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

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, August 2, 2011.
I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore on this day.

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

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

Dear Lord, we give You thanks for the American people who have carried our Nation to the great ness it has experienced and which, we hope, continues to be a lantern shining on a hill.

They have need of rest. Their burden has been heavy. Give them rest and recovery that they might return with renewed energy and purpose to take on the responsibility of leading our great Nation.

We pray as well for their constitu encies. May the American people be grateful and hopeful that together we might move toward a brighter future. Whatever emerges, increase our faith in the constitutional processes that have carried our Nation to the great ness it has experienced and which, we hope, continues to be a lantern shining on a hill.

May all that is done today be for Your greater honor and glory. Amen.

THE JOURNAL
The SPEAKER pro tempore. Pursuant to section 5 of House Resolution 375, the Journal of the last day’s proceedings is approved.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

Whatever emerges, increase our faith in the constitutional processes that have carried our Nation to the great ness it has experienced and which, we hope, continues to be a lantern shining on a hill.

May all that is done today be for Your greater honor and glory. Amen.

EXECUTIVE COMMUNICATIONS, ETC.
Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

2699. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department’s final rule — Movement of Hass Avocados From Areas Where Mediterranean Fruit Fly or South American Fruit Fly Exist [Docket No.: APHIS-2010-0227] (RIN: 0579-AJ66) received July 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

COMMISSION ON CIVIL RIGHTS
That the Senate passed S. 1466.

DEPARTMENT OF JUSTICE
2700. A letter from the Manager, BioPreferred Program, Department of Agriculture, transmitting the Department’s final rule — Designation of Bio-based Items for Federal Procurement (RIN: 0960-AA36) received July 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

DEPARTMENT OF JUSTICE
2701. A letter from the Clothier, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the New Hampshire Advisory Committee; to the Committee on the Judiciary.

DEPARTMENT OF JUSTICE
2702. A letter from the Assistant Attorney General, Department of Justice, transmitting the annual report to Congress on the implementation, enforcement, and prosecution of registration requirements under Section 635 of the Adam Walsh Child Protection and Safety Act of 2006 (Pub.L. 109-248) (AWA); to the Committee on the Judiciary.

DEPARTMENT OF JUSTICE
2703. A letter from the Assistant Attorney General, Department of Justice, transmitting to Congress proposals to address the epidemic of domestic violence against Native women; to the Committee on the Judiciary.

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. Davis of Kentucky (for himself and Mr. Doggett):
H.R. 2790. A bill to amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes; to the Committee on Ways and Means.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

H5891

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By Mr. BURGESS:
H.R. 2790. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. PAYNE:
H.R. 2791. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BURGESS:
H.R. 2792. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

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

H.R. 338: Mr. McCaul and Mr. Duncan of Tennessee.
H.R. 1738: Ms. Matsui.
H.R. 1855: Mr. McCotter.
H.R. 2077: Mr. Kingston.
H.R. 2447: Mr. Platts.
H.R. 2757: Mr. Conyers.
H.R. 2762: Mr. Meeks.
H. Con. Res. 21: Mr. Bishop of Georgia.
The Senate met at 9:30 a.m. and was called to order by the Honorable JENNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Give ear to our prayers, Eternal God, and guide us like a shepherd leadeth his flock. Turn us toward You, as You cause Your face to shine so that we shall be saved. Feed our lawmakers with the bread of wisdom so that they will accomplish Your purposes. Delivering them from the tyranny of the trivial, may they trust You to guide their steps. As they remember the high price and preciousness of freedom, inspire them with the relentless and sacrificial vigilance required to preserve it.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JENNE SHAHEEN 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 as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
TUESDAY, AUGUST 2, 2011.

To the Senate:

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

DANIEL K. INOUYE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, following any leader remarks, I will make a motion to concur in the House message to accompany S. 365, the legislative vehicle for the debt limit compromise.

The time until noon will be equally divided and controlled for debate on the legislation.

At noon, the Senate will conduct a rollcall vote on the motion to concur in the House message, with a 60-vote threshold.

RESERVATION OF LEADER TIME

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

AMENDING THE EDUCATION SCIENCES REFORM ACT OF 2002

Mr. REID. Madam President, I ask the Chair to lay before the Senate the House message to accompany S. 365.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the House, which the clerk will report.

The assistant legislative clerk read as follows:

Resolved that the bill from the Senate (S. 365) entitled “An Act to make a technical amendment to the Education Sciences Reform Act of 2002” do pass, with an amendment.

Mr. REID, Madam President, as provided under the previous order, I now move to concur in the House amendment to S. 365.

The ACTING PRESIDENT pro tempore. The motion is pending.

Mr. REID. Madam President, Senator MCCONNELL and I have completed our statements.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. I ask unanimous consent to speak for 10 minutes under the time allocated to the Republican side.

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

Mr. ALEXANDER. Madam President, finally, Washington is taking some responsibility for spending money that we don’t have. At a time when the Federal Government is borrowing 40 cents of every dollar it spends, this is a welcome change in behavior. I gladly support it. Make no mistake, this is a change in behavior—from spend, spend, spend, to cut, cut, cut. Let me give you one example.

On Christmas Eve 2010 Congress raised the debt ceiling and attached to it $1 trillion in new spending over 10 years in the new health care law. This time, for every dollar we are raising the debt ceiling, we are reducing spending by a dollar, not adding to it. This reduction in spending over 10 years is about $2.4 trillion.

Here is another example: According to Senator PORTMAN, who used to be the Nation’s budget director, the CBO would say if Congress did this kind of dollar-for-dollar reduction for spending every time a President asked us to raise the debt ceiling, we would balance the budget in 10 years.

Here is another: The Wall Street Journal reported yesterday that because of these spending cuts, the discretionary part of the budget, which is about 39 percent of the entire Federal budget, will grow over the next 10 years at a little less than the rate of inflation. If we could control the rest...
of the budget so that it would grow to anything close to the rate of inflation, we would balance the budget in no time.

Balancing the budget is exactly what our goal ought to be. I did it every year as Governor of Tennessee. Families in America do it every day. It is time to do it here in Washington, D.C. The President offered us a ticket to New York from there. If I were sitting at Union Station trying to catch a train to New York, I would take it, and I would find a way to get to New York from there.

Today's vote is an opportunity to take an important step in the right direction. Paying Washington, D.C., from spending money it doesn't have. We should take it and then get ready to find ways to take the next steps. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, this is a historic vote. It is one that has involved a lot of emotion and soul searching and a lot of hard work. The leaders are on the Senate floor—the Democratic leaders of the Senate, Senators REID and MCCONNELL. I salute both of them for working so hard to bring us to this moment where we have an opportunity to vote.

The House has passed this legislation, the so-called Budget Control Act. The Senate will take it up shortly. It is my belief it will also pass in the Senate. But my vote for this legislation does not come without some pain.

We are told in life to follow our conscience. My conscience is conflicted. If this bill shall fail, we will default on our Nation's debt. That will be the first time that has ever happened. If we should default at midnight tonight on our Nation's debt, terrible consequences will ensue. We will find America's credit rating in the world diminished, the interest rates we pay as a nation increased, and the cost of money for businesses and families across the United States will increase—at exactly the wrong time, in the midst of a recession.

If we fail to pass this legislation, tomorrow the Secretary of the Treasury will sit down with the President and decide in the month of August which Americans who were expecting a check will actually receive one. Will we pay Social Security recipients? Will we pay the members of our military? Will we pay the Central Intelligence Agency? It is an impossible choice that the President and the Senate will have to make.

But there is another side to the story. If this bill passes, we will reduce spending on critical programs. We have to be honest about it. Fewer children from poor families will be enrolled in Head Start. Working families and their children will face even more debt to pay for a college education. Medical research will likely be cut. And the list goes on. So from where I stand, it is not the clearest moral choice.

I spoke to our Chaplain before we started the session about a line in Shakespeare I have always struggled to understand. It is from Hamlet, and it is the line in his famous soliloquy, when he says, "Conscience makes cowards of us all."

This morning, I still cannot clearly articulate what it means, but I feel it—struggling with this conscience question of defaulting on our debt, with all the consequences on innocent people across America, and passing this bill with all of the consequences on innocent people in America. I have spent the last year and a half focused on this debt situation as I have never been focused before. I will do a little better today than I did when I started.

I have come to the conclusion that if we are going to be honest about our debt and about reducing it, we have to be honest about how it will happen. Sure, we must cut spending; that is where we have to start. But we also have to understand it goes beyond that.

We have to be prepared to raise revenue. In the Bowles-Simpson Commission, I thought we came up with an honest answer to that question. It was a balanced approach and put everything on the table. Well, this bill makes a serious and significant downpayment in spending cuts. Now a joint committee is created to take the next step.

I will say this: If the next step is to be fair, if the next step is to be serious, it has to go beyond spending cuts. It has to look at serious questions about how we can save money in entitlement programs that we do not compromise our commitment, and how we can ask those who have profited so well in America, who live so comfortably, to join us in this effort by paying more in taxes. That is the stark reality.

