his peers and a true friend to Northwest Indiana. Personally, I have found no better or loyal friend. I treasure our friendship. I respectfully ask that you and my other distinguished colleagues join me in commending Mike for his outstanding contributions and in wishing him well upon his retirement.

CONGRATULATING THE MOCK TRIAL TEAM OF ADAMS HIGH SCHOOL

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. DONNELLY of Indiana. Mr. Speaker, I rise today to honor the Mock Trial team of Adams High School in South Bend, Indiana, winners of the 2011 National Mock Trial Competition. Adams High School once again displayed its superior Mock Trial skills in its second national title and tenth time placing in the top ten nationally. The competition, held in the Sandra Day O'Connor U.S. District Courthouse in Phoenix, Arizona on May 6 and 7, 2011, featured 48 teams from 43 states, Guam, the Commonwealth of Northern Mariana Islands, South Korea and Australia. Each team competed in four rounds before the final deciding match. Adams defeated the Missouri state champions to cap its remarkable season which included winning the Indiana state championship in March.

The team, nicknamed "The Ruckus," practiced 40 hours each week leading up to the national competition. The team members include seniors David Kern, Matt Caponigro, Toby Stoner, Peter Doyle, Geoff Burdell and Czesia Eid, and junior Jeremy Doyle. The team was coached by Adams teacher Heath Weaver with the assistance of Coaches John Scanlan, Erin Linder, Andrew Jones, Lucas Burkett, and timekeeper Maria Caponigro.

Mock Trial competitions require research, mastery of legal issues, honing of courtroom tactics, and strong teamwork. Each team is called on to prepare a legal case from the perspectives of both the plaintiff and defendant and assume the roles of lawyers and witnesses at trial. Peter Doyle was recognized as Best Witness in the national competition, an honor reflecting his extraordinary contribution to the victory. Again, I offer my congratulations to the members of the team, the coaches, Adams High School, and members of the community who supported the team throughout their training. The Adams Mock Trial team has represented Indiana, the City of South Bend, their school and themselves with excellence and distinction.

RECOGNIZING LT. DAVID LENO, A CHICAGO FIREFIGHTER, FOR RECEIVING THE PRESTIGIOUS MEDAL OF VALOR AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today in recognition of a courageous public servant, Chicago firefighter, Lt. David Leno. Today, in front of the Illinois Fire Services Association's Firefighter Memorial, Lt. Leno will be presented with the distinguished Medal of Valor. Lt. Leno's years of untiring service to the Chicago community remind us of the extraordinary altruism necessary to commit one's life to the service and protection of the community. Furthermore, this distinction recognizes his exemplary dedication to public safety and his commitment to duty.

The Medal of Valor is presented annually to firefighters who continually serve their communities without reservation in the face of danger or who have made the ultimate sacrifice. Nominated for this honor by Fire Commissioner Robert Hoff, today Lt. Leno will join the ranks of fellow Chicago servicemen and fallen comrades in receiving an award that recognizes outstanding dedication.

In his 22 years of service, Lt. Leno has distinguished himself time and time again with countless acts of heroism. In addition to being formally recognized in 2009 by Mayor Daley for coordinating and participating in the rescue of three victims from the third floor of a burning building, Lt. Leno was nominated for Chicago's Carter Harrison Award and won a Special Honorable Mention for his firefighting performance.

The 3rd District and Chicago are fortunate to have public servants like Lt. Leno whose tireless commitment to safeguarding his community sets an example for all. On behalf of the residents of Illinois' 3rd District, I thank Lt. David Leno for his outstanding devotion, demonstration of selflessness, and personal courage above and beyond the call of duty; and I congratulate him for his deservedly being awarded the Medal of Valor.

COMMEMORATING THE 103RD BIRTHDAY OF THE UNITED STATES NAVY NURSE CORPS AND 100 YEARS OF SERVICE ON GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to commemorate the 103rd birthday of the United States Navy Nurse Corps, and their centennial anniversary of service on Guam. The Navy Nurse Corps has a long history in Guam and continues to be instrumental in supporting Guam's health care system by training local nurses and modernizing health care practices on the island. I would like to recognize and commend the Navy Nurse Corps's outstanding contributions and service to the United States Navy, our nation, and the people of Guam.

Upon their arrival in 1911, three Navy nurses established the U.S. Naval Hospital School for Native Nurses on Guam. This school provided important nursing education and training to local nurses who cared for patients in acute care hospitals, public health village dispensaries, and in people's homes. By

1941, 89 local, Navy-trained nurses had graduated from the school.

The Navy Nurse Corps on Guam has also proved to be a critical part of the Navy's humanitarian response efforts in the region. In 1975, Navy Nurses played an important role in "Operation New Life," which brought over 100,000 refugees from South Vietnam to Guam. In 1991, following the eruption of Mount Pinatubo in the Philippines, Guam Navy Nurses supported "Operation Fiery Vigil," which conducted the largest peacetime U.S. military evacuation in history, affecting more than 20,000 military personnel and their families. Guam Navy Nurses also provided immediate, critical care as part of the medical teams that responded to Korean Airline Flight 801, which crashed in Nimitz Hill on Guam in 1997.

Today, with more than 100 Navy Nurses on Guam, the Navy Nurse Corps continues to serve our local community by caring for our active duty service members, retirees, veterans, and their families at the U.S. Naval Hospital Guam, the Branch Clinic, and the VA Community Based Outpatient Clinic. They remain active in the civilian community, serving on various committees and projects, including the Guam Nurses Association, Guam Association of Advanced Practice Registered Nurses, the Guam Diabetes Association, the Guam Lions Club, the American Cancer Society, and the Guam Memorial Hospital Volunteers Association.

On behalf of the people of Guam, I express a sincere un dangluko na si Yu'os ma'ase to the men and women of the Navy Nurse Corps for 100 years of exceptional service to our island and community.

IN RECOGNITION OF GAINESVILLE MAYOR GLENN LOCH'S RETIREMENT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BURGESS. Mr. Speaker, I rise today to celebrate Mayor Glenn Loch of Gainesville, Texas. Mayor Loch has served at different times as both a beneficiary and champion of the American dream. In the 1960's, he came to Gainesville for the first time with his wife Helen and their new baby. They had nothing to their name but a mattress, yet with some help from the community and a willingness to work hard, Loch became first councilman and eventually Mayor all in the course of ten years. He is now the longest tenured mayor in Gainesville history, and in his work, endeavors to repay the kindness the community bestowed when he was still a stranger to them.

From the time of his first term in 1974, Gainesville has undergone fantastic transformations. The downtown area, dilapidated after the oil bust of the 1980's, is now, according to Mr. Loch, "second to none." He also kicked off the "Take Pride in Gainesville" campaign. This campaign seeks to clean up Gainesville both "trash-wise" and "crime-wise." Initiatives in this campaign include redesigned frontage roads along both sides of Interstate Highway 35, improving access and traffic flow. Loch has continually sought to help Gainesville remain a place where people are proud to live, with thriving businesses, jobs that pay well, and an involved community of citizens.

It is this ingenuity that prompted me to partner with Mayor Loch on the Pecan Creek Project. I had noticed the flooding problem in that area for years, and when Mayor Loch asked me to help him by communicating with Congress to appropriate funds for the project, I knew it was important that I take part. Since then, construction for the drainage project is underway. Additionally, Loch oversaw the acquisition of 10,800 acre feet of water rights from Lake Texoma, providing Gainesville with enough water for the next fifty years.

On the threshold of Mayor Loch's retirement, I am pleased to have had the chance to speak for a moment about this inspirational man. His story, as effectively as anyone's, celebrates the true meaning of the American Dream. The American Dream is about taking opportunity by the horns. The American Dream is about working tirelessly to make the most of that opportunity. Most importantly, however, the American Dream is about paying it forward, ensuring that those down the line have the chance to do the same. It's about bringing the dream full circle. On behalf of the 26th District of Texas, I thank Mayor Loch for his service to Gainesville and the citizens of America.

HONORING DOS PUEBLOS HIGH SCHOOL SCIENCE BOWL

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mrs. CAPPS. Mr. Speaker, I rise today in honor of the Dos Pueblos High School Science Bowl Team. Michael Feldman, Daniel Gay, Ilan Goodman, Andy Granatelli, Daniel Richman and their coach Chris Jones made the South and Central Coast proud this month as representatives from California at the 2011 National Science Bowl, sponsored by the US Department of Energy in DC.

The U.S. Department of Energy National Science Bowl is a nationwide academic competition that tests students' knowledge in all areas of science. High school and middle school students are quizzed in a fast paced question-and-answer format similar to Jeopardy. Competing teams from diverse backgrounds are comprised of four students, one alternate, and a teacher who serves as an advisor and coach. The National Science Bowl's high school competition involves more than 13,000 students and is the only science competition in the United States sponsored by a federal agency.

In addition to their academic expertise, these students and their coach proved to be a popular and supportive team in DC. Honored by their peers, the DP team won the Civility Award, which recognizes excellent sportsmanship. In honor of winning this award, the team earned a nine-day trip to Alaska to study the region's glacial, biological and geological treasures.

Mr. Speaker, we speak often in DC of "winning the future." I'm so proud to represent this remarkable group of students, and their coach, who are working tirelessly towards this goal. Today I mark their accomplishment and encourage all young people across the country to follow their example, and push themselves in math and science fields. Our competitiveness as a nation depends on it.

HONORING MICHAEL McKENNA HOPPENRATH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Michael McKenna Hoppenrath. Michael is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Michael has been very active with his troop, participating in many scout activities. Over the many years Michael has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Michael has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Michael McKenna Hoppenrath for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING CAPTAIN GREG L. GARNER

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Fresno Police Department Captain Greg L. Garner; and to thank him for his 32 years of selfless service to his community.

Captain Garner was born on February 4, 1959 in Madera, California. After graduating from Madera High School, Captain Garner went on to earn a Bachelors of Science in Criminology and a Master's of Science in Law Enforcement Administration from California State University, Fresno. He started his career with the Fresno Police Department in 1979 as a cadet, and worked his way through the ranks to become Police Officer, Police Sergeant, Police Lieutenant, and Police Captain in 2001.

During the tenure of his service, Captain Garner has received multiple awards and accolades. In 2008 the Fresno Police Department Traffic Unit under his command received the 2008 National Mothers Against Drunk Driving Award. That same unit was recognized as the number one Child Safety Program in the nation by the Office of Traffic Safety, and appeared on the cover of USA Today Magazine in recognition of the unit's efforts to improve traffic safety.

When off-duty, Captain Garner is actively involved in community causes, such as the Downtown Revitalization Committee, Bring Broken Neighborhoods Back to Life Program,

and the Men of Promise organization. He has also received the Gideon Community Service and Citizens of the Community Awards, volunteered in March of Dimes Jail & Bail Fundraisers, and is currently volunteering part-time at the Museum of Tolerance in Los Angeles.

Mr. Speaker, please join me in honoring and commending Captain Greg L. Garner on his 32 years of service and dedication to improving the safety and welfare his community, the City of Fresno.

PERSONAL EXPLANATION

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. QUIGLEY. Mr. Speaker, on May 11th, my vote on Rollcall vote No. 309 was incorrectly recorded as ''aye'', when I intended to vote ''nay''. I did not see the error until it was too late. I ask that the record reflect my strong opposition to H.R. 1229 and my intention to vote no on this legislation.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize the Asian and Pacific Islander American community in commemoration of Asian Pacific American Heritage Month.

As representative of the 47th congressional district of California, I feel privileged to be here to speak of the history and accomplishments of the Asian and Pacific Islander Americans.

Mr. Speaker, I would like to take a moment to acknowledge extraordinary community leaders who have contributed so much to the development of the APIA community.

I have in my district a compassionate, humanitarian organization: Saint Anselm's Cross-Cultural Community Center. This year, they celebrate 35 years of assisting tens of thousands of refugees in their resettlement and integration, and empowering underserved communities.

I recognize the Orange County Asian and Pacific Islander Community Alliance—the largest API organization in Orange County. Their health outreach programs, after-school programs, and policy advocacy programs make a real difference in the lives of Orange County residents.

Small businesses such as DTNtech Marketing Solutions and Holiday Inn Express of Garden Grove that have demonstrated the spirit of giving with their generous supply of donations and ongoing support for community beneficiary projects.

I would like to recognize several individuals for their extraordinary commitment to enhancing the vitality of the API community:

Ms. Ysa Le for her involvement with art activism for the Vietnamese American Arts & Letters Association to promote, preserve and enrich arts and culture by, for, and about the Vietnamese communities.

Mr. Do-Young Kim who has for over 10 years understood and conveyed the precious privileges and duties of being a United States citizen to the countless Korean immigrants whom he's assisted in realizing American citizenship.

And lastly, Dr. Ding Jo Currie, chancellor of the Coast Community College District, whose brilliance and passion for education has been demonstrated for over 30 years in building a superior educational system for Orange County's students in higher education.

Through their hard work and dedication, the Asian and Pacific Islander American community continues to become an integral part of the Orange County family—as entrepreneurs, community leaders and activists for worthy causes. On behalf of all my colleagues in the House, I offer them our praise and our gratitude.

HONORING SEAN KINCAID DALDRUP

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Sean Kincaid Daldrup. Sean is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Sean has been very active with his troop, participating in many scout activities. Over the many years Sean has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Sean has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Sean Kincaid Daldrup for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING GAIL PARKER

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. OLSON. Mr. Speaker, I rise today to recognize the achievements of Gail Parker, the President and C.E.O. of the Central Fort Bend Chamber Alliance in Fort Bend County, TX. Mrs. Parker is retiring after nearly 8 years at the helm of the Chamber.