If we continue to move toward more and more spending cuts, we will literally disadvantage the poor and working families of America to the advantage of those who are well off. That is not fair, and it is not right. Many people here have told me this, saying we don't even read these bills we vote on.

Yesterday, I sat down to read this bill—it is not that long. I have to say, the front end of the bill is almost unintelligible. A person needs someone from the Budget Committee sitting next to them to explain each paragraph. I basically understand that portion of it. I also understand the portion that Senator MCCONNELL proposed on the House floor that would increase the debt ceiling. This problem wasn't created by the deficit. The problem was that we were running a budget deficit in 10 years we will be spending more in interest on the debt than we now spend on national defense.

In January 2013, the very first thing the next President will have to do is to ask the Congress to increase the debt ceiling. This problem wasn't created overnight, and it will not be solved overnight. If I were sitting at Union Station trying to catch a train to New York, I would take it, and I would find a way to get to New York from there.

Today's vote is an opportunity to take an important step in the right direction. Paying Washington, D.C., from spending money it doesn't have. We should take it and then get ready to find ways to take the next steps. I yield the floor.

As I say these words, I can imagine Robert C. Byrd descending from heaven, standing at that desk and waving this Constitution and reminding Members of the Senate that one of the few times in our lives when we have taken a solemn oath, Members of the Senate swore to uphold and defend this document, this writing. He would find it nothing short of outrageous that we are mandating a vote on a constitutional amendment that is not even written, that we are mandating a vote on a constitutional amendment because I thought, if we are going to have to face the prospect of amending the Constitution, I want to know what the language is. This is an awesome responsibility.

I can read this page from top to bottom, and there is not one word of substance about that amendment. All it says is, the House and Senate shall consider a bill that is a "joint resolution to amend the Constitution of the United States to balance the budget."

End of sentence, end of reference in this bill. It gets better. Not only do they require us to take a balanced budget amendment and fail to include the language of that amendment—listen closely—this bill says there shall be no amendments to the proposed resolution in committee in the House or on the floor of the House, in the committees of the Senate nor on the floor of the Senate to take it out of this legislation.

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End of sentence, end of reference in this bill.
ceiling. The job ahead will be hard, but let’s hope we will, in reducing this deficit further, do it in a balanced and fair way, with everything on the table.

At the end of the day, Members of Congress and people in higher income categories feel they are called to sacrifice. If we ask that of the poorest in America and of working families, we can ask no less of Members of Congress and those who are well off in this great Nation.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The other Senator from Illinois.

Mr. KIRK. Madam President, although this bill reflects a balanced approach, Americans also expect a balanced budget. We need to apply the common sense of the heartland to spend within our means, as each family does with their monthly budget.

The battle over this legislation was hard fought. We have finally started to change the culture of overspending and overborrowing in just 40 days. We hear the American people, and we respect their judgment. They tell us they are not undertaxed. They tell us Washington overspends.

We need a commitment that claims to support a strong economy but urges tax increases that will weaken it. We hear speeches from some who want to expand employment but then attack employers. They argue for more access to credit but then assail the banks that would provide it. They call for more American energy but decry the very explorers who would find it. We need more straight talk and accountability.

Small businesses provide the most jobs, and we should reward them. Inventors create new economies, and we should encourage them. Many government programs fail in their objectives, sometimes for decades, and we should cancel them. We face mounting government debt. The way to pay this debt is to get rid of those who would increase it. We must narrow the tax cuts for the wealthiest Americans, cut wasteful spending, and end giveaways that stifle growth.

Given the views of our President and the economically liberal Members of this Senate, the legislation before us is the best deal we can get. This legislation caps regular appropriations of the Congress. It eliminates procedural impediments so that we will vote on how to cut automatic spending programs. We establish a two-year budget with automatic cutbacks in federal programs regardless of congressional gridlock as a backstop to ensure fiscal responsibility. This bill prevents a crisis from breaking out this week. It also begins to control automatic spending programs, many of which have run without much accountability since the 1960s. All of this is a downpayment on further ways to bring commonsense accountability and control to the spending of our government.

These basic values are the foundation of America’s 200-year experiment in self-government. If we fail, we deliver a free people into the hands of a financial bondage. If we succeed, we honor the promise of limited government that offers greater and greater liberties to each generation of Americans so that they can reach their own potential.

I will vote for this legislation because it begins to make the hard choices to keep us free. It is only a first step, and a crucial one, to increase the transparency, the performance, and results we should demand from America’s government.

This bill sets an important precedent to reform automatic spending. If we use that precedent to go further, I imagine an America that once again becomes the best place on Earth for inventors and families to start and expand businesses that will provide for their children and, in a few cases, will span the globe with American exports to each market of the planet.

Madam President, I yield the floor.

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

Mr. UDALL of New Mexico. Madam President, over the past 2 years, our country has been struggling to recover from one of the worst economic recessions in our history. Democrats have worked to pass legislation that would create jobs. It has been our top priority. But a heavy-handed Congress faced resistance from ideologues who care more about winning political points and protecting the wealthy than doing what is right for hard-working American families.

That is exactly what happened during this debt-ceiling debate. Instead of passing a clean extension and getting to work on our economy, we have been forced to vote on a last-minute deal to prevent the economic catastrophe that would result in default.

I spent the last few weeks and months highlighting the real-life consequences of default for New Mexico families. At a time when families are already dealing with extremely tight budgets, this deal won’t just mean increased costs for just about everything, from food, to gas, to housing, to sending the kids to college. It would also jeopardize critical Federal benefits that veterans, seniors, and others depend on to pay the bills and stay healthy. It would mean more than 360,000 New Mexicans would be in danger of losing their Social Security benefits. It would mean another 300,000 who rely on Medicare seeing theirYPRECHARGE payment cut off. It would mean 174,000 New Mexico veterans may not receive their benefits, and more than 1,400 Active-Duty military personnel may not receive paychecks for their services.

But it wouldn’t stop there. Even if you don’t depend on a check from the Federal Government every month for health care or retirement or other benefits, you would still feel the financial pain of default. That is because mortgage payments would increase by more than $200 for the average family and credit card interest would go up by $250. Why is that, you ask. Because the interest you pay on just about every loan you have, whether it is a house or a car or college tuition, is based on the interest rates the Treasury pays, and if that interest rate rises, as it would in a default, so does the interest rate on just about everything else. New Mexicans can’t afford that. America can’t afford that.

As my friend the good Senator from Vermont said yesterday, this package is grotesquely unfair and bad economic policy. While I firmly believe we must take steps to rein in our deficit, this package is far from the ideal way to do so.

I hear every day from New Mexicans about the need to rebuild our economy. We should be investing in innovation and infrastructure and creating new jobs, but we don’t have this deal. Instead of cutting excess and investing wisely in programs that create jobs, this package will mean fewer dollars for job training, education programs, and housing, hampering our ability to create a long-term recovery.

Poll after poll shows a majority of Americans support shared sacrifice in this recovery. Unfortunately, this package also falls woefully short on that count. While we did manage to hold off on such things as Social Security, Medicare, Medicaid, and nutrition assistance programs, there are still many important programs that will be on the chopping block, initiatives such as housing assistance, help for small businesses, and rural economic development programs, just to name a few—this all the while the tax cuts for the wealthiest Americans and large corporations remain untouched.

This package is what happens when ideologues bent on nationalizing their extreme agendas get their way. The fracture we have seen among Republicans in the House over the last few months has much broader effect than just in that Chamber. Their staunch refusal to compromise at the expense of struggling families has pushed this debate and our Nation to the brink.

Instead of having a frank conversation about how we can repair our economy and help those in need, we are told to pay today to avoid default. With this plan, we get nowhere near the heart of our economic problems. Instead, we kick the can down the road a couple of years, all the while the problem continues to grow and impede recovery and crippling our economic competitiveness.

Once this vote is taken and the immediate crisis is passed, it will be all too easy to stick our heads back in the sand and pretend everything is OK. I rise today to say this: Everything is not OK, and it won’t be OK until we have the courage and leadership to institute tax reform—not just trimming
around the edges or rearranging the numbers to create the illusion of sav-
ings when, in fact, nothing has changed; I am talking about sub-
stantive tax reform that is the result of a national conversation about our
priorities, serious negotiations, not just
concessions to those who see this as a
political opportunity to push their per-
sonal agendas. We must all come to the
table and do what is best for our Na-
ton.

I see the Senator from Florida is
here. I know he is a wise gentleman
who has much to say to us.

So with that, Madam President, I
yield the floor.

The ACTING PRESIDENT pro tem-
porum. The Senator from Florida.

Mr. NELSON of Florida. Madam
President, again I say to my colleague
from New Mexico what a fine Senator
he is, as is the Senator presiding. What
a privilege it is to serve with the likes
of the both of you. Indeed, the Mem-
bers of this body are extraordinary in-
dividuals, and we have all anguished
with what we have been through as the
clock was constantly ticking down to
midnight tonight and knowing the con-
sequences.

This Senator always had the feeling
that it was going to work out, that we
were going to reach agreement. Inter-
estingly, the financial markets had
that same feeling as well because the
financial markets never did go off a
cliff. Even the Asian financial markets
felt the same thing as we were coming out
out of the weekend. Even though we, in
this capital city of our Nation, have
gone back and forth over ways to cut
this public debt, here we are, we have
an agreement. Members of this body, as
well as the other body down at the
other end of the Capitol, clearly are
sincere in their differences. But I think
what we saw in the overwhelming vote
yesterday in the House of Representa-
tives was most of the Members agree
that gridlock doesn’t do anything to
help the country, and especially the
economy. So we have this compromise
plan in front of us, and later today one
of two things will be true: Either we
will deadlock, but I think with the con-
cern about the financial precipice we
have been teetering on, that supercom-
mittee is going to come up with a plan
for significant deficit reduction. They
have a target of an additional $1.25 tril-
onion, and they are not limited to that,
and everything is on the table. What they could do—and
this is a moment, if we can seize it,
that would be tremendous—is set us on
the path to do major tax reform. No
one is happy with the existing Tax
Code. We talk about all these tax loop-
holes—the technical term is tax ex-
penditures—and they are simply spe-
cial interest tax preferences for indi-
vidual special interests. It blows my
mind to realize they will cost $14 tril-
onion over the next 10 years. Why should
this one special interest have a tax
preference and this one have a tax pref-
ere, and yet we find it difficult, as we
go through this harangue here in
our debate, as to what is the level of the
tax bracket for taxation on ordi-
nary people?

What could we do—and the supercom-
mittee can do this—is take a list of those
tax preferences—that $14 trillion worth
of those away and utiliz-
ing that revenue, we could simplify
the Tax Code into three tax brackets for
individuals and lower everybody’s
tax in that income bracket, and we
could lower the corporate income tax.
That is a real possibility for this super-
committee. They could give the in-
structions back to the Ways and Means
Committee in the House and the Fi-
nance Committee in the Senate and
then start to do reform, as well as
bruning down annual def-
cit. The backup, if this supercom-
mittee fails to agree, is a series of
spending cuts that automatically hap-
pen.

This agreement also calls for a vote
on a balanced budget amendment. I
have voted for balanced budget con-
stitutional amendments in the past,
and we are going to have another op-
portunity to vote for one. I assume we
are going to have a vote for two dif-
ferent versions. The version that is
being offered by Senator Udall is the
one I intend to vote for.

So here we are with a plan that is not
a perfect plan, although it clearly
avoids default. But all of us agree on
what it is: We have a tax reform or 2 percent
spending must be cut, the public debt must be
reduced; otherwise, our economy will
not recover and America will no longer be
good standing around the world.

That is the bottom line.

I often quote from the Book of Is-
iah, in which the Lord is speaking to
the people and he says:

Come now, let us reason together.

Isn’t that so true here? And was it not
avoided for so long, where reasonable
people of good will—and every one
of these Senators is a person of good
will—could not get out of our ideolog-
ical rigidity and out of our momentary
sins of sin and do the right thing? The
President, again I say to my colleague
from Kentucky, who is here to speak—

ACTING PRESIDENT pro tem-
porum. That is correct.

Mr. LEVIN. I would request, after the
Senator from Kentucky, who is here to speak—

ACTING PRESIDENT pro tem-
porum. I am sorry, the Parliamentarian
has corrected me. There is no agree-
ment to alternate.

Mr. LEVIN. In that case, I believe I
was here on the floor before the Sen-
ator from Kentucky, so I will proceed.

The ACTING PRESIDENT pro tem-
porum. The Senator from Michigan.

Mr. LEVIN. Madam President, to say
the legislation before us is not ideal is
truly an understatement. The notion
that our deficit problem can be solved
solely by cutting spending flies in the
face of our experience, when in fact un-
wise tax cuts for the wealthy and egre-
gious tax loopholes are significant cul-
prits in our fiscal crisis. I believe too
many Republicans are influenced by an
ideology so extreme that it promised to
wreak economic havoc if they did not
get their way. “No additional reve-
nues” became the battle cry—an ap-
proach that prevents the balanced def-
cit reduction the American people
rightly support. The result is that this
legislation incorporates some policies
that are profoundly unfair to middle-
income Americans.

Seen in isolation, Madam President,
this is not a good bill. But no public
policy exists in a vacuum. Despite its
many flaws, this legislation must pass.
Let me explain why.

While there will be a number of nega-
tive consequences as a result of this
bill’s passage, there will be more dire
consquences if it fails to pass. The
choice here is between a faulty piece of
legislation on the one hand and severe
damage to our economy and even
greater joblessness on the other. The
choice we face with this vote today
is whether to accept a flawed bill or to
watch the United States—the globe’s
preeminent economic power—default
on its obligations to senior citizens,
students, and veterans, as well as to
those who have invested in our country by the purchase of our bonds and our Treasury notes. We have taken many steps in the past 3 years to try to restart job creation in this country. Those efforts would come undone in the crisis that would follow our failure to pass this bill.

One of the things that is right about this legislation is that it avoids a misguided demand that we have another round of crisis and negotiation over this very short window. A short-term increase in the debt limit, as House Republicans demanded, would surely have led to a damaging downgrade of the government’s credit rating. It would have frozen financing for businesses and consumers. We simply cannot put the American people and the American economy through that again.

Despite this bill’s imbalance in focusing solely on spending cuts, it does contain a mechanism that can force acceptance of whatever our Republican colleagues have refused to accept—the reality that revenue must be a part of real deficit reduction and that fair and effective deficit reduction efforts require shared sacrifice. The year 2011 is the year we passed automatic cuts, and 2012 must be a year of shared sacrifice, one in which the President uses the bully pulpit to lead the Nation to accept the notion that everyone—including, surely, the wealthy—must play a role in reducing deficits.

Democrats have repeatedly emphasized this point. It is a simple fact that among the largest factors contributing to our deficits is the Bush tax cuts—tax cuts that greatly increased the growth of the gap between the wealthiest among us and working families. Today, median household income—the income of the typical American household—is lower than it was in the mid-1990s, and yet the wealthiest Americans are doing better and better all the time. A few decades ago, the wealthiest 1 percent of all Americans took in 10 percent of all income. Today it is 24 percent.

These numbers are not aberrations or actions of a free market. They reflect policy choices. Too often the choice has been to pay lip service to the middle class while driving income inequality to levels not seen in 80 years in this country. It is time for all of us, including, surely, the wealthy, to recognize that value must be part of the equation. Nobody should be eager for the automatic cuts that would otherwise take effect. Many of those cuts would be unacceptably painful and damaging. But the very idea of the automatic cuts means that those cuts are so unacceptable that few of us will want to see them enacted and most of us will be willing to compromise in order to avoid them.

Congress used this approach once before. In 1985, we passed the Gramm-Rudman-Hollings act, which set forth specific deficit targets and required cuts if those targets were not met. The framework for today’s legislation is based on that model. As one of the authors of the Gramm-Rudman-Hollings act, Senator Gramm put it:

It was never the objective of Gramm-Rudman-Hollings to trigger the sequester; the objective of Gramm-Rudman was to have the threat of the sequester force compromise and action.

And it did. For example, in 1990, when facing the possibility of unacceptable cuts in defense and other important programs, President Bush and bipartisan leaders in Congress adopted a balanced deficit reduction plan that included significant new revenues. The Damocles sword of the Gramm-Rudman-Hollings deficit reduction act was the reason for that outcome. I believe that any plan from the bipartisan committee of 12 Members of Congress will have no chance of passage in the Senate. That means members of the committee must truly be willing to lead, to put aside partisanship and rigid ideology, if we are to avoid triggering unacceptable cuts. Success also means a plan that includes painful cuts to important programs, plans that include painful cuts to important priorities. With a vote to approve this bill, which we must, it is my hope that we have reached the high tide of an ideological movement that to hold tax cuts for the wealthy sacred while imposing increasingly Draconian cuts on programs for American families and threatened economic calamity if that movement did not get its way.

Democrats have demonstrated that we are willing to put forward serious deficit reduction proposals, plans that include painful cuts to important priorities. With a vote to approve this bill, which we must, it is my hope that we have reached the high tide of an ideological movement that to hold tax cuts for the wealthy sacred while imposing increasingly Draconian cuts on programs for American families and threatened economic calamity if that movement did not get its way.

The era of slashing programs that help middle-class Americans, with no shared sacrifice by the wealthiest among us, must end and give way to an era in which fairness and balance guide our efforts. Passing this legislation today hopefully will drive us to make that transition.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. HATCH. Will the Senator yield?

Mr. PAUL. I yield the floor.

Mr. HATCH. I ask unanimous consent that I be permitted to give my remarks immediately following the Senator.