Gail has certainly left her mark on the Chamber. Under her leadership, Gail led the charge to double the Chamber's membership from roughly 400 members in late 2003 to just over 800 members currently, representing businesses from all sectors and industries across Fort Bend County. She also helped to create the Hispanic Business and Young Professionals Divisions, which have been critical to bringing new members of the Fort Bend business community to the Chamber.

Gail is a consummate professional who cares deeply about the community she serves. The Central Fort Bend Chamber Alliance has been well served by her leadership and commitment to excellence. Throughout her tenure as CEO, Gail demonstrated the dedication and leadership necessary to advance the Chamber's mission and enlarge the scope of the organization.

I'm honored to call her a friend and I wish Gail and her husband Randy all my best. She is in my prayers as she leaves the Chamber to fight her next battle and, as she says, become a cancer ''survivor.'' On behalf of Fort Bend County, I thank you for your hard work and service to the Fort Bend business community.

HONORING D. ERIC HULTMAN

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. TERRY. Mr. Speaker, I rise today to honor D. Eric Hultman who is retiring from my office as Chief of Staff after eight years of service to the constituents of the Second District of Nebraska and a career of service to all Americans.

Eric, a graduate of Brown University and University of Nebraska College of Law, has served the public for over 20 years on Capitol Hill. He has been in senior positions with the House and Senate Judiciary Committees, a U.S. Senator, and a Member of U.S. House of Representatives.

His long and respected career also included the position of Managing Editor for the Legislative Digest for the House Republican Conference and an attorney at several private law firms.

He has worked tirelessly to make our country safer, to make our government more efficient, and to bring a sense of responsibility to Washington, DC. Even though Eric is a committed conservative, he knows the value of working with members from all political stripes. This philosophy has served my office well through the years.

He is a devoted father and husband who somehow always managed to balance both family and professional commitments—a difficult task even for the best of us. But Eric always managed to find that balance through his positive attitude and hard work.

I am proud of Eric's years of public service and am very appreciative of his hard work and friendship. I have also learned to be appreciative of his sense of humor, which during stressful times, has come as welcome relief.

I, along, with all the other members of my staff will miss Eric for not only his patience, but his ability to have an answer for every question. His retirement is well deserved and we wish him the best as he starts the next chapter of his life.

HONORING VAN GUARD HOSE COMPANY NO. 1

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BISHOP of New York. Mr. Speaker, Suffolk County is home to many fire department

companies that protect and serve our local communities. I rise to honor the Van Guard Hose Company No. 1 in Patchogue, New York and its members, who this year are celebrating the 120th anniversary of its founding.

In the summer of 1890, local residents determined that the Patchogue Fire Department was unable to adequately respond to fire emergencies in the southern section of the Village of Patchogue when Captain G.G. Horton's barn was destroyed by fire. Due to this unfortunate event, these local residents formed the Van Guard Hose Company.

Residents requested the purchase of a hose cart and the fire directors of Patchogue Fire Department granted the purchase of a two-wheeled cart and 500 feet of hose. Chief Edwin Bailey, the department's first chief, was tasked with determining the location to house the new equipment.

Fourteen residents came together to form the present company for its regular meeting on January 13, 1891 at the home of Mrs. Alfred C. Mott, a resident of southern Patchogue. Today, Van Guard Hose Company No. 1, located just down the street from where the company first met, has grown to 63 members who bravely and selflessly serve their community.

Mr. Speaker, it gives me great comfort to know that Long Island is still a collection of communities where neighbors look out for one another, as they did back in the 1890s. I'm proud to represent Van Guard Hose Company No. 1 and its members in the House of Representatives. I offer my congratulations on this milestone and wish them well for many years of continued service to the Patchogue Fire District.

HONORING MITCHELL RYAN KOVAC

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Mitchell Ryan Kovac. Mitchell is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Mitchell has been very active with his troop, participating in many scout activities. Over the many years Mitchell has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Mitchell has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Mitchell Ryan Kovac for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING KATHLEEN CAREY MIHM

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. HINCHEY. Mr. Speaker, I rise today to pay tribute to an outstanding citizen of the 22nd Congressional District of New York, Ms. Kathleen Carey Mihm. Kathy, as she is fondly known to family and friends, is a warm, witty and insightful woman who has dedicated her professional life to public service and, in doing so, has made a lasting contribution to her community.

A native of Kingston, Kathy grew up in a lively Irish family with nine brothers and sisters. She graduated from Kingston High School and went on to pursue advanced study at Ulster County Community College. Kathy began her public career as the Village of Rosendale Clerk, followed by two consecutive terms as a member of the Ulster County Legislature. In 1985, she began a distinguished career with the Ulster County Board of Elections. Kathy served as Deputy Commissioner under the late Harry Castiglione and then, after a brief time as Clerk of the Legislature, was appointed as Commissioner of Elections for the Democratic Party.

During her tenure with the Elections Board, Kathy was a tremendous asset to the voting public of Ulster County. She understood that the fundamental mission of the Board of Elections is to serve the voting public in a bipartisan manner. She worked hard and was diligent in her efforts to ensure that every eligible vote was counted. Kathy retired in December of last year in order to spend more time with her two children and four grandchildren. She has left behind a lasting legacy of honor and integrity.

Mr. Speaker, I have had the pleasure of knowing and working with Kathleen Carey Mihm for more than twenty-five years. She has been a dear friend and a valued adviser and we have worked closely on many issues of importance to the residents of Ulster County. Her work on behalf of the Board of Elections and her community was both inspiring and commendable. It is with great pleasure that I recognize her outstanding contributions and achievements.

IN RECOGNITION OF THE 2011 FAIRFAX COUNTY SHERIFF'S OFFICE VOLUNTEERS OF THE YEAR

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to honor the volunteers who assist the Fairfax County Sherriff's Office. These volunteers work with deputies and civilian staff to help inmates to improve their lives during incarceration and to prepare them for a successful transition back into the community.

With more than 500 deputies, the Fairfax County Sheriff's Office is the largest Sheriff's office in Virginia and among the largest in the country. These deputies perform invaluable services for Fairfax County residents which include providing court security, managing the detention center, and serving the civil law process. Volunteers with the Sheriff's Office help provide inmate programs and services at the Adult Detention Center (ADC) and Pre-Release Center, including mental health counseling, religious services, alcohol and drug support groups, health education, library services and job training.

Volunteers complete a Sheriff's Office training program and also work closely with staff to ensure that best practices are followed. A recent study completed at the Fairfax County Adult Detention Center showed the significant impact that detention center rehabilitation programs can provide. The efforts of these volunteers improve the lives of those incarcerated, reduce recidivism, and make our communities safer.

Each year, the Sheriff's Office hosts a luncheon to thank all of the dedicated individuals who help make the volunteer program a success. It is my pleasure to recognize the honorees in each service area:

Alcohol and Drug Services—Nate Trager

OAR—Opportunities, Alternatives, and Resources—Linda Rule

Chaplain's Office—Norman J. Bacon

Education—Bill Richey

The efforts of these individuals are particularly noteworthy, but I also want to acknowledge the nearly 300 volunteers who have contributed their time and support to the Sheriff's Office during the past year. These volunteers provide services that help to place inmates on a path to success. They offer their time that could be spent elsewhere to provide encouragement and support that will improve lives during incarceration and provide for a successful transition to help get inmates back on their feet. The efforts of each and every one of these volunteers are commendable and deserve our praise.

Sheriff Stan Barry and the staff of the Fairfax County Sheriff's Office should be commended for their critical role in administering the volunteer program. The efforts of these staffers maximize the contributions of volunteers in the most effective way and provide the support that makes this program a success.

Mr. Speaker, I ask my colleagues to join me in recognizing the contributions of these individuals and all of the volunteers who support the Fairfax County Sheriff's Office. The selfless commitment of these individuals helps to provide enumerable benefits to our community and life-changing services to the inmates they serve.

TRIBUTE TO MRS. ADA LEE PATRICK

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to a member of my church, a devoted wife and mother, a Christian woman and a friend to many.

Mrs. Ada Lee Patrick was born in Holmes County, Mississippi, in 1948 and migrated with her family to Chicago, Illinois in 1957. She attended the local elementary and high school on the west side of Chicago. She was baptized at the Mt. Carmel Church and later

joined new morning star and ultimately new Galilee MBC where she remained until death. Ada met and married Mr. Frank Patrick and together they became proud parents of five children.

Mrs. Patrick was actively involved in her church and was known as a cheerful and upbeat person. Her backing was legendary and she is always ready to share encouraging words with everyone.

Mr. Speaker, the world is a better place in which to live because of the life and contributions of Mrs. Ada Lee Patrick. May her soul rest in peace and we extend our heartfelt condolences to her husband Frank and other members of her family.

ISRAEL'S 63RD INDEPENDENCE DAY

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to congratulate Israel on the celebration of its 63rd Independence Day. I am a strong supporter of the State of Israel and believe in its right to exist as a Jewish and democratic state with secure and recognized borders.

As our strongest democratic ally in the Middle East, Israel is a crucial friend of the United States, and its continued strength and stability are in our nation's best interest.

The past several years have been a challenging time for Israel. Israel continues to face danger on many fronts, from the ongoing threat of terrorism to the potential rise of a nuclear-armed Iran. Peace and stability in Israel and the Middle East at large are still a possibility. Despite recent events with Fatah and Hamas, I hope that Palestinian authorities will be willing to come to the table and negotiate peace with their Israeli neighbors. I trust that new commitments and agreements are reached that enable these two states to live peacefully with one another.

I will continue to advocate for policies that make Israel more secure and work to alleviate the tensions in the Middle East, and I urge my colleagues to join me. As a member of the Israel Allies Caucus, I have been an active advocate for Israel and its people. I know the people of Israel want to live in peace with their Palestinian neighbors, and I will push for continued American engagement in the peace process. Together, the United States and Israel will continue to work in partnership to bring peace and security to the Middle East.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Israel on their 63rd Independence Day.

RECOGNIZING THE HONOREES OF THE 2010 FAIRFAX COUNTY LAND CONSERVATION AND TREE PLANTING AND PRESERVATION AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the recipients of Fairfax County 2010 Land Conservation and Tree Preservation and Planting Awards. These awards recognize those developers, designers and site superintendents who have excelled in their stewardship of the environment by implementing erosion and sediment control measures for soil conservation or increasing the tree cover through tree preservation and planting efforts.

Fairfax County is considered one of the best counties in the Nation in which to live, work and raise a family. One reason for this designation is the innovative environmental protection policies that have been implemented by the county and embraced by its business partners. I am pleased to have led that effort during my tenure as Chairman of the Board of Supervisors. These awards recognize the following individuals and companies who have successfully brought their projects to completion while preserving and enhancing the local environment:

Small Commercial: The Howard Gardner School

Large Commercial: Aerospace Corporation Parcel 35 at Westfields

Small Single Family Residential: Yorkshire Subdivision

Large Single Family Residential: Huntington Mews, Section 2

Linear Project: Bull Run Woods

Best Protected Environmentally Sensitive Site: Aerospace Corporation Parcel 35 at Westfields

Outstanding Site Superintendent: Greg Clark

Outstanding Engineering Firm: Whitman, Requardt & Associates, LLP

Outstanding Contractor: James G. Davis

Environmental and Facilities Inspections Division Inspector of the Year (East): Martin Klema

Environmental and Facilities Inspections Division Inspector of the Year (West): William Dougherty

Environmental and Site Review Division Reviewer of the Year (East): Hani Fawaz

Environmental and Site Review Division Reviewer of the Year (West): Shahab Baig

Tree Preservation Awards:

Potomac School

Pohick Stream Valley Park Trail

The Aerospace Corporation Stream Restoration Project

Tree Planting Category Award Recipients:

Francis Scott Key Middle School

Huntly Terrace Townhomes

Mr. Speaker, I ask my colleagues to join me in applauding the efforts of those involved with these projects. Fairfax County and its residents have benefitted greatly from the collaborative spirit that is represented by these awards today. I wish to thank all of the awardees for their efforts on behalf of our community, and I congratulate them on receiving these awards.

IN RECOGNITION OF NORTHWEST HIGH SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BURGESS. Mr. Speaker, I rise today to call special attention to Northwest High School in Justin, Texas. Students from Northwest High School will be competing in Aerospace Industries Association's 9th annual Team America Rocketry Challenge (TARC) National finals this weekend. This competition brings students from all over the United States together to hone their skills in math and science in order to design, build, and fly a model rocket. The rocket must carry one raw egg to an altitude of exactly 750 feet, remain airborne for 40 to 45 seconds and return to the ground with the raw egg intact. With this annual competition, the Aerospace Industries Association seeks to inspire students to pursue careers in the aerospace industry.

The students at Northwest High School have been working all year to prepare for this opportunity. The event holds over $60,000 in prize money, scholarships, and a trip to the Paris Air Show. I know the students of Northwest High School have spent much time and energy into this opportunity, and I wish them all the best. Regardless of the outcome, I and the rest of the 26th District of Texas are extremely proud of this impressive group of students.