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

The Senator from Kentucky.

Mr. PAUL. Madam President, America will not default on her debt today. In fact, there was never any doubt that America would pay her bills. But mark this point, America will default, not by not paying its bills, not by not raising the debt ceiling, but we will default in a more insidious way. America will default by increasingly paying our bills with money that is worth less and less each year.

A nation pays for its debt in three ways. We can either tax people, we can borrow the money, or we can simply print the money. They all have repercussions.

We are approaching our borrowing limit as a nation. We now owe China over $1 trillion. We owe Japan nearly $1 trillion. We even owe Mexico. As we reach our borrowing limit, interest rates will rise and the prices in the stores will rise. You are already seeing this in your grocery stores. You are already seeing this in your gas prices. They are not rising de novo, out of nothing. Your prices are rising because the value of your dollar is falling. The value of your dollar is falling because they are printing up money to pay for this exorbitant debt.

In 2008 we went through a banking crisis and we doubled the monetary supply in 4 months. We bought things. The Federal Reserve bought toxic assets. They bought bad mortgages and bad home loans. Where once upon a time your dollar was backed by gold, your dollar is now backed by toxic assets—not a very comforting thought.

Many pundits are arguing that the tea party has won this battle. They misunderstand the debate. This battle is not about winners and losers, it is about the future of our country. It is
about saving ourselves from ourselves. We are headed toward ruin if we continue on this path of spending money we do not have.

For decades, America has lived beyond her means. A nation that lives beyond her means will eventually live beyond the reach of its creditors. A day of reckoning looms. That day was never August 2. That day is when the dollar teeters and falls from its perch. That day is when prices soar. That day is when unemployment and a declining standard of living foment discontent and unrest in the street.

As Erskine Bowles put it, there has been no more predictable crisis in our history. We have been given all the warning signs. It comes, and this deal will not escape the facts that are looming for us. The President thinks that we need a balanced approach. America thinks we need a balanced budget and that we should not spend money we do not have; that since American families have to balance their budgets, why in the world would we not require our Government to balance its budget? What America needs is a balanced budget in an economy that grows and thrives and creates jobs.

Yes, change hangs in the air. America is a ship without a captain. Instead of the President chastising job creators and preaching class envy, we need a President who will show us leadership. The President needs to accept responsibility for an economy that he has worsened under his failed leadership. Unemployment is up, gas prices have doubled, and this President will add more debt than all 43 Presidents combined.

America got a deal on August 2 but not a solution. What America wants is a solution, not a deal. I hope in the next 6 months the President will find it within himself to lead the Nation, the courage to lead and embrace reform, the reform that is necessary to get this great country moving again.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Madam President. I compliment the senior Senator from Kentucky for his good remarks on the floor and for allowing me that unambiguous consent request. We are coming down to the wire here. We will soon be voting on a proposal that would have some beneficial effects in conjunction with an increase in the statutory debt limit. There are some positive features in this legislation, and the Senate minority leader, the Speaker of the House, and conservatives throughout the country should be commended for insisting on them.

First, the President asked for a clean debt limit increase, and conservatives refused. They held the line and made clear that any increase in the debt limit required matching deficit reduction.

Second, having lost the fight over a clean debt limit increase, the President insisted on a balanced approach to deficit reduction, by which he meant reducing the deficit by raising taxes. But conservatives again fought this back. They knew that the primary driver of our debt is spending. Regardless of the President’s talking points, nondefense discretionary spending is at historic levels. He will not escape the facts that he has a $1.45 trillion deficit. We have a national debt of $14.5 trillion, and the President’s budget would give us $13 trillion more in debt. The answer to this is not giving the government more money.

And third, conservatives resisted the effort by the President’s allies to push most of the deficit reduction in this package down the road.

So there are some achievements in this proposal that conservatives can hang their hat on.

But I regret to say that I will not be able to support it, because it does not sufficiently provide us with the solution to the debt crisis that the markets are demanding. Last week, Moody’s made clear that the real threat to America’s Triple A rating is not default, which even the administration now acknowledges was never going to happen. The real threat of a downgrade is occurring today. It comes from a failure of presidential leadership in getting federal spending under control.

There is a solution to this spending crisis. It is cut, cap, balance, which I have espoused for years. It is an approach to providing short term relief by cutting and capping spending, it provides for a long-term solution through passage of a strong balanced budget amendment.

This proposal falls well short of cut, cap, balance, and I cannot support it.

I would like to address a technical point about this package that raises concerns for me—whether the President is looking to the deficit reduction in the long run, or by pushing the problem down the road. He says that he is, as have some of my colleagues in the Senate.

I do believe that it will be very difficult, given the committee’s charge to reduce the deficit, to raise marginal tax rates. However, I worry that some Democrats will be looking at tax expenditures in order to hit the committee’s required deficit reduction targets.

This would be a mistake for a number of reasons. The President has repeatedly said deficits are spending through the Tax Code. But rhetoric aside, tax expenditures are an opportunity for individuals and businesses to keep more of the money that they earn. And getting rid of tax expenditures, without corresponding reductions in tax rates, will result in a net tax increase on the American people.

The President would have you believe that getting rid of tax expenditures is acceptable, because they only impact the rich. That is why he talks about bonus depreciation for jets and yachts that are used as second homes. Yet in a series of speeches, I have attempted to show that this rhetoric of class warfare might work politically, but as a description of tax reality it is lacking. The fact is, the largest tax expenditures, those that the President and Democrats would have to look to in order to raise revenue for deficit reduction, benefit middle class itemizers the most.

Consider the example of the home mortgage interest deduction. Since adoption of the 16th amendment to the Constitution in 1913—98 years ago—the United States has had an individual income tax. And for the lifetime of that home mortgage interest has been deductible in calculating taxable income.

Most of our fellow Americans, when buying a home, do not pay cash for the entire purchase price. Rather, they typically pay a certain percentage in cash and borrow the rest. It is common that the money borrowed is repaid in monthly increments over the course of 15 or 30 years. Those payments from the homeowner to the lender are deductible. For the borrower they are deductible interest payments. If you itemize your deductions, you get to subtract home mortgage interest from adjusted gross income—or AGI—in arriving at taxable income.

The most significant of the itemized deductions available to taxpayers is the home mortgage interest deduction. The mortgage interest deduction is the second largest tax expenditure identified by the Joint Committee on Taxation. It amounts to spending $740 billion in fiscal year 2009. Thirty percent of the benefit of the mortgage interest tax expenditure goes to taxpayers over $200,000. Taxpayers with income below $200,000 receive 70 percent of the benefit of the mortgage interest deduction. By a ratio of almost 2 to 1, taxpayers under $200,000 benefit from the mortgage interest deduction. Since $200,000 basically fits the definition of rich used by my friends on the other side of the aisle, it can be said that the rich or middle income group disproportionately benefit from the mortgage interest deduction.

There have been proposals over the decades to eliminate the home mortgage interest deduction, but none of them have succeeded. In 1986, during the last major tax reform effort, there were active proposals to get rid of the home mortgage interest deduction. President Clinton attacked some of those proposals, but in 1999, he sent home ownership back in the 1990s. Specifically, President Clinton proposed taxing the imputed income associated with home ownership. A homeowner by living in his home enjoys a certain benefit—the ability to live in his home. That is why he could have rented the home out for a certain amount of money, but he instead decided to live in the home. It is as if he received the rental money for the home, and then spent it on rent so that the owner himself could live in the home.

As policy this is somewhat convoluted. Generally, Congress has been reluctant to tax people when they have
received no cash. In addition, those on a fixed income would have found it difficult in many cases to get the cash to pay the tax. Finally, there would be significant administrative concerns—just what would the rental value of a home be? How would the market be assessed? It would be quite difficult. Thus, in a bipartisan fashion, Congress rejected the President’s proposal to tax imputed income arising from owner-occupied housing.

Now President Obama is taking another crack at it because he wants to raise money to reduce the deficit. President Obama has proposed, reproposed, reproposed again, and reproposed yet again to reduce the benefit of the home mortgage interest deduction. I am speaking of President Obama’s proposed 28 percent limitation on itemized deductions. President Obama has proposed to limit the tax rate at which high-income taxpayers can take itemized deductions to 28 percent. This is meant to lessen the benefit to higher income taxpayers of itemized deductions—the home mortgage interest deduction being the most significant of the itemized deductions. The Joint Committee on Taxation says that this proposal in the President’s budget would collect an additional $293 billion in taxes over 10 years.

To understand this provision, allow me to tell you about two taxpayers: William and Spencer. Let’s assume that William is in the 15 percent tax bracket, and that Spencer is in the 35 percent tax bracket. Under current law, an additional itemized deduction of $100 is worth $15 to William, and $35 to Spencer. That is, an additional itemized deduction of $100 will reduce William’s tax bill by $15, but Spencer’s tax bill would go down by $35. If the President’s 28 percent limitation proposal were to go forward, however, although the itemized deduction would still be worth $15 to William, it would now be worth only $28 to Spencer.

Of course, one may think—well why should high-income Spencer get a more valuable tax benefit from an itemized deduction than low-income William? But that mischaracterizes things. First of all, high-income Spencer, even under current law, still pays significantly more tax than low-income William. That is not only true in absolute dollar terms, but also in terms as a percentage of their respective incomes. Furthermore, the 35 percent bracket was set by Congress with an understanding that itemized deductions would allow a significant tax benefit. That is, had Congress known that higher income taxpayers would be disallowed some of their itemized deductions, as the President now proposes, undoubtedly Congress would have created a lower maximum tax bracket than the current 35 percent tax bracket. So, to take away some of the benefits itemized deductions mean to high-income taxpayers but leave the high-income tax rates at their current high levels is to upset the balance struck by prior Congresses. Obviously, Congress is allowed to do that. But let’s not pretend that current law is somehow an oversight, or unintended consequence, from prior legislation.

Some of the President’s advisers defended his limitation on itemized deductions on the grounds that 28 percent was the tax benefit one would get during the later Reagan years. Yes, that is true. But it is only true because 28 percent was the highest tax bracket after the Reagan tax reform. The larger point is this, however. To the extent that the home mortgage interest deduction, or any tax expenditure for that matter, should be addressed by Congress, it should be addressed through the context of a comprehensive, revenue neutral tax reform that lowers rates. These tax-expenditures should not be cherrypicked by the President and his liberal allies to pay for the checks that his administration has written.

I have made this point many times, but today, it is important to make it again. To the extent that any tax expenditures are taken away, tax rates should come down, so that the net effect to government revenues on a static-score basis. That’s what tax reform is all about—getting rid of tax expenditures so as to reduce tax rates. By reducing tax rates, we will unleash the free-market. By unleashing the free market, will grow the economy. By doing that, the government tax receipts will increase, even though on a static-scoring basis, tax reform would be revenue neutral. If we get rid of tax expenditures without an offsetting tax-rate reduction, then we have simply made the task of tax reform that much harder. We have squandered an important opportunity.

I would like to make a last procedural point about where we go from here. Even if Congress passes, and the President signs, this deficit reduction package, we are going to be back at this again before the year is out. The President will be asking Congress to raise the debt ceiling again. Given that, I would like once again to address the failure by the Treasury Department to respond to repeated requests I have made over the past week about Treasury’s short-term cash position, and the failure by almost every member of the so-called Financial Stability Oversight Council—FSOCK—to provide Congress with information about their contingency plans in the event there is a ratings downgrade on U.S. debt in the future.

Does Treasury still think it will run out of cash by midnight tonight? I have been given only limited information. Treasury continues to say we will run out of cash today and will not be able to pay our bills, the same date they estimated way back in May. But, Treasury won’t show me how they are arriving at that estimate. I have not been informed, Congress has not been informed, and Americans counting on timely Social Security payments have not been informed. Almost every member of the F-SOCK, including Treasury and the Federal Reserve, has refused to provide me with any information about their contingency plans for ratings downgrades. Even if the debt limit is extended in the next few days, we won’t face a downgrade. We need to know the government’s plans.

As I have said repeatedly, this is unacceptable. I want to be clear about two things. First, Congress will have to address this matter this fall, and investigate whether Treasury and most of our major financial regulators have been deliberately withholding information from Congress, and if so for what purposes.

Second, assuming that down the road Treasury will present Congress with another default date, I want to put them on notice that this fall I will be demanding timely substantiation of I have been assessment and thereby the government’s cash position. Absent this cooperation, I will stand in the way of any debt limit increase demanded by an unsubstantiated Treasury-determined deadline.

In closing I want to be clear. I cannot support the outcome of these negotiations. But my opposition is not owing to the failure of conservatives or the Republican leadership in the House and Senate. It is owing to what is clearly an unwillingness on the part of the President and his allies to do anything to strengthen our families. It is in that context we try to understand how do we build the strongest possible Nation for working families. How do we do that? Is the Obama-Boehner debt deal the right path? I must conclude that it is not the right path. I conclude that for four reasons.

The first is the impact on jobs. We are facing a gathering storm on the job front. We have 5 to 8 million additional foreclosures that are suppressing the success of our construction market, driving down the value of houses and having a devastating impact on the attempted at a recovery.

Second, the unemployment benefits. The extended unemployment benefits expired this year, and the estimate is that that will result in a reduction of around 500,000 jobs. That is a tremendous blow in 2012. Then we have the termination of the payroll tax holiday and the estimate is that may well produce losses of jobs of more than 900,000 across America. Add them and you are talking about nearly 1.5 million lost jobs that we will face in 2012.
So on top of this gathering storm comes the Obama-Boehner debt deal that is estimated to produce another job loss—and by varying estimates—from 100,000 to 300,000. Doesn’t this deal take us in the wrong direction? Shouldn’t we be on this floor working to create jobs, not to destroy jobs? The success of our families depends on it.

My second major reservation about the Obama-Boehner debt deal is its impact on families throughout the concentration of cuts on the 18 percent of the budget that is the nondefense discretionary portion. This is the portion of the budget that involves Head Start and Pell grants—in other words, an opportunity for our children, our smallest children, success for university education for our college-bound students. It is the area of the budget that involves investments in clean energy. It involves our small business programs that support the success of our small businesses. It involves job training that helps families adjust to a changing dynamic in the economy, and so much more.

In 18 percent of the budget is where the cuts will hit. What with the phase I required cuts, or title 1 cuts, in combination with the cuts under title 3, you have essentially 15 percent cuts from the 2011 March CBO baseline. Under the phase II baseline for 2011 is a very low baseline, much lower than 2010, much lower than 2009. It takes us back many years earlier. We have a very low baseline and we are going to cut 15 percent more out of the core programs supporting the success of our working families, supporting the success of our smallest children, supporting the success of our college-bound children. This is not the path that builds a stronger America.

The third factor is that while our children in Head Start and our children headed for college and our citizens seeking job training are going to take these blows, the wealthy and well-connected have the responsibility of the tax code. As some of my colleagues have argued: Well, you know what, there are some of those programs embedded in the Tax Code that actually help the middle class. My colleague from Utah was just making that argument. Then the argument is extended: So don’t touch any of those programs. Well, if we take that same attitude toward our spending programs, we would say some benefit the middle class, so don’t touch any of them. Obviously that is an absurd argument. Why is it made on the revenue side, to those programs there, but not in the programs that are on the appropriations bill? Why is the tax bill protected from not only that argument, but spending bills being left intact? One simple answer: The programs for the wealthy and well-connected are in the tax bill. So this false argument is used to defend the accumulation of wealth, the expansion of prosperity for the few, at the expense of families across this Nation.

My fourth concern about the Obama-Boehner debt deal is that simply it was forged out of a process of extortion. If you look through the editorials, you see words such as “hostage taking” and “extortion” and “lunacy.” We only have to turn back to Ronald Reagan to remember what he had to say on this. He said: This brinksmanship threatens the hope of the ordinary sensibilities and those who rely on Social Security and veterans’ benefits. Interest markets would skyrocket, instability would occur in the financial markets, and the Federal deficit would soar. The United States was severely damaged in itself and to the world to meet its obligations.

Those who have threatened, for the first time in U.S. history, for the United States not to meet its obligations, which would result in a devastating impact for families across this Nation, those who carried out that threat did so in the wrong spirit—not the spirit of America pulling together, but in the spirit of creating a situation of hostage extortion designed to protect the most powerful and wealthy at the expense of families across this Nation.

Because this deal does damage to jobs and contributes to a gathering storm in 2012 that threatens to take us back to a double-dip recession, because the cuts are concentrated on the programs such as education and Head Start and Pell grants that support the success of our children and the success of our future economy; because it doesn’t take one slim dime of contribution from those who are most able to contribute in our society, and because it was forged out of a fundamentally inappropriate use of extortion against the American family—for those four reasons I will oppose this deal.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BLUNT. Mr. President, I rise in support of the bill. I would say for the second time in about a week I have come to the floor to speak after one of my friends on the other side who is talking about what we ought to be talking about, and both times they were right. They said we should be talking about private sector job creation. I say where are the bills to do that?

We have been here the week of the Fourth of July. We were here and we had two votes that week. One was to compel the Senators who didn’t show up to show up. The other one was on some motion to proceed to cloture on something that had nothing to do with the economy. Apparently they were right in speculating when we need to look at the borrowing limit again, and that is today.

I rise in support of the bill. I said for months the only thing worse than not raising the debt limit would be raising the debt limit and not changing behavior. In fact, I think that is what all the rating agencies that everybody is talking about now, whether they are going to vote or not, and how they are going to vote. Our bond rating in the future—they have all said—and they said long before they talked about the debt limit—that we are spending more money than we can afford, and we need to pay as a Federal Government or as a society. We are spending $1 out of $4 that the society can produce, and that is about 25 percent more than we spent in 2008. It is 25 percent more than we spent on the average from the 40 years from 2008 going backward four decades, and that is important. I think this bill does begin the process of changing behavior. The way we approached the debt limit this time was everything but business as usual.