A TRIBUTE TO JONATHAN LANE ARTHUR

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Jonathan Lane Arthur for achieving the rank of an Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about 5% of Boy Scouts earn the Eagle Scout Award. The award is a performance based achievement whose standards have been well-maintained over the years. To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Jonathan and his family in the United States Congress. I know that all of my colleagues will join me in congratulating him on earning an Eagle Scout ranking and will wish him continued success in his future education and career.

HONORING LT. COLONEL ALFRED FRANCIS

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mrs. CHRISTENSEN. Mr. Speaker, next Friday, an outstanding member of our military who hails from my district in the U.S. Virgin Islands will receive a promotion to Colonel at the Pentagon and I rise today to salute his service to our country.

Lt. Colonel Alfred Francis, known as ''Plow'' to his family and friends as a native of St. Croix in the U.S. Virgin Islands, is currently assigned to The Army Staff, Pentagon here in

Washington, DC, and has served there since 2009. He previously commanded the 304th Signal Battalion, 1st Signal Brigade, Camp Stanley, Korea from 2007 to 2009. Prior to serving in Korea, Lt. Colonel Francis served at the Pentagon, assigned to DISA's Joint Staff Support Center as Division Chief, NMCC Operations. He deployed in support of ENDURING FREEDOM between 2002 and 2005. He was assigned to Headquarters, 25th Infantry Division (Light), Schoefield Barrack, Hawaii, serving as the Assistant Division Signal Officer/Deputy G6 and as the Executive Officer, 125th Signal Battalion and later as Deputy CJ6, CJTF–76.

Lt. Colonel Francis received his Bachelor of Science Degree and ROTC Commission as a Distinguished Military Graduate from Alabama A&M University in 1989. He has a Bachelor of Science degree in Mechanical Engineering Technology and Minor in Mathematics and a Master of Science degree in Quality Systems Management from the National Graduate School. Upon completion of the Signal Officers Basic Course, he was assigned to the 279th Signal Platoon, Kaiserlautern, Germany, where he served as a Platoon Leader and Exercise and Plans officer from 1990 to 1993.

Upon graduation from the Signal Officers Advanced Course at Fort Gordon, Georgia, he was assigned to 525th Military Intelligence, XVIII Airborne Corps, Fort Bragg, North Carolina, where he served as Brigade Signal Officer, then Company Commander of A Company–327th Signal Battalion, 35th Signal Brigade (Corps, Airborne) from 1994 to 1996. He was then assigned to the Military District of Washington, where he served on the 1997 Presidential Inaugural Committee as Chief, Visual Information Branch, followed by assignments within the Defense Information System Agency, DISA, as a Commercial Satellite Communications Officer and as a Communication Watch Officer in the National Military Command Center, NMCC, Joint Staff, Pentagon from 1996 to 2000.

Lt. Colonel Francis' awards and decorations include the Defense Meritorious Service Medal, the Army Commendation Medal, the Meritorious Service Medal, the Joint Staff Commendation Medal, the Army Achievement Medal, the National Defense Service Medal with Bronze Star, the Armed Forces Expeditionary Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Joint Meritorious Unit Award, the Joint Staff Badge, the Army Staff Badge and the Parachutist Badge.

Mr. Speaker, the people of Fredriksted, St. Croix, the U.S. Virgin Islands and indeed the entire nation are proud of Lt. Colonel Francis. He is an exemplary young American who serves as a role model to the young people of our islands and is a source of pride to his parents, Betty L. Wilson and Divincy ''Tino'' Francis. We salute him on the occasion of his promotion to Colonel.

HONORING SANTA ROSA COMMUNITY HEALTH CENTERS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Santa Rosa Community Health Centers and recognize their contribution to health care in Sonoma County, California. They are celebrating their 15th year of leadership and collaboration in building a healthy community.

In 1996, five physicians and one nurse practitioner made it their mission to bring high quality health care to the Roseland area of Santa Rosa, where the predominantly Latino community had no access to medical care. These providers worked tirelessly for 4 years until their first clinic opened with the help of the Sisters of St. Joseph and Santa Rosa Memorial Hospital. Southwest Community Health Center opened its doors on March 19th, St. Joseph's day, and was warmly welcomed to the community.

Under the guidance of CEO Naomi Fuchs, the original clinic at Lombardi Court expanded its hours and its facility. Ms. Fuchs also responded to the needs of several other important community programs that were facing budget restraints that threatened closure. The Elsie Allen Health Center, Turning Point Satellite Clinic, Southwest Adult Day Services and the Family Practice Residency Program were all brought under the Southwest umbrella as well as the Homeless Clinic, Roseland Children's Health Center and HIV/AIDS care. As their service area expanded well beyond the southwest corner of the city, they assumed a name that better represents them: Santa Rosa Community Health Centers.

In order to better serve their patients, 2011 saw the opening of the Vista Family Health Center, a 42,500 square foot facility that provides primary care and obstetrics to an additional 10,000 residents. This beautiful new health center reminds patients, many of whom are low income, that a medical home with a caring medical team is a right rather than a privilege.

Mr. Speaker, it is appropriate at this time that we congratulate Santa Rosa Community Health Centers on 15 years of ensuring that everyone who enters their doors is heard, valued and honored.

A TRIBUTE TO MAPLEWOOD NEIGHBORS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the Maplewood neighbors of Humboldt for being the recipients of the Good Neighbor Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Good Neighbor Award is presented to an individual or group who exemplify true neighborhood spirit by lending a helping hand in a time of need. This was exemplified when Maplewood neighbors assisted a recently widowed and grieving neighbor by selflessly mowing her lawn, moving snow from her driveway, and simply taking her on walks to remind her of the support she will always have in her neighborhood despite her current difficulties.

Mr. Speaker, I am honored to represent the members of the Maplewood neighbors in the United States Congress. I know that my colleagues will join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

RECOGNIZING DAN KEIFER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LEVIN. Mr. Speaker, I rise today to recognize an environmental leader from Southeastern Michigan, Dan Keifer, as he retires from the Clinton River Watershed Council after 10 years of dedicated service to the Clinton River watershed.

Those of us who represent urban watersheds know that the health of the waterways that flow through our communities are often measured in terms of specific indicators. A recovering river has fewer beach closings, declining e-coli pollution counts, and less bank erosion and sedimentation. A recovering river also shows restoration of native riparian vegetation, improved habitat, healthier stream flows, and the return of a wide variety of fish and other aquatic organisms. All of these watershed characteristics are measurable.

Another quality of recovering waterways is harder to directly measure, but is no less essential. Recovering rivers and streams invariably have people who take the time and trouble to care for them and work on their behalf. Without such public advocates, water quality improvements simply don't happen. Dan Keifer has been a powerful advocate and force for good in the Clinton River and Lake St. Clair watersheds. He has been an invaluable asset to the Watershed Council's mission to protect, enhance, and celebrate the Clinton River, its watershed, and Lake St. Clair.

Dan joined the Clinton River Watershed Council staff in 2002 and has served as that organization's Development Director and, later, as the Community Outreach Coordinator. Along the way, Dan has coordinated countless projects, meetings, and outreach efforts in support of water quality in our area. In 2008, Dan was awarded the National Distinguished Service Award for Trout Unlimited for his work in coordinating the Watershed Council's Coldwater Conservation Project.

Dan has also been an important part of my own office's water quality work, including efforts to support the new Great Lakes Restoration Initiative and deploy resources from that program in the watershed. He has worked with my office on everything from grants, to efforts to battle the invasive Asian carp, to the emerging partnership to carry out the recommendations of the Lake St. Clair Management Plan. Through it all, Dan has been an invaluable resource to my office.

Over the years, Dan has traveled the length and breadth of the watershed to speak to groups and relate the 10,000-year history of the Clinton River Watershed, telling the story about the progress that has been made from the days when the Clinton River was one of

the most polluted rivers in Michigan to today when the trout and salmon have returned. He speaks of what is needed going forward to fully restore the Clinton River and address the challenges confronting this urban waterway. This is an important story. In the truest sense, Dan has been the voice for the Clinton River.

Dan and his wife Heidi are moving to the Washington area to take up their responsibilities as grandparents. On behalf of myself, my staff, and everyone who has benefitted from his work, I am so pleased to join with the entire community in paying tribute to his achievements and thank him for his years of service to the watershed.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. SCHWARTZ. Mr. Speaker, on Wednesday, May 11, I was unable to cast my vote on rollcall vote No. 312, the Connolly of Virginia Amendment No. 2 to H.R. 1231.

Had I been present, I would have voted in favor of the amendment.

A TRIBUTE TO THE GOLD-EAGLE COOPERATIVE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the Gold-Eagle Cooperative of Humboldt for being the recipient of the Horizon Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Horizon Award is presented to a business or entity which has brightened Humboldt's horizon through building improvement. Gold-Eagle has made important commitments to the communities of Thor and Renwick over the past year and both communities have enjoyed sizeable expansion.

Mr. Speaker, I am honored to represent the members of the Gold-Eagle Cooperative in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

TRIBUTE TO ROBERT WEXLER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BERMAN. Mr. Speaker, I am pleased to join my colleagues, Representatives ADAM SCHIFF, BRAD SHERMAN and HENRY A. WAXMAN, as we pay tribute to Dr. Robert Wexler who is being honored by the American Jewish University.

We know firsthand of his many outstanding contributions to our community. For 18 years, Bob has been the President of the American Jewish University, where students are offered an educational setting which embraces both the history of the Jewish heritage and the skills necessary to become leaders in society. During his time at the university, Bob's many accomplishments contributed greatly to the growth and prestigious reputation of the institution. In 2007, he led the merger between Brandeis Bardin Institute and the University of Judaism, creating the American Jewish University and making it one of the largest Jewish institutions in the United States. Bob is also responsible for the establishment of the Ziegler School of Rabbinic Studies at AJU, which is the first independent conservative rabbinical school in the west. Bob is also a founder of the Whizin Center for Continuing Education.

In addition to his distinguished work as the President of AJU, Bob has been deeply involved in many charitable organizations. He has generously given his time to many of the Los Angeles Federation's commissions and committees, and has been named to Newsweek's list of America's 50 most influential rabbis, as well as Forward's list of the 50 most significant American Jewish leaders.

Mr. Speaker and distinguished colleagues, we ask you to join us in recognizing Dr. Robert Wexler for his invaluable service and dedication to the community.

A TRIBUTE TO THE LIFE AND WORK OF JOHN GILMAN

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. MOORE. Mr. Speaker, I rise to pay tribute to the life and work of John Gilman, a social justice and peace activist, author, decorated veteran and business owner. Mr. Gilman died on April 26, 2011, at the age of 90.

Mr. Gilman was one of ten children born to Jewish immigrant parents in Chester, Pennsylvania. John Gilman put his beliefs into action at an early age, leading his high school classmates in a strike. They demanded a new school building due to overcrowding that caused students to attend in shifts.

Mr. Gilman served as an infantryman in World War II and saw combat during the Allied advance into Germany. He was nominated for a Medal of Honor and awarded the Bronze and Silver Stars in addition to the Distinguished Service Cross for his exemplary service including ''taking out'' a German pillbox and tank.

A social activist throughout his life, he served as Executive Director of the Wisconsin Civil Rights Congress fighting against racism. He was one of the pioneers of humanitarian aid for Cuba, worked for nuclear disarmament and was an early local protestor against the Vietnam War. Mr. Gilman marched with Father James Groppi, Father Dismas Becker, and the Rev. Lucius Walker during Milwaukee's civil rights struggle. The flooring store he operated was firebombed in retaliation for his work. The grand dragon of the Illinois Ku Klux Klan was convicted in connection with the bombing.

Mr. Gilman's politics came under scrutiny in the 1950s; he was twice called before the House Un-American Activities Committee for his involvement in organizations deemed to be Communist. Gilman refused to testify or implicate anyone else pleading the 5th Amendment and displaying his military medals in a large frame to the ire of his questioners.

John Gilman's autobiography, Footsoldier for Peace and Justice details an amazing life and in his own words ''standing up against what he thought was wrong''. Mr. Gilman is survived by his wife Helen; daughters, Rose Corso and Jennifer Gilman; 2 sons, Herman and Glenn; a brother, Jack; and a sister, Edith Silverstein; grandchildren and great-grandchildren.

Mr. Speaker, Milwaukee and the country has experienced a profound loss with the passing of John Gilman. Mr. Gilman remained active almost until his death; I am proud to have called him friend. John Gilman was a true patriot understanding the turmoil of war firsthand through his honorable defense of his country but still fighting for peace because of his service. Today, I thank him and his family for their immeasurable achievements, I mourn his loss and I salute his legacy.

A TRIBUTE TO ELWIN HODGES

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Elwin Hodges for being the recipient of the Spirit Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Spirit Award is presented to a leader in the community and recognizes longtime achievement of community support or a superior effort on behalf of the Humboldt community. Elwin has consistently been finding new ways to help those around him for more than 50 years. A 55-year member of the Lions Club, Elwin recently was awarded the Lions International President's Medal, which is the second highest award a Lion can receive. He earned this award through commitment to the local vision program for school children, years of service to the Department of Social Services, donations of hundreds of pounds of vegetables to the Upper Des Moines and the Food Pantry from his own garden, and most interestingly, by inventing the hand-crafted ''Fort-U-Nut'' to provide thousands of messages of cheer and inspiration to those that need them most.

Mr. Speaker, I am honored to represent Elwin in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future

NATIONAL EMS WEEK

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CARDOZA. Mr. Speaker, May 15th through the 21st is National EMS Week, a week set aside to reflect upon and honor the life-saving and heroic role the Emergency Medical Services, EMS, community plays in our society. While everyone associated with the EMS system is worthy of due praise, I rise today to pay tribute to one particular segment of the EMS system.

In conjunction with EMS Week, the Association of Air Medical Services is instituting the inaugural MedEvac Hour, asking those who are participating in EMS Week to find one hour of the week to recognize the contributions of all those involved in helicopter and fixed-wing aircraft medical transport. As a co-chair of the Congressional Air Medical Caucus, I recognize the vital role the air medical community plays in this nation's health care system.

I would like to take this opportunity to especially commend the exemplary services provided to my constituents in California's 18th congressional district: PHI Air Medical of Modesto, Medi-Flight of Modesto and Merced, REACH Air Medical Services of Stockton, Sky Life Central California of Fresno, and the California Highway Patrol—Central Division. The work they do saves lives and we are grateful for it.

Numerous studies have shown that the first hour following a trauma is a critical period in determining the final health outcome of the patient. However, 46.7 million Americans live more than an hour away from a Level 1 or Level 2 trauma center. When time and distance are critical, helicopter MedEvac is the quickest and most efficient way to get critical level medical care to the patient. MedEvac helicopters are most often utilized for time-sensitive illnesses and injuries such as severe trauma, heart attacks, or strokes. In remote rural areas, MedEvac helicopters are often the only access to definitive treatment and diagnosis. It is estimated that MedEvac helicopters transport approximately 400,000 patients annually, with MedEvac fixed-wing aircraft transporting an additional 100,000-plus patients over longer distances annually.

As early as 1926, the United States Army Air Corps used a converted airplane to transport patients from Nicaragua to an Army hospital in Panama, 150 miles away. Routine MedEvac transport utilizing helicopters began during the Korean conflict in the 1950s. In March of 1970, the Maryland State Police transported the first critically injured trauma patient by helicopter in the United States. The first civilian hospital-based medical helicopter service in the United States was established in 1972 at St. Anthony's Hospital in Denver, Colorado.

As of the close of 2009, there were over 4,400 MedEvac pilots, 600 physicians, 5,500 nurses, and 5,300 paramedics/EMTs staffing MedEvac vehicles, both fixed-wing and helicopter, in the United States. These people save lives every day, providing critical level medical care and safe, rapid transport to the most appropriate health care facility during the most dire of circumstances. In addition, we cannot overlook the many other people, from aviation mechanics to communication specialists, that play a key role in MedEvac operations.

All of the dedicated men and women of the MedEvac community deserve our heartfelt thanks. I urge all of my colleagues, during this National EMS Week, to take a moment to recognize these unsung heroes and the life-saving services the MedEvac community brings to their districts and across the nation.

HONORING MENDOTA HIGH SCHOOL CHESS TEAM

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. COSTA. Mr. Speaker, I rise today to congratulate the Mendota High School Chess Team, home of the mighty Aztecs, on their first place victory at the CalChess State Championships held recently in Santa Clara, California. This event drew more than 1,300 students from over 100 schools from across our great Golden State.

This victory is especially fitting as it clearly embodies the classic "underdog" tale. Mendota is not where you would normally expect to find the state's top high school chess team. As their coach Vaness French explained, "I taught my kids a long time ago, don't be frightened by the bedazzled or the bling-bling . . . I have never told them we couldn't win."

A small agricultural community, Mendota is located in the western portion of California's Central Valley. I am proud to represent this community with its population of 10,000. Historically known for its reputation as The Cantaloupe Center of the World; sadly Mendota has recently become known to many in our nation for its chronic high unemployment rate, at times hovering near 45%. Most residents of Mendota are hard working migrant farmworkers and earn, on average, one-third of what other Californians earn. Culturally, chess is not a game played in the homes of many Mendota families, who are busy simply trying to make ends meet.

Yet, despite these tremendous odds, the students from Mendota High School returned home as state champions, winning first place in the Premier Division and earning eight team and individual medals and trophies.

Mr. Speaker, I ask my colleagues to join me in recognizing the hard work, dedication and spirit of strategic competitiveness that runs through each and every one of these impressive students. I congratulate students Julian Estrada, Chrispen Reyes, Luis Castillo, Felipe Beltran, Jessi Mendez, Kevin Romero, Sergio Mayares, Milton Arroyo, and Edwin Brioso and Coach Vaness French on their great victory and ask that you join me in wishing continued success to all those at Mendota High School who worked so tirelessly on this victory.

A TRIBUTE TO LOIS ANN JOHNSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Lois Ann Johnson of Humboldt, Iowa for being the recipient of the Inspiration Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Inspiration Award is presented to an individual with a "can-do" attitude who is involved in all facets of the community both as a leader and team player. Lois was recognized for her extensive volunteer work at her local hospital auxiliary, church, and care centers, just to name a few. Lois was also recognized as a mentor at the elementary school and as president of the advisory group associated with the community's CARE team.

Mr. Speaker, I am honored to represent Lois Ann Johnson in the United States Congress. I know that my colleagues join me in commending her for her sincere dedication to establishing a better community and wish her continued success well into the future.

H.R. 1229 AND H.R. 1231

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mrs. MALONEY. Mr. Speaker, this week, the House majority is taking up legislation that helps the profits of Big Oil but does nothing to curb a future oil disaster or bring down oil and gas prices. H.R. 1229 and H.R. 1231 both greatly expand U.S. offshore drilling while removing crucial environmental safeguards and limiting oversight of the oil and gas industry. It has been a little over a year since the gulf oil spill and these bills ignore the lessons learned from this environmental and public health disaster that resulted from the explosion that took the lives of 11 Americans.

I fully support national energy policies that increase energy independence but these must be done in a way that protects our environment and uses our natural resources responsibly. It is important that any energy policies we put in place provide greater efficiency and accountability to the management and regulation of our energy resources.

That is not what the legislation before us will do. I urge my colleagues to vote "no."

TRIBUTE TO REVEREND JOSEPH D. MATHIS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a South Carolinian who distinguished himself on the athletic field and as an educator, coach, minister and community activist. The late Reverend Joseph D. Mathis is being inducted into the South Carolina Athletic Hall of Fame on May 23, 2011, and will be honored for his lifetime of accomplishments by the Rainbow Push Coalition on May 14th. I add my voice to those honoring Reverend Mathis, who made tremendous contributions to the State of South Carolina.

Joseph Mathis was born August 28, 1922, in Cordele, Georgia, to Elnora Huggins and A.C. Mathis. He was reared in the home of his maternal grandparents, Lula Taylor Huggins and the Reverend Harrison Huggins, Sr. During the Great Depression, Reverend Mathis moved to Greenville, South Carolina with his family, where he graduated from Sterling High School. Despite the financial obstacles, help from others enabled Reverend Mathis to attend Benedict College and Allen University, where he earned a degree in History. He was a standout player and captain of the football team at Allen University, which went undefeated during the regular season of his final year.

Mathis returned to Greenville following his graduation, and took a job at his alma mater. From 1946 to 1970, Reverend Mathis taught health, physical education and social studies at Sterling High. As their coach he led the Sterling Tigers football team to regional fame and three state championships between 1946 and 1961. Reverend Mathis also served as athletic director and coached baseball, girls and boys track and basketball at Sterling High. Coach Mathis always emphasized athletic fundamentals, conditioning, and academic excellence. In 1992, he was inducted into the Piedmont Athletic Hall of Fame and was first nominated to the South Carolina Athletic Hall of Fame.

During the tumultuous years of desegregation, Reverend Mathis took on the responsibility of serving as the Assistant Principal of Greenville High School in 1970. He held that position until 1974. He later taught Social Studies at League Middle School and worked as a placement coordinator at Donaldson and Enoree Vocational Schools before retiring in 1977.

In addition to his commitment to education, Reverend Mathis was equally committed to his faith. He served as a Trustee and Sunday School Superintendent for many years at Israel CME Church in Greenville, and in 1961, he gave up full-time coaching in order to accept the call into the ministry. Reverend Mathis was ordained a Christian Methodist Episcopal minister under the pastorate of Reverend R.O. Langford at his home church. He pastored Young Laymen in the Nicholtown community for 31 years, and Mount Olive CME Church for ten years. In 1993, Reverend Mathis retired from the ministry after thirty-one years of service.

Another of Reverend Mathis' passions was civic involvement. When he earned his master's degree from Atlanta University, his master's thesis was entitled "Race Relations in Greenville, South Carolina, from 1865 through 1900, as Seen in a Critical Analysis of Greenville City Council Proceedings." His studies compelled him to organize African American voters in Greenville in the 1960s and 70s. He also served with distinction on the Greenville City Council from 1979 to 1983, where he worked to improve public transportation, to include minority contractors in public work, to bring Municipal Stadium and the Braves to Greenville, to improve police pay and to annex Verdae Place to the City of Greenville.

Reverend Mathis and Kittle Mae Avery were married in 1948, and they shared a strong union until her death in 1991. The couple had two daughters, Janice (Thaddeus) Allen and Davida (Harry) Johnson, and three grandchildren. Reverend Mathis passed away in 2002 at the age of 80, but his legacy lives on through his family and in the countless people he touched through his service over his lifetime.

Mr. Speaker, I ask you and my colleagues to join me in recognizing the remarkable life of Reverend Joseph D. Mathis. He remains a tremendous example of an unsung hero. Reverend Mathis dedicated himself without reservation to his faith, his community and his profession. He excelled in all these arenas and is a remarkable role model for future generations to follow. It is my honor to provide this posthumous recognition of his many accomplishments.

TRIBUTE TO DR. HAROLD BLACKMAN, DIRECTOR OF THE CENTER FOR ADVANCED ENERGY STUDIES

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. SIMPSON. Mr. Speaker, I rise today to pay tribute to Harold Blackman, an Idahoan who has made a difference. When the Battelle Energy Alliance was selected by the Department of Energy to manage the Idaho National Laboratory, the contract called for the development of a research institution to link the Lab to the three Idaho state universities—the University of Idaho, Idaho State University and Boise State University. Ultimately, Dr. Harold Blackman was chosen to serve as Director of the Center for Advanced Energy Studies and a landmark institution in Idaho began to come together.

The Center for Advanced Energy Studies, or CAES as it is known in Idaho, brings INL researchers, university faculty and students, and industry together to partner in research and development activities. At the outset, Harold faced the challenge of getting the three Idaho universities to view the Lab as a partner and, perhaps the even more difficult challenge to get the three schools to work together. Previous efforts to bring our national labs and universities together in lasting partnerships have not always been successful and were it not for Harold Blackman's patient manner and his willingness to listen, learn and implement, CAES would have been another failed attempt. Instead, CAES is a smashing success and much of the credit goes to Harold Blackman.

CAES has developed into a state of the art research facility with world class equipment that gives its researchers a competitive advantage pursuing research proposals. Also, the partnership is helping fill the pipeline for the next generation of energy professionals. At a time when Idaho, like every other state in the Union, is facing severe budgetary pressure, Governor C.L. "Butch" Otter and the Idaho Legislature have continued to provide funding to support university faculty participation in CAES. Through CAES, Idaho universities have increased the role they play supporting nuclear energy research in the US, and undergraduate and graduate student enrollment in nuclear engineering classes has soared. As a result of the expertise and credentials of the staff Harold Blackman has assembled, CAES now administers the Department of Energy's Nuclear Energy University Program which funds R&D, fellowships, scholarships, and infrastructure investments across the country. In addition to fostering a new collaborative climate between the Idaho universities, Harold Blackman and CAES were instrumental in establishing a high-speed network researchers could tap into across the state.

The Center for Advanced Energy Studies is a model for national laboratory, university and industry collaboration and Harold Blackman deserves a large amount of credit for making this institution a success. Harold will now be tackling new challenges at INL, and I am sure he will bring his exceptional professionalism, listening skills and commitment to success to these new tasks.

Thank you, Harold.

HONORING FRED DAVIS JACKSON

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today and invite my colleagues to join me in honoring Mr. Fred Davis Jackson of Richmond, California, for his lifetime commitment to serving his community.

Fred Jackson has lived and worked in my congressional district since 1950, a veteran, having moved to Richmond from his home in Mississippi. He was born on February 6, 1938 as the eldest son of devoted and hard working parents, the late Leo Marvis Jackson, who was a seasonal construction and shipyard worker, and the late Idella Villon Jackson. Mrs. Jackson would eventually become single and took on domestic jobs to care for Fred and his three sisters and five brothers. Fred Jackson is a peacemaker, an educator, a song writer and a true community-builder, and each and every day since arriving in the Bay Area, Fred has made a decided difference in the lives of our residents.

Early on in his life, Fred Jackson recognized and celebrated the personal dignity in each individual. His work crossed all race and ethnic lines, all faiths and all ages. As a peace and social justice activist, Fred sat in at lunch counters in the South during the 1960's Civil Rights Movement and worked for peace even as he served our country in combat duty during the Vietnam War.

Fred Jackson is known throughout Contra Costa County as a dedicated advocate for our

families and children. He participated in the walk from San Pablo to Sacramento with the March4Education and then fasted for 19 days with Fast4Education for more equitable school funding. Fred has been a constant anti-death penalty advocate and his work in the community on violence prevention resulted in being awarded the 2000 Peacemaker Award in Contra Costa County. Fred has also taken an active and very personal role in bettering the lives of our senior citizens. He formed critical partnerships in the community, and personally donated the land that allowed the City of Richmond to build the Trinity Plaza Housing complex for low income senior citizens.