This is a totally different discussion than we have had before about the debt limit, and the country has almost always had debt. I think there have been only a couple of times in our history where Andrew Jackson paid off the debt. There wasn’t once we paid off the debt—only a couple of times in our history when we didn’t have some kind of debt. In the tradition of that debt, we have always said: Okay, let’s borrow more money because we need more time, for the first time, we said: Why do we need more money? Why is it that we are increasing debt? Why is it we are increasing debt so rapidly? We had a $10 trillion debt in January of 2009, and 30 months later we have a $15 trillion debt. Obviously that trajectory cannot continue and the framework for the decision that is made in this bill says it won’t continue.

Do we continue to add debt over the next decade? We wouldn’t have to. There is a study out that says every time the debt ceiling comes up over the next 10 years, we make the same kind of determination that for every dollar we increase the debt ceiling, we are going to find a dollar in savings over the next decade. That study would indicate that in 10 years we balance the budget. Of course, that is what we should be doing, balancing the budget. This body, before I served here, before I served in the House, before I was in the Congress at all, in 1995 came within one vote of the balanced budget amendment, one vote of passing the amendment that had passed the House. In 1996 it came within two votes of passing that same amendment that had passed the House again. If that one vote would have changed in 1995 or the two votes would have changed in 1996, we would not be having this discussion today because we would have had a balanced budget today and would be moving in the way that every State but one has to function as our State is not going to be able to do. The President, for example, has to come to grips with the fact that they cannot spend more than they have.
The truth is, this agreement, while it is a 10-year agreement, is only enforceable for a couple of years. I believe we will do what this agreement says this year and next year. I am hopeful and optimistic the select committee will do its job. But even if we somehow get another trillion or more of cuts to spending, and that is going to happen—that select committee is going to report this year. The budget cap is set for this year and next year.

But the fact is, in Washington today no one party controls anything. My party, the Republican Party, controls one-tenth of what is going on now. But as Senator PATRICK ROBERTS said yesterday, and who is elected in 2012 to the House and the Senate and the Presidency will finally and ultimately make a decision about whether this track we are on now gets better than it is now or, frankly, heads back in the other direction. At the end I think the campaign pledges are important. While I support the bill, I am also fully appreciative of everyone who feels as though they can’t.

Frankly, if some campaign pledges hadn’t been made in 2010, we probably wouldn’t be at this moment. And if that is somehow extraordinary—that people run for office and say that is what they are going to do and then they come here and do that—that is what the process is all about and how it is supposed to work.

Is this my sense of what would have been the best way to deal with these spending cuts? We would have more spending cuts if I were writing this bill. But the fact is, in Washington today no one party controls anything. My party, the Republican Party, controls one-third of what it takes to get a bill to become law, and the other party controls two-thirds. At the end I think the practical process is all about and how by definition, nobody is going to be totally happy with this bill.

But as Senator PATRICK ROBERTS said yesterday in a meeting I was in, using an old legislative saying: This is not the best possible bill, but it is the best possible bill. It is the best we can do right now.

I think we take this victory and use it as a way to move forward to the future.

Mr. President, I rise, again, in support of this bill.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I come to the floor to express my support for the measure before us, as my colleague from Missouri who has just spoken, and as everyone else who have heard express their support for this proposal. No one seems perfectly satisfied with it, but that is inevitable. I think we have come to one of those classic moments of a very big challenge our Nation faces—this enormous debt—and whether in this agreement or any other agreement we pass half full or the glass half empty and whether what encourages us in the agreement outweighs what disappoints us.

For me, the positive outweighs the negative. I am going to vote for my hopes about what this agreement means as opposed to my fears that we are not doing enough in this agreement.

What makes me most happy about it is this is a bipartisan compromise that turns the corner, turns the ship of America’s state away from greater and greater deficits and a greater national debt and in the direction of balancing our budget—defense and nondefense—so the so-called discretionary spending part of the budget. That is about one-third of Federal spending. About 60 percent is the entitlement or mandatory programs. So we have the beginning of a system that forces cuts in the discretionary third of the budget—defense and nondefense—which they have to do, they have to cut—but it doesn’t ask much of anything else. Spending, the so-called discretionary spending part of the budget. Then, the automatic spending cuts are also all from discretionary spending, asking that one-third of the budget to pay the way, even though it is a small part of the responsibility for the increase in government spending. The tax reform that is in this plan has a plus astating effect on our national security because it would dramatically undercut our defense, as well as some of the programs that are the great investment programs of our future: education, energy, et cetera, et cetera. So I hope the special committee will redeem our hopes and Congress will too by dealing with entitlement reform.

It makes me happy to say before Senator TOM Coburn of Oklahoma and I, in June, introduced a proposal that would take steps to save Medicare for the almost 70 million people who will be on Medicare in a decade and reduce the enormous costs it places on taxpayers. I think a lot of people in our country think the payroll deductions and the premiums they pay, pay the total benefits of Medicare. Unfortunately, that is not so. The average Medicare beneficiary in their lifetime takes $3 or $4 out of the system for every $1 they put in, and we just can’t run a program long term like that. Who picks up the rest? The taxpayers, the budget. That is a big part of why we are heading into deficit. So we can’t save Medicare by leaving it the way it is. We have to save Medicare—and I want to save Medicare because I believe in the program—if we change it.

Senator Coburn and I put forward this plan that will save over $600 billion to Medicare in the next decade. It will extend the solvency of Medicare by at least 30 years and reduce Medicare’s 75-year unfunded liabilities by $10 trillion.

Now, I know our plan contains some unpopular medicine, but that is what is going to save Medicare alive, and we believe our plan administers this medicine in a fair way. Senator Coburn and I are going to forward our proposal, which is in legislative form, to the joint select committee for their consideration, and we hope they will include parts of it in their recommended legislation.

I also believe it is essential for the joint committee to act to bolster the Social Security System. Many think Social Security is not contributing to the deficit because it has a positive balance in the Social Security trust fund. But what is in that trust fund? It is notes that the United States Government has given to the Social Security trust fund every time we have borrowed from it. Of course, we are bound to pay that money back.

The fact is, today Social Security is running a deficit on a cashflow basis. In other words, the amounts into the system are not as great as the pay- oes out, and they will continue to do that in increasing numbers for the foreseeable future.

What does that mean? It means the Social Security trust fund has come to the Federal Government to redeem the bonds the government gave Social Security when it borrowed the money. How does our government pay back the Social Security trust fund? By borrowing over the next two decades $2.5 trillion in another kind of IOU for the benefit of future taxpayers. I think we should do something to save Social Security, when we hit the year of 2036, Social Security will only...
be able to pay benefits to the extent that they are covered by incoming receipts, and that will mean a sudden, shocking, painful 23-percent cut in benefits for senior citizens.

We have to begin to enact reforms now to protect Social Security, and we can do it. I wish to indicate today to my colleagues that Senator Coburn and I are working again on a bipartisan proposal to secure Social Security for America’s seniors for the long term, and we hope to have that done also forward to the special committee for their consideration.

So the bottom line: We can’t protect these entitlements as well as have the national defense we need to protect us in a dangerous world while we are at war against Islamic extremists who attacked us on 9/11, and will be for a long time to come. We can’t not touch the entitlements or raise taxes and create a tax reform proposal and expect to protect all the programs of investment in our country, so much as America’s families: education particularly, alternative energy, investments in our transportation system.

To be able to do all that in the right way, we need this special committee and Congress to take the next steps. But this is a significant beginning, as imperfect as it is.

If I may, finally, for all of us—and particularly for the President, the Speaker, the majority leader, the Republican leader in the House, and the Democratic leader in the Senate, and everybody who worked so hard, coming close to the kind of grand bargain that we needed, that the Simpson-Bowles Commission adopted, that the kind of grand bargain I think we need, that the Simpson-Bowles Commission has the potential to end this manufactured crisis. It is a solution that puts common sense and the national interest above partisanship and ideology.

The country has been pushed to the brink of catastrophe. The choice at hand is not this bill or something better. The choice is between the only bipartisan practical solution to the debt ceiling crisis, or a devastating default on the Nation’s debts for the first time in our history. A default would send shock waves throughout our fragile and fragile as the economy and credit rate. It is an exercise in tax on every household and every business in Vermont and across the country.

The solution before us includes $3 trillion in spending reductions reached through bipartisan recommendations that will yield the greatest overall budget savings ever. Just as Vermont families are having to make difficult financial decisions, we need to make long-term budget reforms, and the country should be spared the ordeal of having to go through this same kind of torment again just a few months from now.

The special congressional committee chartered by this legislation to recommend future deficit reduction can consider revenue measures, and I will continue to push for an end to outdated tax loopholes for giant oil firms and companies that ship American jobs overseas. I also continue to believe that the wealthiest Americans should pay their fair share in these solutions.