Fred Jackson's passion for writing and poetry has led him to express his personal philosophy through the arts. As a writer, he wrote, directed and produced the play Brother Dap at the Richmond auditorium in 1994, wrote a novel An Evolution in Black and White, wrote his soon to be published reflections, Thoughts Set Free on the Wings of Expression, and has written and performed numerous songs, including ''One Step at a Time,'' ''Too Early Too Young,'' and ''When the Ozone is Gone.''

As an educator, Fred Jackson has worked for many years at Neighborhood House of North Richmond on lead abatement, HIV education, the (Healthy Eating Active Living HEAL) collaborative. Fred volunteered as a trainer of the Peace Empowerment Process for the World Wall for Peace at Helms Middle School, Crescent Park Multicultural Center, and Chris Adams Center and this year introduced a Health Covenant uniting the community and church in a fight against diabetes.

Therefore, it was without hesitation that because of Fred Jackson's commitment to social justice, I selected him to cast the December 2008 electoral vote for the 7th Congressional District certifying the election of Barack Obama as president. He was also nominated for the Sergeant Shriver Achievement Award in 2010 for his work on behalf of low income residents in North Richmond.

Fred Davis Jackson has spent his life making life better for others and he has called on us all to do the same. I invite my colleagues to stand with me and salute the work of a quiet man working tirelessly for justice and thank him for the change he has brought to our community.

A TRIBUTE TO THE GENEALOGY ASSOCIATION

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the Genealogy Association of Humboldt for being the recipient of the Cooperation Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Cooperation Award is presented to an organization or entity which led an effort or event that benefited and filled a need in the community through volunteerism.

Mr. Speaker, I am honored to represent the members of the Humboldt Genealogy Association in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

TRIBUTE TO THE PARTICIPANTS OF THE VIRGINIA BEACH SPECIAL OLYMPICS

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. RIGELL. Mr. Speaker, I rise today to pay tribute to the participants of Virginia's Area 2 Special Olympics competition in Virginia Beach on Saturday, May 14, 2011.

These talented and hardworking individuals deserve our honor and our congratulations as they compete and use the skills they have worked hard to develop and finesse. My wife and I consider it a high honor to attend Saturday's event, and today, I want to acknowledge each competitor.

2011 VIRGINIA BEACH SPECIAL OLYMPICS—ATHLETES

Daniel Alexander, Douglas Allred, Lara Amerson, Angela Anglen, Tyler Baird, Patrick Baker, Robert ''Drew'' Barnum, Tony Barrett, Kelly Bateman, Wanda Beasley, Scott Bedzik, Patrick Beil, Maggie Bell, Maggie Bellamy, Robert Bentley, Eddie Beslanovits, Katie Blind, Michael Borza, Brian Boyd, Scott Boyd, Catlin Boylan, Meghan Boylan, Jessica Boyle, Malcolm Boykins, Amy Bozeman, Kelly Bradshaw, Ronnie Bray, Charles Bryant, Ashley Buffington, Jason Buky, Barry Bunch—Emeritus, Matthew Burk, Jason Burnett, Daniel Boyter, Stephen Bradby, Lucius Brown, Tim Brown, Phillip Cabral, Richard Cameron, Anne Carey, Joe Carleaf.

Dianna Cashman, Randy Christie, Catherine Clayton, Mark Clowes, Dianna Cobb, Jay Coffield, Sharon Coffield, Chad Conner, Chris Cook, Samuel Corprew, Stephen Cox, Brian Cullipher, Collin Cunningham, Michael Daniel, Norman Derreberry, Michael Dickins, Claud ''CR'' Divers, Chandler Doebler, Kristen Dowdy, Neal Doyle, Kunta Drake, Nicholas Driscoll, Rachel Drake, Steven Durica, David Englin, Matthew Earnest, Sherie Elling, Edward Engelman, Samantha Errico, Richard Evans, Max Everton, Christian Felder, Lori Felts, Jackie Ferebee, Donte Fleming, Lynne Foster, Lisa Garrison, David Gaynor, Ross Goldman, Adam Golt, Brandon Gonzales.

Phillip Gonzales, Jada Goodson, Donna Gregory, Luke Grossman, Michael Hackforth, Eric Hardin, Vanessa Harmon, Christopher Harper, Alvin Harrell, Thomas Harrell, Jeremy Harwood, Wendi Harwood, Sherri Haunton, Daniel Haynie, Brian Heald, Patrick Hennessy, Rachel Higgins, Savannah Hinegardner, Marie Hock, Troy Hoeg, Timmy Howard, Jeffrey Hutton, Gavin Ingham, Elizabeth Jackson, Haley James, Elaine Jeffers, Kelly Jones, Kenneth Johnson, Kelli Johnson, Michael Johnson, Ronald Johnson, Hartley Jordon, Maya Jubilee, Christopher Kemp, Robert Klausmeyer, Sonia Knight, Heather Knapton, Ryan Knapp, Anna Kopf, Robert Lang, Tamara Langill.

Paul Lapke, Al Lassiter, Darlene Laurent, Joey Layton, Michelle Levine, Kathleen Lewis, Anna Llewellyn, Michael Loeb, Peter Lorts, Peter Luke, Jamie Lynch, Jose Maisonave, Dominic Marinello, Damon Martone, Mark Masiko, Jonathan Maurici, Benjamin Meade, Reginald Mercer, Sarah Mielke, Charlton Miles, Amy Miller, Joe Milligan, Korben Mishoe, Eldric Mitchell, Meredith Monahan, Stacy Monroe, Melissa Moore, Nathaniel Morell, James Morter, Jean Marie Murphy, Darrin Moaton, Nicholas Morton, Joel Myers.

Darryl McCain, Ian McCullough, Scot MacEachen, Jillian MacGregor, Michael McKay, Kathryn McLaughlin, Blair McLaren, Kate McLig, Thomas McMahan, Kelly Nolan, Melanie Norris, Eric Nunn, Douglas Oatley, John Orr, Darwin Peele, Hannah Peelen, Celeste Perry, Monica Perry, Patricia Phillips, Patty Piggott, John Polfus, Michele Pollard, (Helen) Page Powell, Grant Prakalapakorn, Sudan Ra II, John Ramsey, Rufina Ann Rector, Jeff Regan.

Amber Richard, Alexander Ripley, Tyler Robertson, Antonio Rodriguez, Cathia Romero, Cindy Romero, Jessica Rosengrant, Melissa Rowe, Errick Ruffin, John Russell, Brian Ryland, Theresa Salvato, Jennifer Savell, Katherine Schmidt, Michael Shank, Megan Shephard, Michael Shepherd, Timothy Sherman, David Simpkins, Kandie Skinner, Thomas Skinner, Andre Smith, Earl Smith, Jr., Ian Smith, Joshua Smith, Lamar Smith, Phillip Smith, Steven Smith, Hannah Spruill, Andrew Statz, John Steele, Colleen Stefonowich, Gretchen Stott.

Brooke Stowell, James Strickland, Charles Silfies, David Sutton, Brian Taylor, Donald Taylor, Raymond Taylor, James Thacker, Joshua Thacker, Travis Thereault, James Thomas, Michael Thornton, Stephen Todd, Julie Touhey, Raeleen Toupin, Harold Vanwart, William Velazguez, Timothy Voigtsberger, Alexander Ward, Stefanie Ward, Robert Webb, Todd Weeks, Melissa Weisbrodt, John Wells, Bryan Welker, Bruce Wielenbeck, Lynda Whedbee, Randolph Whitehurst.

Stephanie Whitlow, Jerri Williams, Dyshawn Williams, Jonathan Winfree, Savoyie Winstead, Vincent Woodhouse, Dylan Woodruff, Troy Green, Warren H. Lombard III, William Mason, Stephen Bradley, Reginald Turnage, Shekida Williams.

HONORING INDUSTRIES FOR THE BLIND ON THEIR 75TH ANNIVERSARY

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor Industries for the Blind as it celebrates 75 years of providing employment, services, and training to individuals who are blind or visually impaired.

Industries for the Blind was founded in 1933. Since then, the organization has grown to be the largest advocacy agency for the visually impaired in the country, creating skilled job opportunities for one of America's greatest underused labor resources. Industries for the

Blind gives people the confidence and independence to contribute to society and fulfill personal dreams of having a job. In so doing, they transform lives.

In my Congressional District in Western North Carolina, Industries for the Blind of Asheville has served as an important resource for 20 years. They provide much needed assistance and services such as mobile low-vision eye exams, innovative outreach programs for children and families, and optical services to our veterans. I would especially like to congratulate Industries for the Blind of Asheville on its eighth consecutive win of a Sky High Growth Award from the Asheville Area Chamber of Commerce for outstanding growth in sales and employment. The Asheville facility has increased its work force ten-fold since 1991, growing from just 9 employees to 100.

Mr. Speaker, I ask my colleagues to rise today to recognize the 75 years of civic leadership that Industries for the Blind has provided the visually impaired in Asheville, North Carolina and throughout the country. Their commitment to helping others live meaningful lives is courageous and uplifting. I am honored to celebrate Industries for the Blind's inspirational role in our community.

A TRIBUTE TO DOTTIE AND DARRELL RUSHER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Dottie and Darrell Rusher for being the recipients of the Family Tradition Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Family Tradition Award is presented to a family who demonstrates support and devotion to the community through volunteerism. Dottie and Darrell have truly exhibited both support and commitment to Humboldt County for many years.

Mr. Speaker, I am honored to represent Dottie and Darrell in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and I wish them continued success well into the future.

PERSONAL EXPLANATION

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, on Wednesday, May 11, 2011, I was unexpectedly detained for one vote.

Had I been present I would have voted: on rollcall No. 302—"no"—Hanabusa of Hawaii amendment No. 4, an amendment to H.R. 1229, Putting the Gulf of Mexico Back to Work Act.

CELEBRATING THE THIRD ANNIVERSARY OF THE INAUGURATION OF TAIWANESE PRESIDENT MA YING-JEOU

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. RANGEL. Mr. Speaker, May 20, 2011 marks the third anniversary of the Inauguration of Taiwanese President Ma Ying-jeou.

Much has transpired in those three years. Wars continue to plague our society. However, in the Taiwan Strait, tensions have abated and much of the credit must be given to President Ma for the courageous efforts he has made to lessen the tensions between China and the Republic of China (Taiwan).

While protecting the interests of the people of Taiwan, President Ma has made marked progress in the dialogue between the People's Republic of China (mainland China) and the Republic of China (Taiwan), thereby advancing peace in the Pacific.

For this he is to be congratulated and commended and we wish him much continued success.

A TRIBUTE TO LEROY AND JAN JORGENSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Leroy and Jan Jorgensen for being the recipients of the Neighborhood Beautification Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Neighborhood Beautification Award is presented to recognize an individual or group who has set an example by improving, beautifying and restoring Humboldt neighborhoods. Mr. and Mrs. Jorgensen were nominated this year because of the enjoyment the residents of Humboldt receive from their gardens. They are often kind enough to host programs on gardening to assist others beautifying their homes and neighborhoods.

Mr. Speaker, I am honored to represent Leroy and Jan in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

HONORING U.S. ARMY STAFF SERGEANT MATTHEW HERMANSON'S SERVICE IN AFGHANISTAN

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. RIBBLE. Mr. Speaker, I rise today to remember and honor the life and sacrifice of Staff Sergeant Matthew D. Hermanson of Appleton, Wisconsin, who died on April 28, 2011, in Wardak Province, Afghanistan, in support of Operation Enduring Freedom. Staff Sgt. Hermanson was assigned to A Company, 2nd Battalion, 4th Infantry Regiment, 10th Mountain Division, Fort Polk, Louisiana.

Mr. Speaker, Staff Sgt. Hermanson embodied the best qualities of a true American soldier. His service has made Northeast Wisconsin and his country proud. He was selfless, dedicated and brave. During his service, Matthew earned the respect of his peers and numerous medals and honors for valor including the Bronze Star and Purple Heart. He is remembered by his family and friends as a man of strong character, a dedicated husband and son who believed in family and community.

It is my honor to commemorate him and I urge my colleagues to join me today in honoring the life of Staff Sergeant Matthew D. Hermanson for the sacrifice he has made for the United States.

A TRIBUTE TO SALLY GORDON

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in honor of Ms. Sally Gordon. At the age of 102, Sally concluded 37 years of dedicated service to the Legislature of State of Nebraska when she retired as its assistant sergeant-at-arms on April 26, 2011.

Known for colorful hats and scarves, her signature flair, Sally has a long history in Lincoln, Nebraska. She watched the Nebraska Capitol being built from 1922 to 1932 and served as secretary to three governors. But in 1984, she became an institution in the Nebraska Legislature. Sally became the state's first female sergeant-at-arms, a role she relished. She helped maintain order and deliver messages from constituents to state senators on the floor.

Sally's quick wit and sunny disposition was admired by all who met her, including myself. It was my honor to work with Sally when I served as a Nebraska State Senator because she was always friendly, helpful, and inspiring. Sally's character is best reflected when she said, "I've been working for 84 years and I've had many interesting jobs. I've met movie stars and presidents, but the people of Nebraska are the ones I love."

In 2010, Sally was named "America's Outstanding Oldest Worker" by Experience Works, and for good reason. Often called the "Energizer Bunny," Sally is a Nebraska treasure who models a productive life no matter your age.

I ask my colleagues to join me today in commending the career of Ms. Sally Gordon as she begins her well-deserved retirement.

HONORING LT. MICHAEL P. MURPHY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. KING of New York. Mr. Speaker, today I rise to honor the life of Lt. Michael P. Murphy. Lt. Murphy grew up in the Long Island town of Patchogue and fulfilled his dream of becoming a (U.S.) Navy SEAL in 2002. He served honorably in Jordan, Qatar, Djibouti, and made the ultimate sacrifice during his deployment to Afghanistan. Lt. Murphy and three of his fellow SEALs were killed during their mission to find a key Taliban commander. Lt. Murphy posthumously received the Medal of Honor for his ''undaunted courage, intrepid fighting spirit, and inspirational devotion to his men in the face of certain death.''

I am proud to stand with the Navy which decided to name its newest warship in honor of Lt. Murphy on what would have been his 35th birthday. The USS *Michael Murphy* DDG–112, a guided-missile destroyer, will be able to carry on the legacy of its namesake by performing a multitude of tasks including crisis management, sea control, and power projection. It will also be able to conduct air, surface, and below surface operations in support of maritime warfare.

It was fitting that the christening ceremony of the USS *Michael Murphy* occurred just one week after the successful operation to hunt down and kill Osama bin Laden. We owe a great deal of thanks to people like Lt. Murphy, the Navy SEALs, and all the men and women of our military. These brave individuals put their lives at risk everyday to keep us safe. May God Bless America and all the brave men and women who protect us at home and overseas.

A TRIBUTE TO DR. HARMON AND DR. ILLG

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Dr. Dean Harmon and Dr. James Illg for being the recipients of the Friends of Animals Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Friends of Animals Award is presented to those whose acts of compassion ensure the health and well-being of our animal friends for conservation practices and efforts in the interest of preserving our wildlife. Doctors Harmon and Illg have consistently used their talents to support 4–H and ensure the safe purchase of auction animals in Humboldt County.

Mr. Speaker, I am honored to represent Dr. Harmon and Dr. Illg in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

PRESIDENT MA YING-JEOU'S THIRD ANNIVERSARY IN OFFICE

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. FALEOMAVAEGA. Mr. Speaker, on the occasion of President Ma Ying-jeou's third anniversary in office this May 20, I wish to express my congratulations to the leaders and the people of the Republic of China.

Mr. Ma Ying-jeou was inaugurated as President of the Republic of China on May 20, 2008. During the last three years, Taiwan President Ma Ying-jeou has steadily and dramatically improved Taiwan's relations with the Chinese mainland. There are now 370 direct flights from cities in Taiwan to cities in China every week, relaxation of China-bound investments, more visas for mainland tourists and more exchange in many areas.

Committed to pursue reconciliation with the People's Republic, President Ma believes in a systematized dialogue between the two sides, the development of healthy cross-strait relations and the advancement of regional peace and stability. He argues that Taiwan and the PRC can co-exist while maintaining their differences. A win-win situation, President Ma opines, is in the best interest of all Chinese people and the world. As a result of his vision, peace is prevailing in the Taiwan Strait today.

Business is also good for both the Taiwanese and Chinese people. Taiwan and China inked the Economic Cooperation Framework Agreement (ECFA) last summer and President Ma has restarted the institutionalized cross-strait talks. As Members of this body, we thank President Ma for his courage and wisdom in initiating and continuing a pragmatic and yet flexible approach in handling cross-strait relations.

While cultivating a peaceful development across the Taiwan Strait, President Ma has also been working closely with the U.S. government. Our mutual relationship is strong and we applaud Taiwan's cooperation with us, especially in the war against global terrorism.

We are confident that relations with Taiwan will grow even stronger in all areas, including trade, science and technology, educational exchange, military sales and Taiwan's participation in international agencies. For the last three years, U.S.-Taiwan relations have been excellent, far superior to any period in recent memory.

I am pleased that Taiwan was once again invited to attend this year's World Health Assembly (WHA) in Geneva, Switzerland as an observer and I am hopeful that Taiwan's continued participation in the WHA will lead to Taiwan's participation in the activities of other international organizations such as the International Civil Aviation Organization (ICAO) and the United Nations Framework Convention on Climate Change (UNFCCC).

In celebrating President Ma's third anniversary in office, I credit him for these successes and join with my colleagues in extending our best wishes to him for his continued success.

RECOGNIZING ROD DOLE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today with my colleague, Representative MIKE THOMPSON, to honor Rod Dole of Sonoma County, California, who is retiring May 31, 2011, after 25 years as the County's Auditor-Controller. During his long tenure, Mr. Dole was responsible for overseeing a wide variety of County financial operations, including serving as Treasurer-Tax Collector when those positions were consolidated with his office 5 years ago.

With a Bachelor of Science Degree in Business Administration and certification as both an Internal Auditor and a Government Financial Manager, Rod Dole was hired as an auditor in 1976. He was appointed to the Auditor-Controller post in 1985 and subsequently elected. He continued to be re-elected by residents who appreciated his confident and sure hand in this key position. He has served in a number of related organizations including Chair of various committees in the State Auditor-Controllers and Treasurer-Tax Collector Associations, the State Controller, and the State Treasurer as well as President of the State Auditor-Controllers Association.

Locally, Mr. Dole has worked with a variety of service clubs and non-profit organizations, on the board of Redwood Credit Union, and on the boards of both the Sonoma State University School of Business and Economics and the President's Advisory Committee.

A man of many accomplishments in his field, he is particularly known for authoring State legislation for the ''Teeter Credit'' regarding property tax payments to local agencies; chairing State committees on property tax guidelines and spending limits; and most recently for administering the Sonoma County Energy Independence Program (SCEIP), a national model for a mechanism permitting loans for energy efficiency upgrades through property taxes. He advocated strongly for the program in the face of Federal restrictions on such loans, and SCEIP has won numerous awards as well as a $3 million grant from the California Energy Commission.

It is a key component of Sonoma County's leadership in reducing greenhouse gas emissions and saving energy and has provided hundreds of local construction jobs.

Rod Dole looks forward to his retirement with Kathie, his wife of 35 years, and will have time to appreciate his cabin at Lake Almanor and his hobbies of golf, fishing, boating, tennis, and woodworking. He also has two children, Laura and Michael.

Mr. Speaker, we ask you to join us in commending Rod Dole's 35 years of service to the people of Sonoma County. We wish him an enjoyable retirement with his family.

PERSONAL EXPLANATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. FORTENBERRY. Mr. Speaker, on Wednesday, May 11, 2011, I was inadvertently detained and thus I missed rollcall vote

No. 309. Had I been present, I would have voted "aye."

A TRIBUTE TO DALLAS CLARK

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize NFL tight-end Dallas Clark for being the recipient of the Youth Champion Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Youth Champion Award is presented to an adult individual who has generously given time, talent and energy to promote and further activities for youth in the community. Dallas has not only taken the time to share his talents with the youth of Humboldt County, but as also served as an exemplary role model for the young people that he continues to inspire.

Mr. Speaker, I am honored to represent Dallas Clark and his family in the United States Congress. I know that my colleagues join me in commending Dallas for his sincere dedication to establishing a better community and wish them continued success well into the future.

HONORING THE PUERTO RICAN PHOTOGRAPHERS OF NEW YORK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. RANGEL. Mr. Speaker, I rise today, to recognize the lasting impact of the photo-journalists of the New York City Puerto Rican Community, as recently displayed at the 2011 New York Photo Festival.

The renowned exhibition features eight photographers, who during the 1970's and 80's catalogued the daily lives and growth of their community. Frank Espada, Joe Conzo, Pablo Delano, Perla de Leon, Ricky Flores, David Gonzalez, Maximo Colon and Francisco Reyes II all became voices of the community through their art. They captured on film the diaspora that makes New York City truly special as well as the everyday pioneers whose struggles inch our nation closer to our founding ideals.

During the decades that span these photos, the Puerto Rican community in New York rose up against prejudices that prevented them from enjoying their equal rights and established a more inclusive pride in their cultural heritage. Amidst the upheaval and hardships, these photographers captured the beauty in their surroundings. Today their work reveals a unique perspective into the rise of the New York's Hispanic Community.

I have attached for the record a recent Daily News article, written by Carolina Gonzalez previewing the exhibition.

Mr. Speaker, these photographers and their work must not be forgotten. Thanks to the efforts of Adriana Teresa Letorney, people from all over the district, the city, the country can discover the visual evidence of the Puerto Rican community in transition, from outcasts to vibrant, integral parts of our great nation.

[From the New York Daily News, May 11, 2011]

EXHIBIT SSHOWCASES WORK OF 8 PHOTOGRAPHERS WHO DOCUMENTED PUERTO RICAN COMMUNITY IN '70S AND '80S

(By Carolina Gonzalez)

Several people carry oversize papier-mâché puppets representing the Three Wise Men while others, dressed as shepherds, herd actual sheep. They walk into one of the arched passageways along upper Park Ave., making tracks in a dusting of snow.

This scene from Día de Reyes is instantly recognizable to longtime New Yorkers familiar with El Barrio folkways. The image, taken in 1978 by Frank Espada, is representative of several dozen on display at a new exhibit dedicated to eight Puerto Rican photographers documenting their community.

Titled "Dia"—not after the Spanish word for "day," but after the Greek word for "across"—the show is presented at the FotoVisura Pavilion as part of the annual New York Photo Festival, which opens today at DUMBO Arts Center, 111 Front St., Brooklyn, and runs through Sunday.

The images are primarily from the 1970s and 1980s, set in the South Bronx, East Harlem and the lower East Side. Many were taken when the photographers were in their 20s.

"What I was looking for was a moment in time that the Puerto Rican community took a stand in who they were and started to develop its own voice," said curator Adriana Teresa Letorney.

"It's important for my generation to see that, how this group became a voice of a community."

Letorney, who arrived from San Juan eight years ago to study art, created FotoVisura, the organization sponsoring the show, as a service for new and veteran photographers, offering online space to show and share photographs.

"Dia" is her first show dedicated entirely to U.S.-based Puerto Rican photographers.

Some of Joe Conzo's shots document protests against the 1981 film "Fort Apache, the Bronx," which many community members saw as exploiting stereotypes of Bronx Puerto Ricans as savage criminals.

An image by Espada of young dancers from Ballet Hispanico, arms in the air and heads back, is as tender as any by Degas.

Some shots have elements burned into the popular imagination as representative of Puerto Rican communities: burned-out buildings, run-down businesses, dirty streets.

But as in several images by Pablo Delano, Perla de León, Ricky Flores and David González of happy children at play in these settings, it is clear that where others saw ruins, these shooters saw life.

For all the photographers, the work comes from a period when they began to see themselves as serious shooters with a responsibility to document their communities. But not all ended up as fine-arts photographers.

Flores continues to work in journalism. González is better known for his journalistic writing, primarily at the New York Times. De León is known as a filmmaker. Conzo's day job is as an emergency medical technician, although he continues to document hip-hop and salsa culture as a hobby.

Delano continues to work as a documentary photographer and as a professor at Trinity College in Hartford, Conn. And Espada, at 80 the oldest in the group, considers himself "half-retired."

The show is presented as a projected slide show, not a traditional exhibit of printed photos. "Having it be a slide show in a way represents how this was a transient stage in our lives, the impermanence of things," Flores said.

"Why aren't more people outside of our community aware of what happened? How did our history get swept away?"

TRIBUTE TO CHIEF WILLIE L. SMITH

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a great public servant who has dedicated his entire career to protecting the public. Over the last 40 years, Chief Willie L. Smith served in the military and as a law enforcement official. His commitment to serving the public has never waned. Chief Smith is being honored for his years of service on June 18, 2011, and I am pleased to add my voice to the many who are thanking him for his lifetime of accomplishments.

Willie L. Smith was born on August 12, 1949 in Marion, South Carolina to H.B. and Ruth McCummings Smith. He was educated in the public schools of Marion County and graduated from Johnakin High School in 1967. In May 1969, he was drafted into the United States Army and reported to Fort Jackson for his advanced infantry training. After graduation, he was sent to Fort Bragg and joined the 18th Airborne Corps with B Battery, 4th Battalion, and the 73rd Field Artillery.

Chief Smith served a tour in Vietnam where he was assigned to the 1st Cavalry 2nd Brigade Aviation Platoon, the helicopter unit that flew convoy escorts and sniffer missions. He spent a year in Vietnam, and returned to his hometown in 1971. That year, he was hired at the Marion Police Department, where he worked his way up through the ranks to Lieutenant.

Smith's career then took him to the Alcohol Beverage Control Commission where he served as an ABC agent for five years. His service there earned him many honors. One of his highest commendations came for outstanding service to the South Carolina Alcoholic Beverage Control Commission for his participation in the investigation of the George Wells Gambling Organization in Berkeley County.

Mr. Smith returned home, where he was hired as Marion's Chief of Police, a position which he held for 34 years. Chief Smith earned numerous commendations, awards, and certificates. Twice he earned the Best of Marion, and was given the U.S. Marshal's Service Award, the Palmetto State Law Enforcement Award, the Marion Chamber of Commerce Award, the District 6 Service Award, and the Woodman of the World Community Service Award. He was also voted the most professional law enforcement officer in Marion in 2007, and received the City of Marion Outstanding Public Service Award given by Mayor Bobby Gerald and the City Council.