If the special congressional committee fails to make bipartisan recommendations, then the agreement calls for cuts in defense spending and protections for Social Security, Medicare benefits, Medicaid, veterans benefits and child nutrition. I strongly support these protections.

All along the American people have wanted this debt-limit crisis resolved promptly and fairly through the give-and-take of our representative government. It is extremely unfortunate that many who manufactured this crisis in the first place then stood in the way of a solution for weeks on end, threatening the first default on United States obligations in our history.

Many in this body recall, as I do, the period just decades ago when Congress and a Democratic President were able to balance the Federal budget and create budget surpluses that were on their way to paying off the national debt altogether. I remember also the key Senate vote to put us on that path, which had to be achieved without any support from the other side of the aisle. Those balanced budgets and surpluses were achieved without any constitutional amendment requiring them. And those surpluses grew, until subsequent decisions were made by a new administration, and ratified by a new Congress, that squandered the surpluses and plowed the debt up once again. But I believe the American people need, and deserve right now is a return to wise and disciplined leadership. We need the return of a willingness to cooperate and forge solutions across partisan lines to solve the most pressing issues facing the country. The economic health of the Nation and the jobs of thousands of hardworking Americans should not be mired in politics.

The Senate throughout history has shown its remarkable ability to rise up in times of crisis to reflect the conscience of the Nation. Now is such a time, for the good of the country, for Democrats and Republicans in both chambers to rise to the occasion and not allow our political system to be that has put our entire economy at risk.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I commend the Senator from Connecticut on his remarks and, particularly, his closing. I associate myself with what he said. I will support this bill when it comes to the floor at 12 o’clock today. On Saturday, I came to the floor at 2 o’clock out of frustration and made a speech critical of the negotiators as we were letting the clock run and had no deal. I was critical because we had pretty much had an agreement we were going to cut. We pretty much had an agreement we were going to establish a balanced budget amendment. We had not agreed to a balanced budget amendment. We had not agreed to an enforcement mechanism on the committee to make sure they did the cutting. Probably most importantly of all, we had not agreed to triggers on the debt ceiling increase for accountability.

I come to the floor today not frustrated but feeling somewhat rewarded because on the three solutions negotiated to those three component parts of the particular piece of legislation, the genie is out of the bottle, and history is about to be made.

No. 1, on the debt ceiling increase, when the trigger was finally established, it means from now on whenever this debt ceiling increase is asked for by a Republican or Democratic President, it will be demanded that there be spending cuts commensurate with any increase. That is historic. That is the first step in the right direction of san- ity, accountability, and fiscal responsibility.

Secondly, they finally came together and agreed there would be a balanced
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budget amendment vote in the House and the Senate before this year end, with incentives for us to vote for that balanced budget amendment. For the first time since 1995—the first time in 16 years—the Congress of the United States will be debating, forcing itself to do what it is charged to do. There is no legislation that will spend their money to balance their budget, to live within their means. It is about time the Congress of the United States asked of itself what it imposes on every family in America.

As far as the select committee, there was a fear among many that it would only be a paper tiger; that it would not have the claws or the teeth to actually do what it needs to do on the cuts. While I would have done a different type of legislation, I commend those who negotiated this sequester on putting one in that has enough teeth and enough fear to force this select committee to do what it needs to do.

Today, when I vote in favor of this agreement, I will be voting for us to cut spending where we need to—not as much as I would have liked but a lot more than we have ever seen before—but, most importantly, voting for the assurance that never again will a debt ceiling go up without a debate on spending, and the need to mensurate spending. That is important. I will be voting for this because we will have a balanced budget amendment on the floor of the Senate and on the floor of the House of Representatives that we have long needed since the last one failed 16 years ago. And we finally have a sequesterion mechanism or an enforcement mechanism to enforce the select committee to do what it is charged to do in this particular legislation.

My assumption, expressed on Saturday, is gone. My pride in the Senate is restored, and I look forward to casting my vote in favor of this agreement at 12 o’clock today.

I yield back.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. MORAN. Mr. President, thank you for recognizing me.

I am honored to be, once again, on the Senate floor. I have spoken many times about the issue that is now before us for a vote in just a few minutes. This is a significant point in our country’s financial history—a time when elections have played its course and decisions have had to be made. Our government, at this moment with no real joy. I think we have put the American people through a lot—certainly, over the last several months—as we asked them to follow along as we discussed this idea of raising the debt ceiling.

This country needs certainty, and I have said all along we need to raise the debt ceiling. There needs to be that certainty. I have said it would be irresponsible for us not to raise the debt ceiling, but I have said all along it would be equally as irresponsible if we raised the debt ceiling without meeting the criteria I have outlined.

While we will have a discussion among ourselves today—and I will probably play quarterback and Friday morning quarterback after this—is over to figure out what we have accomplished—but, in my view, it is important to know there are no cuts in this bill. There is only a reduction in the growth of spending, and that reduction is so small—$21 billion reduced in the first year in the growth in spending.

In Kansas, when we hear the word “$21 billion” we think that is a lot of money and it is. So I think Kansans will hear the words “$21 billion” and think: Oh, my, they are finally doing something significant. But the truth is, we spend $4 billion more each day than we take in, and that $21 billion, if realized, in the slowing of the growth of spending, will be gone in less than a week. This legislation does not cut spending.

While we promote a balanced budget amendment, which I think is so critical to our success in changing the structure of how we do things, there is no balanced budget amendment to the U.S. Constitution in this agreement or one that will necessarily be sent to the States for ratification. Our national debt will continue to grow and, in fact, at the end of 10 years, if everything in this legislation is accomplished—and I think we have to be skeptical about that—our national debt will grow and reach $22 trillion. We are at $14.3 trillion today. Ten years from now, with this legislation in place, $22 trillion. Over the next three decades, our debt will become three times the size of our entire economy.

We have talked about changing the way we look at things in Washington, DC. For the first time—and I agree with this—we are talking about reducing the growth of spending by the amount we are raising the debt ceiling. But can you imagine a family back in Kansas congratulating themselves for changing their spending pattern? Kansas families, when they are in trouble for spending too much money, cut the budget today. We are not doing that. They do not just slow the growth, and they do not wait for 10 years to see it realized.

The problem is today, and I think this is a significant problem. People will need to raise their debt ceiling today or our credit worthiness will be judged by the rating agencies and we will be downgraded. I worry that even with the passage of this bill, its effects are so minimal in spending that the downgrade will occur regardless.

This is a time for us to make the tough choices as compared to kicking the can down the road one more time. It is an honor to serve in the Senate. Nothing in my life, my background, would ever suggest I would have this opportunity. I am honored to serve Kansans, and I will do my best to make the right decisions on their behalf. But as I have listened to Kansans for the last 2 years on the topic of what is important to them, the economy matters, and the first thing we have to do is get our fiscal house in order so the economy can grow and people can find jobs and get better jobs.

While my assumption, based upon the news reports, is the legislation I oppose today, I owe it to my Kansas constituents that I will work hard to see that every dime that is possible to be saved occurs, and I will re-double my efforts to see we grow the economy and put Americans back to work because the revenues we need to balance our books are not increases in taxes.

The revenue we need to balance our books is a strong and growing economy so every American can put food on their family’s table, save for their children’s education, and prepare for their own retirement, and that we are blessed with the opportunity in this country to see every American child be able to pursue the American dream.

I thank the President.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Ms. AYOTTE. Mr. President, for weeks, Americans have watched the debate about raising our Nation’s debt ceiling. I know it is has been difficult and often frustrating to watch what is happening, but the discussion could not have been more important for the future of America. We have been talking about whether we would increase America’s borrowing limit.

In doing so, we have rightly focused on how to prevent a default on America’s credit, but also, just as important, rather than just reflexively continuing to borrow money we do not have from Chinese bankers, how we are going to confront the fundamental behavior in Congress that has led us to this culture of borrowing and overspending.

I am confident from the beginning of this debate that we owe it to the American people, and I owe it to my constituents in New Hampshire, to confront both issues—to avoid default and, finally, to
confront our debt once and for all, and to change the direction in which we are headed as a country.

To address only default and to continue to kick the can down the road on making the tough decisions to fundamentally change the path we are on will surely lead to a downgrade of our credit rating. It will sap our economic strength and will lead to the insolven­cy of the greatest country on Earth.

While I appreciate the difficult work done by the Speaker of the House and our Senate leadership in coming up with an agreement that avoids default, I am unable to support a bill that delivers the largest debt ceiling increase in the history of our Nation but does very little to confront the underlying problems that have brought us here—problems that have led us to over a $14 trillion debt and which will increase in the next 2 years to over $16 trillion in debt.