Chief Smith is married to Elista H. Smith and they have two children, Craig L. Smith

and Tara Nicole Smith-Hughes. They are also blessed with five grandchildren and one great-grandchild.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Chief Smith for his 40 years of service. He has served with dignity and a great sense of duty. He regularly put his life on the line to protect others and ensure his country, his state, and his community were safe and secure. On behalf of a grateful Nation, I offer a sincere and humble thank you for his lifetime of tremendous service.

HONORING OLDER AMERICANS OF THE FIFTH CONGRESSIONAL DISTRICT OF FLORIDA

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. NUGENT. Mr. Speaker:

Whereas, May is National Elder American Month; and

Whereas, the longer, healthier lives older Americans are living have allowed them to be more engaged in our society and contribute even further to the country for which they have already given so much; and

Whereas, older Americans continue to play a significant role in supporting and enriching our communities; and

Whereas, an appreciation for seniors and the sacrifices they have made for our Nation must be reflected through our efforts to meet their needs and goals; and

Whereas, this month citizens and leaders gather to acknowledge the many ways seniors have improved the lives of Americans; and

Whereas, the Partners Club at Oak Hill Hospital is holding a special event to recognize the occasion;

Therefore, I, RICHARD B. NUGENT, Member of Congress representing the Fifth Congressional District of Florida, do hereby express my support for efforts to recognize elder Americans in Florida and across this Nation.

Daily Digest

HIGHLIGHTS

The House agreed to H. Con. Res. 50, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S2895–S2973

Measures Introduced: Forty-one bills and five resolutions were introduced, as follows: S. 958–998, S.J. Res. 12, S. Res. 181–183, and S. Con. Res. 17. **Pages S2928–29**

Measures Reported:

H.R. 793, to designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the "Specialist Jake Robert Velloza Post Office".

S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent.

S. Res. 174, expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union.

S. 349, to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office".

S. 655, to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

S. 739, to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government. **Page S2927**

Measures Passed:

Independent Task and Delivery Order Review Extension Act: Senate passed S. 498, to ensure objective, independent review of task and delivery orders, after agreeing to the committee amendment. **Page S2969**

50th Anniversary of the Defense Intelligence Agency: Select Committee on Intelligence was discharged from further consideration of S. Res. 86, recognizing the Defense Intelligence Agency on its 50th Anniversary, and the resolution was then agreed to. **Pages S2969–70**

National MPS Awareness Day: Senate agreed to S. Res. 181, designating May 15, 2011, as "National MPS Awareness Day". **Page S2970**

Devastating Tornadoes in April 2011: Senate agreed to S. Res. 182, expressing the condolences of the United States to the victims of the devastating tornadoes that touched down in the South in April 2011, commending the resiliency of the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, and committing to stand by the people affected in the relief and recovery efforts. **Pages S2970–71**

National Police Survivors Day: Senate agreed to S. Res. 183, designating May 14, 2011, as "National Police Survivors Day". **Page S2971**

Authorizing the Use of the Capitol Grounds: Senate agreed to H. Con. Res. 16, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby. **Pages S2971–72**

Authorizing the Use of the Capitol Grounds: Senate agreed to H. Con. Res. 46, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service. **Page S2972**

Adjournment Resolution: Senate agreed to H. Con. Res. 50, providing for a conditional adjournment of the House of Representatives. **Page S2972**

Appointments:

Advisory Committee on the Records of Congress: The Chair announced, on behalf of the Secretary of

the Senate, pursuant to Public Law 101–509, the reappointment of Sheryl B. Vogt, of Georgia, to the Advisory Committee on the Records of Congress.

Page S2972

Carney Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 10 a.m., on Tuesday, May 17, 2011, Senate begin consideration of the nomination of Susan L. Carney, of Connecticut, to be United States Circuit Judge for the Second Circuit; that there be two hours for debate, equally divided in the usual form; that upon the use or yielding back of time, Senate vote without intervening action or debate on confirmation of the nomination; that no further motions be in order to the nomination. **Page S2969**

Nomination Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 94 yeas (Vote No. EX. 70), Michael Francis Urbanski, of Virginia, to be United States District Judge for the Western District of Virginia. **Pages S2909–11, S2973**

Nominations Received: Senate received the following nominations:

Mark D. Acton, of Kentucky, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2016.

Robert G. Taub, of New York, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2016.

Mark P. Wetjen, of Nevada, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring June 19, 2016.

Routine lists in the Foreign Service, and Navy.

Pages S2972–73

Messages from the House: **Page S2926**

Measures Placed on the Calendar: **Pages S2896, S2926**

Measures Read the First Time: **Pages S2926, S2972**

Executive Communications: **Pages S2926–27**

Executive Reports of Committees: **Pages S2927–28**

Additional Cosponsors: **Pages S2929–31**

Statements on Introduced Bills/Resolutions: **Pages S2931–59**

Additional Statements: **Pages S2924–26**

Notices of Hearings/Meetings: **Pages S2959**

Authorities for Committees to Meet: **Pages S2959–60**

Privileges of the Floor: **Page S2960**

Record Votes: One record vote was taken today. (Total—70) **Page S2911**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:56 p.m., until 2 p.m. on Monday, May 16, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2972.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: FEDERAL AVIATION ADMINISTRATION

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Federal Aviation Administration, after receiving testimony from J. Randolph Babbitt, Administrator, Federal Aviation Administration, and Calvin L. Scovel III, Inspector General, both of the Department of Transportation.

APPROPRIATIONS: SECRETARY OF THE SENATE, SERGEANT AT ARMS, AND U.S. CAPITOL POLICE

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Secretary of the Senate, the Senate Sergeant at Arms, and the United States Capitol Police, after receiving testimony from Nancy Erickson, Secretary of the Senate; Terrance W. Gainer, Sergeant at Arms and Doorkeeper of the Senate; and Phillip D. Morse, Sr., Chief of Police, United States Capitol Police.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on SeaPower received a closed briefing on threats faced by our naval forces and the capabilities of our naval forces to respond to those threats in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Vice Admiral David J. Dorsett, USN, Deputy Chief of Naval Operations for Information Dominance, and Director, Naval Intelligence, and Vice Admiral John T. Blake, USN, Deputy Chief of Naval Operations, Integration of Capabilities and Resources.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Peter A. Diamond, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System, David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes,

and Daniel L. Glaser, of the District of Columbia, to be Assistant Secretary for Terrorist Financing, both of the Department of the Treasury, and Wanda Felton, of New York, to be First Vice President, and Sean Robert Mulvaney, of Illinois, to be a Member, both of the Board of Directors of the Export-Import Bank of the United States.

DODD-FRANK IMPLEMENTATION OVERSIGHT

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Dodd-Frank implementation, focusing on monitoring systemic risk and promoting financial stability, after receiving testimony from Neal S. Wolin, Deputy Secretary of the Treasury; Ben S. Bernanke, Chairman, Board of Governors of the Federal Reserve System; Sheila C. Bair, Chairman, Federal Deposit Insurance Corporation; Mary L. Schapiro, Chairman, U.S. Securities and Exchange Commission; Gary Gensler, Chairman, Commodity Futures Trading Commission; and John Walsh, Acting Comptroller of the Currency, Office of the Comptroller of the Currency.

NATIONAL MORTGAGE SERVICING STANDARDS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine the need for national mortgage servicing standards, focusing on if documentation problems reveal need for ongoing regulatory oversight, after receiving testimony from A. Nicole Clowers, Acting Director, Financial Markets and Community Investment, Government Accountability Office; Diane E. Thompson, National Consumer Law Center, Godfrey, Illinois, on behalf of the National Association of Consumer Advocates; Laurie Goodman, Amherst Securities Group, New York, New York; David H. Stevens, Mortgage Bankers Association (MBA), Washington, D.C.; Anthony Sanders, George Mason University Mercatus Center, Fairfax, Virginia; and Richard A. Harpootlian, Columbia, South Carolina.

CARBON CAPTURE AND SEQUESTRATION LEGISLATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine carbon capture and sequestration legislation, including S. 699, to authorize the Secretary of Energy to carry out a program to demonstrate the commercial application of integrated systems for long-term geological storage of carbon dioxide, and S. 757, to provide incentives to encourage the development and implementation of technology to capture carbon dioxide from dilute sources on a significant scale using direct air capture technologies, after receiving testimony from Scott Klara, Deputy Laboratory Director, National Energy Technology Laboratory, Department of Energy; Sallie E. Greenberg, University of Illinois State Geological Survey, Champaign; Matt Watson, Environmental Defense Fund, Washington, D.C.; and Chiara Trabucchi, Industrial Economics Incorporated, Cambridge, Massachusetts.

DIESEL EMISSIONS

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety concluded a hearing to examine Federal efforts to protect public health by reducing diesel emissions, after receiving testimony from Todd T. Parfitt, Wyoming Department of Environmental Quality Deputy Director, Cheyenne; Robert O'Keefe, Health Effects Institute, Boston, Massachusetts; Bob Lanham, Williams Brothers Construction Company, Houston, Texas, on behalf of the Associated General Contractors of America; Allen Schaeffer, Diesel Technology Forum, Frederick, Maryland; Conrad G. Schneider, Clean Air Task Force, Brunswick, Maine.

OIL AND GAS TAX INCENTIVES

Committee on Finance: Committee concluded a hearing to examine oil and gas tax incentives and rising energy prices, after receiving testimony from John S. Watson, Chevron Corporation, San Ramon, California; Marvin E. Odum, Shell Oil Company, Lamar McKay, BP America, and James J. Mulva, ConocoPhillips, all of Houston, Texas; and Rex W. Tillerson, Exxon Mobil Corporation, Irving, Texas.

LIBYA

Committee on Foreign Relations: Committee concluded a hearing to examine the situation in Libya, after receiving testimony from James B. Steinberg, Deputy Secretary of State.

INTELLIGENCE REFORM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine ten years after 9/11, focusing on if intelligence reform is working, after receiving testimony from former Representative Jane Harman; Michael V. Hayden, former Director, Central Intelligence Agency, and former Director, National Security Agency; and John C. Gannon, former Deputy Director for Intelligence, Central Intelligence Agency.

MIDDLE CLASS AND THE AMERICAN DREAM

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the middle class, focusing on if the American dream is slipping out of reach for American families, after receiving testimony from Robert B. Reich, former Secretary of Labor, University of California Berkeley; Heather Boushey, Center for American Progress Action Fund, Washington, D.C.; J. Michael Luttig, Boeing Company, Chicago, Illinois; and Sarah M. Fox, AFL–CIO, Bethesda, Maryland.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Henry F. Floyd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit, Kathleen M. Williams, to be United States District Judge for the Southern District of Florida, Nelva Gonzales Ramos, to be United States District Judge for the Southern District of Texas, Richard Brooke Jackson, to be United States District Judge for the District of Colorado, Sara Lynn Darrow, to be United States District Judge for the Central District of Illinois, and Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States, Department of Justice.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 33 public bills, H.R. 1858–1890; and 3 resolutions, H.J. Res. 62; H. Con. Res. 62; and H. Res. 267 were introduced. **Pages H3277–81**

Additional Cosponsors: **Pages H3281–82**

Report Filed: A report was filed today as follows:

H. Res. 209, directing the Secretary of State to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of State, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya, with amendments (H. Rept. 112–76) and

H. Res. 208, directing the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya, with amendments (H. Rept. 112–77). **Page H3277**

Speaker: Read a letter from the Speaker wherein he appointed Representative Graves (GA) to act as Speaker pro tempore for today. **Page H3223**

Recess: The House recessed at 10:58 a.m. and reconvened at 12 noon. **Page H3230**

Chaplain: The prayer was offered by the guest chaplain, Monsignor Craig Harrison, St. Francis of Assisi Catholic Church, Bakersfield, California. **Page H3230**

Reversing President Obama's Offshore Moratorium Act: The House passed H.R. 1231, to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources and to establish a domestic oil and natural gas production goal, by a recorded vote of 243 ayes to 179 noes, Roll No. 320. Consideration of the measure began yesterday, May 11th. **Pages H3237–42**

Rejected the Holt motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 180 ayes to 243 noes, Roll No. 319. **Pages H3240–42**

Rejected:

Tsongas amendment (No. 5 printed in H. Rept. 112–74) that was debated on May 11th that sought to require that all applicants for a drilling permit under a lease issued under H.R. 1231 would have to submit a worst-case scenario oil spill containment and clean-up plan (by a recorded vote of 195 ayes to 223 noes, Roll No. 315); **Pages H3237–38**

Brown (FL) amendment (No. 6 printed in H. Rept. 112–74) that was debated on May 11th that sought to make permanent the current moratorium on drilling in the eastern gulf of Mexico that expires

in 2022 (by a recorded vote of 134 ayes to 279 noes, Roll No. 316); **Page H3238**

Thompson (CA) amendment (No. 7 printed in H. Rept. 112–74) that was debated on May 11th that sought to clarify that the legislation does not allow for oil and gas drilling on the northern coast of California (by a recorded vote of 156 ayes to 263 noes, Roll No. 317); and **Pages H3238–39**

Inslee amendment (No. 8 printed in H. Rept. 112–74) that was debated on May 11th that sought to require the Washington state Governor and legislature approve any leasing of the Outer Continental Shelf off of Washington state (by a recorded vote of 160 ayes to 256 noes, Roll No. 318). **Pages H3239–40**

H. Res. 257, the rule providing for consideration of the bill, was agreed to yesterday, May 11th.

Adjournment Resolution: The House agreed to H. Con. Res. 50, providing for an adjournment of the House of Representatives, by a yea-and-nay vote of 227 yeas to 158 nays, Roll No. 321.

Pages H3237, H3242–43

Providing for a recess of the House for a joint meeting to receive His Excellency Binyamin Netanyahu, Prime Minister of Israel: Agreed by unanimous consent that it may be in order at any time on Tuesday, May 24, 2011 for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency Binyamin Netanyahu, Prime Minister of Israel.

Page H3244

Intelligence Authorization Act for Fiscal Year 2011: The House began consideration of H.R. 754, to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. Consideration of the measure is expected to resume tomorrow, May 13th. **Pages H3232–37, H3244–57**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule.

Page H3249

Agreed to:

Barrow amendment (No. 2 printed in H. Rept. 112–75) that tasks the Director of National Intelligence with creating a pilot grant program for Historically Black Colleges and Universities to assist in creating and maintaining academic curricula that teach advanced critical foreign languages, and for study abroad programs. Amendment aims to help intelligence community meet strategic, diversity and critical language goals and **Pages H3251–52**

Ruppersberger amendment (No. 6 printed in H. Rept. 112–75) that requires, within 180 days after enactment, the Inspector General of the Intelligence Community to submit to Congress a report on the degree to which racial and ethnic minorities in the United States are employed in professional positions in the intelligence community and barriers to the recruitment and retention of additional racial and ethnic minorities in these positions. **Pages H3253–54**

Withdrawn:

Dent amendment (No. 3 printed in H. Rept. 112–75) that was offered and subsequently withdrawn that would have required the Director of National Intelligence and the Director of the CIA within 90 days of enactment of this Act to submit to the congressional intelligence committees all information possessed by the DNI and the CIA relating to the pursuit and targeting of Anwar al-Awlaki by the Federal Government, as well as an analysis of the legal impediments to pursuing the capture of Anwar al-Awlaki. **Pages H3252–53**

Proceedings Postponed:

Rogers (MI) amendment (No. 1 printed in H. Rept. 112–75) that seeks to clarify that section 411 of the bill, which provides certain authorities for Defense Intelligence Agency Expenditures, applies only to National Intelligence Program funds. Also strikes section 412 of the reported bill, providing for the establishment of certain transfer accounts for intelligence funds; **Page H3251**

Gibson amendment (No. 5 printed in H. Rept. 112–75) that seeks to require the Director of National Intelligence to submit to Congress a report containing recommendations the Director considers appropriate for consolidating the intelligence community; **Page H3253**

Hinchey amendment (No. 7 printed in H. Rept. 112–75) that seeks to require the Director of National Intelligence (DNI) to report to the House and Senate Intelligence panels on information it has regarding the human rights violations of the military government in Argentina that resulted in 30,000 disappearances between the mid-1970's and mid-1980's. The amendment also seeks to help shed light on the unknown fate of hundreds of Argentine children who were born in captivity and distributed to members of the Argentine security forces; and

Pages H3254–56

Carney amendment (No. 8 printed in H. Rept. 112–75) that seeks to establish the sense of Congress that railway transportation should be included in transportation security plans for intelligence agencies. **Pages H3256–57**

H. Res. 264, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of

251 yeas to 133 nays, Roll No. 322, after the previous question was ordered without objection.

Pages H3232, H3243–44

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H3244.

Quorum Calls—Votes: Two yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H3237–38, H3238, H3238–39, H3239–40, H3241–42, H3242, H3242–43 and H3243. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:30 p.m.

Committee Meetings

FREE TRADE AGREEMENTS

Committee on Agriculture: Full Committee held a hearing to review pending free trade agreements. Testimony was heard from Tom Vilsack, Secretary of Agriculture; Ron Kirk, United States Trade Representative; and public witnesses.

INTERIOR, ENVIRONMENT—APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Smithsonian Institution FY12 Budget Oversight. Testimony was heard from Wayne Clough, Secretary, Smithsonian Institution.

LEGISLATIVE BRANCH—APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on the House of Representatives FY 2012. Testimony was heard from Dan J. Strodel, Chief Administrative Officer; Karen Haas, Clerk of the House; and Wilson Livingood, Sergeant at Arms.

WORKERS' COMPENSATION FOR FEDERAL EMPLOYEES

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing on Reviewing Workers' Compensation for Federal Employees. Testimony was heard from Daniel Bertoni, Director of Education, Workforce and Income Security, GAO; Elliot P. Lewis, Assistant Inspector General for Audit, Department of Labor, Office of Inspector General; Gary A. Steinberg, Acting Director, Office of Workers' Compensation Programs, Department of Labor; Scott Szymendera, Congressional Research Service, Library of Congress; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health held a markup of H.R. 1683, the State Flexibility Act of 2011. The bill was forwarded, without amendment.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade held a markup of legislation regarding the Enhancing CPSC Authority and Discretion Act of 2011 (ECADA). The bill was forwarded, as amended.

MISCELLANEOUS MEASURES

Committee on Financial Services: Full Committee began a markup on the following legislation: H.R. 1309, the Flood Insurance Reform Act of 2011; H.R. 1573, to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act; H.R. 1121, the Responsible Consumer Financial Protection Regulations Act of 2011; H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011; and H.R. 1667, to postpone the date for the transfer of functions to the Bureau of Consumer Financial Protection if the Bureau does not yet have a Director in place.

EXPORT CONTROLS, ARMS SALES, AND REFORM

Committee on Foreign Affairs: Full Committee held a hearing on Export Controls, Arms Sales, and Reform: Balancing U.S. Interests, Part 1. Testimony was heard from Ellen Tauscher, Under Secretary, Arms Control and International Security, Department of State; Eric L. Hirschhorn, Under Secretary, Bureau of Industry and Security, Department of Commerce; and James N. Miller, Jr., Principal Deputy Under Secretary of Defense for Policy, Department of Defense.

TAKING MEASURE OF COUNTERMEASURES

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled "Taking Measure of Countermeasures (Part 2): A Review of Efforts to Protect the Homeland Through Distribution and Dispensing of CBRN Medical Countermeasures." Testimony was heard from Alexander G. Garza, MD, Assistant Secretary for Health Affairs, Chief Medical Officer, Department of Homeland Security; Ali Khan, MD, Director, Office of Public Health Preparedness and Response, Centers for Disease Control and Prevention; Mike McHargue, Director of Emergency Operations, Division of Emergency Medical Operations, Florida Department of Health; David Starr, Director, Countermeasures Response Unit,

Emergency Preparedness and Response, NYC Department of Health and Mental Hygiene; Lawrence E. Tan, Chief, Emergency Medical Services Division, Department of Public Safety, New Castle County, Delaware; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Subcommittee on Transportation Security held a markup of the following: H.R. 1690, MODERN Security Credentials Act; H.R. 1801, Risk-Based Security Screening for Members of The Armed Forces Act; and H.R. 1165, Transportation Security Administration Ombudsman Act of 2011. H.R. 1690 and H.R. 1165 were both forwarded, as amended. H.R. 1801, was forwarded, without amendment.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup of H.R. 1800, the FISA Sunsets Reauthorization Act of 2011. The bill was ordered reported, without amendment.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water and Power held a hearing on the following: H.R. 470, to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes; H.R. 489, to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes; and H.R. 818, to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District. Testimony was heard from Kenny Evans, Mayor, Payson, Arizona; David Murillo, Deputy Commissioner for Operations, Bureau of Reclamation; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs held a hearing on the following bills: H.R. 295, to amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes; H.R. 670, to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands; H.R. 991, to amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973; H.R. 1160, McKinney Lake National Fish Hatchery Conveyance Act; H.R. 1670, Sikes Act Amendments Act. Testimony was heard from Rep. Kissell; Rowan Gould, Acting Director, Fish and Wildlife Service; Capt. John Lowell, Director, Office of Coast Survey, NOAA; Gordon Myers, Executive Director, North Carolina Wildlife Resources Commission; and public witnesses.

DISTRICT OF COLUMBIA'S FISCAL YEAR 2012 BUDGET

Committee on Oversight and Government Reform: Subcommittee on Health Care, DC, Census and the National Archives held a hearing entitled ''The District of Columbia's Fiscal Year 2012 Budget: Ensuring Fiscal Sustainability.'' Testimony was heard from Vincent Gray, Mayor, District of Columbia; Kwame Brown, Chairman, DC City Council; Natwar Gandhi, Chief Financial Officer, District of Columbia; and public witnesses.

THE MAILING INDUSTRY AND ITS FUTURE

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy held a hearing entitled ''Where Have All the Letters Gone?—The Mailing Industry and Its Future.'' Testimony was heard from public witnesses.

POLITICIZING PROCUREMENT: WILL PRESIDENT OBAMA'S PROPOSAL CURB FREE SPEECH AND HURT SMALL BUSINESS?

Committee on Oversight and Government Reform: Full Committee and the Committee on Small Business held a joint hearing entitled ''Politicizing Procurement: Will President Obama's Proposal Curb Free Speech and Hurt Small Business?'' Testimony was heard from public witnesses.

EPA REGULATIONS AND SMALL BUSINESSES

Committee on Small Business: Subcommittee on Oversight, Investigations and Regulations held a hearing entitled ''Green Isn't Always Gold: Are EPA Regulations Harming Small Businesses?'' Testimony was heard from public witnesses.

CIVILIAN PROPERTY REALIGNMENT ACT

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on How to Stop Sitting on Our Assets: A Review of the Civilian Property Realignment Act. Testimony was

heard from Daniel I. Werfel, Controller, OMB; Patrick F. Kennedy, Under Secretary for Management, Department of State; Anthony J. Principi, Former Secretary, Department of Veterans Affairs; Chairman, 2005 Defense Base Realignment and Closure Commission; David Winstead, Former Commissioner, Public Buildings Service, General Services Administration; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Full Committee held a markup of the following: H.R. 1407, Veterans' Compensation Cost-of-Living Adjustment Act of 2011; H.R. 1484, Veterans Appeals Improvement Act of 2011; H.R. 1627, to amend title 38, United States Code, to provide for certain requirements for the placement of monuments in Arlington National Cemetery, and for other purposes; H.R. 1383, Restoring G.I. Bill Fairness Act of 2011; H.R. 1657, to amend title 38, United States Code, to revise the enforcement penalties for misrepresentation of a business concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans; and H.R. 802, to direct the Secretary of Veterans Affairs to establish a VetStar Award Program. The following were ordered reported, as amended: H.R. 1383, H.R. 802; H.R. 1407; H.R. 1484; and H.R. 1627. H.R. 1657 was ordered reported, without amendment.

BURDENS THAT THE TAX CODE IMPOSES ON AMERICAN COMPANIES

Committee on Ways and Means: Full Committee held a hearing on the burdens that the tax code imposes on American companies and how such burdens place them at a competitive disadvantage as they try to sell goods and services around the world. Testimony was heard from public witnesses.

REFORMING MEDICARE PHYSICIAN PAYMENTS

Committee on Ways and Means: Subcommittee on Health held a hearing on reforming Medicare physician payments. Testimony was heard from Lisa Dulsky Watkins, MD, Associate Director, Vermont Blueprint for Health, Department of Vermont Health Access; and public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D430)*

H.R. 1308, to amend the Ronald Reagan Centennial Commission Act to extend the termination date for the Commission. Signed on May 12, 2011. (Public Law 112–13)

COMMITTEE MEETINGS FOR FRIDAY, MAY 13, 2011

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Appropriations, Subcommittee on Homeland Security, markup on appropriations bill for FY 2012, 11 a.m., HC–5 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, markup on appropriations bill for FY 2012, 10:15 a.m., H–140 Capitol.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing on Examining the Costs of Federal Overreach into School Meals, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, hearing on FCC Process Reform, 9:30 a.m., 2123 Rayburn.

Subcommittee on Energy and Power, hearing on The American Energy Initiative, 9 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing on The Stanford Ponzi Scheme: Lessons for Protecting Investors from the Next Securities Fraud, 10 a.m., 2128 Rayburn.

Full Committee, continued markup on the following legislation: H.R. 1309, the Flood Insurance Reform Act of 2011; H.R. 1573, to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, promote regulatory coordination, and avoid market disruption; H.R. 1121, the Responsible Consumer Financial Protection Regulations Act of 2011; H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011; and H.R. 1667, to postpone the date for the transfer of functions to the Bureau of Consumer Financial Protection if the Bureau does not yet have a Director in place. 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human Rights, hearing on China's Latest Crackdown on Dissent, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, hearing on Whether the Constitution Should Be Amended to Address the Federal Deficit, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing on American Energy Initiative: Identifying Roadblocks to

Wind and Solar Energy on Public Lands and Waters, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Government Organization, Efficiency, and Financial Management, hearing entitled ''Department of Homeland Security Financial Management,'' 10 a.m., 2247 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Investigations and Oversight and Subcommittee on Energy and Environment, joint hearing on Nuclear Energy Risk Management, 9 a.m., 2318 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on The Federal Recovery Coordination Program: From Concept to Reality, 10 a.m., 334 Cannon.

Next Meeting of the SENATE

2 p.m., Monday, May 16

Senate Chamber

Program for Monday: Senate will be in a period of morning business until 5 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, May 13

House Chamber

Program for Friday: Complete consideration of H.R. 754—Intelligence Authorization Act for Fiscal Year 2011.

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