I have not come to this decision lightly. I have had countless meetings over the last months and weeks with my colleagues on both sides of the aisle to talk about the issue and how we can confront this crisis now. I have said from the beginning we need fundamental changes in the way we do business in Washington, including budget reforms, enacting a responsible budget. I am a member of the Senate Budget Committee—the newest member of that committee—and it has been terribly disappointing to me that the Senate has not allowed the Budget Committee to do its work and come up with a budget for the United States of America.

So we do need fundamental budget reforms. I have said we need major spending reductions, and we need to re-form our entitlement programs. I cannot in good conscience agree to a deal that continues to perpetuate the culture of overspending and borrowing in Washington.

In coming to this decision, I have asked myself several questions: The first question I have asked is, Does this agreement significantly reduce spend­ing? Unfortunately, the answer is no. While it claims to reduce the deficit by $917 billion over the next 10 years, only in Washington would this be called a spending reduction. Because of baseline budgeting, a reduction of $917 billion in the deficit, as it is claimed, is no reduction at all. Over the next 10 years, under this agreement, we will spend over $830 billion more in discretionary spending.

So there is no reduction in spending. If you just look at the reduction from what we will spend in fiscal year 2012, it is $917 billion. This is 7% billion more in spending than what we were projected to spend in 2011 and 2012. We borrow $4 billion a day to sustain our government. So the spending reductions between what we spend in 2011 to 2012 is not even 2 days of borrowing for the United States of America.

Many of the cuts are in the outyears. And you know what happens in Wash­ington when the cuts are in the outyears. Unfortunately, our history has been that they do not get done. That is why I am concerned about even the $917 billion claim in reductions, which is not a reduction in spending.

I have asked the second question: Does this agreement in any way reduce the size of government? We know this government has continued to grow even as State governments and families have made the tough decisions to downsize, to reduce, to live within their means. This deal does not cut or end one government program.

In March, the GAO came out with a report that identified hundreds of duplicative programs that happen here in Washington where we could save billions of dollars. My colleague from Oklahoma, Dr. Tom Coburn, has done the hard work of identifying hundreds and hundreds of duplicative programs where we could save billions of dollars. Yet this agreement does not reduce the size of government at all or even one of those programs.

Does it avoid a downgrading of our credit? Unfortunately, I think this agreement will also lead us to a down­grade. And why does that matter? Becaus­e it is the economic strength of America and our economic growth, our borrowing costs. It will hurt our job creators when now more than ever we need to create jobs in this country and put people to work. Yet our fiscal house in order here in Washington is hurting the hard-working people in New Hamp­shire and America.

The credit rating agencies and even the President’s own fiscal commission have said that the minimum amount of debt reduction that we need over the next decade is $4 trillion just to sta­bilize our debt and to ensure our AAA credit rating is not downgraded. But with this agreement, even if everything happens and the fiscal committee does all of its work, we will only see a maximum reduction of $2.4 trillion. And that is assuming every­thing in those outyears gets done, which we do not always have a good history of here in Washington.

Finally, does it change the trajectory of where we are going with our debt to preserve our country? No. Under this agreement, we will continue to about $1 trillion a year to our debt—a debt that is already $11 trillion. It does nothing to strengthen our ent­itlement programs. We know from the trustees of Medicare that program is going bankrupt in 2024. We know from Social Security that program is going to be bankrupt in 2032. Yet we have not taken on that fundamental problem in this agreement. How do we reform those programs to preserve them for Americans that are relying on them and to sustain them for future bene­ficiaries?

While I appreciate that we are begin­ning to change the discussion here in Washington, I cannot support this agreement. I appreciate that it is very important that we avoid default, but I know we are better than this. I know we can do more to make sure we pre­serve the greatest country on Earth. We need to take on the fundamental problems, the chronic overspending in Washington. We cannot continue to say that a reduction is a reduction when it is not, when we are continuing to spend more money, because at home people look at that and say: Give me a break. That is not how I do my family budget.

We have to tell the truth to the American people about this agreement and deci­sions. I know we can come together and get something done that will funda­mentally change the direction in which we are headed. That is why I am disappointed about this agreement, be­cause it does not do it.

We must do more than avoid default. We must save our country for the sake of our children. I have often come to this floor and talked about the fact that I am the mother of two children. The PRESIDING OFFICER. The Senator has used 10 minutes.

Ms. AYOTTE. Mr. President, I ask unanimous consent for 1 additional minute.

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

Ms. AYOTTE. I am the mother of a 6-year-old and a 3-year-old. This discus­sion goes beyond those of us who are serving right here; it is about what kind of country are we going to leave for the next generation. And I know I will not look my children in the eye and have them say: Mom, what did you do about it?

We have to solve this crisis now. I know we cannot look forward to work­ing with my colleagues on behalf of the people of New Hampshire, to really rolling up our sleeves, finally cutting spending, and saving the greatest coun­try on Earth.

Mr. GRASSLEY. Mr. President, during the past few weeks and months, Congress and the President have been involved in discussions to raise the debt ceiling, and reducing spending, defi­cits and debt. This discussion is a re­sult of the elections last year. The vot­ers sent a strong message that it was time for Washington to stop the spend­ing spree. And it is because of that message that we are even having this debate. Even the President now agrees that to address our fiscal situation we need to reduce spending.

That has not always been the case, though. Just last year President Obama refused to endorse or advance the findings of his own National Com­mission on Fiscal Responsibility and Reform. On February 18, President Obama submitted his budget proposal to Congress that refused to address our looming deficits and debt. Over the next 10 years, his budget would have added another $13 trillion to our na­tional debt. President Obama’s budget was so out of touch that it was rejected in the Senate by a vote of 97-0. Then he delivered a speech in April that magi­cally found $4 trillion in spending cuts.
In just a matter of weeks, President Obama found $4 trillion in spending that no longer needed to be spent.

The American people have to wonder how Washington can be serious about budgets and spending if the President, in a few months, can find $4 trillion of spending that was of national importance on February 14, but is no longer necessary on April 13. It is this type of behavior that leads people to be cynical of Washington and the Federal Government. It is little wonder that lofty commitments from Washington are received in Middle America as just empty promises and political rhetoric.

Up until a few months ago, President Obama and members of his administration were calling for a clean debt limit increase with no spending cuts. He simply wanted Congress to provide him a blank check. The debate has shifted. We are no longer discussing spending increases. The entire debate today is about cutting spending, how much and from where. The fact that we are here today in agreement on the need to cut spending is an enormously important development. I commend all of those who worked so that spending cuts be included in this agreement, and I thank those who were involved in working out this hard fought agreement.

Unfortunately, this bill does too little to address our overspending, deficits and debt. Virtually none of these cuts in this bill come in the next few years. It is all back loaded with no guarantee that Congress won't reverse course, and undo these spending reductions. And, there is no guarantee that entitlement programs that are driving the long-term fiscal problems will be reformed. These programs need reform so they remain viable, affordable and available for generations to come. But this bill has too little to ensure those reforms take place.

The American people sent us to Washington to confront these problems. They want us to stop overspending. They want us to chart a path to fiscal responsibility, where Washington spends only what we take in.

In addition to its tightness on spending reductions, I fear that this bill will set up a process to increase taxes on the American people in the belief that more tax revenue would lower deficits. This bill creates a bicameral, bipartisan committee that will be tasked with producing the second tranche of deficit savings. Despite the fact that our government has a spending problem and not a revenue problem, President Obama continues to insist that higher tax rates must be a part of a major deficit savings. It is his desire for bigger government, and higher levels of taxation that will likely prevent any serious follow-on deficit reduction or entitlement reform package.

I want to be clear. I do not wish for the government to be launched toward a threat of default. My vote against this bill is not a signal that I would prefer increasing our debt ceiling. I am compelled to vote against this package because I see this as a missed opportunity. We are providing President Obama with the largest increase in the national debt ceiling in history. But, instead of using this opportunity to address our near term and long term spending and fiscal problems, we are cutting a little now, and kicking the can further down the road.

This bill grants a $2.4 trillion increase in our Nation’s debt limit, the largest increase in our history. The challenge for Congress and President Obama was to sketch a deficit reduction plan to address deficits and debt in a significant way. The uncertainty about the CBO reduction management gets in the way of private-sector job creation and economic recovery. But this bill is insufficient in putting us on a path to live within our means.

To me, this is also a moral issue. It’s wrong for the elderly to get a service and leave the bills for the next generation to pay. The trajectory of our debt is alarming. It will soon undermine our economy and our economic growth. If we do nothing, our children and grandchildren will have fewer economic opportunities than we have had. Without a plan to put our fiscal situation on a better path, the next generations will have a lower quality of life than the one we’ve experienced. We can’t let that happen. But, I am afraid this bill will accomplish too little in this regard.

Again, I recognize that this hard fought compromise is a step in the right direction, and I am pleased that Congress and the American people have recognized the terrible fiscal path our nation is on. I only wish that this plan was proportional to the size of the problems we face.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent that the time during any quorum call be equally divided.

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

Mr. MORAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk will proceed to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the sale of Senator Sander Levin's copy of the floor be suspended.

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

Mr. LEE. Mr. President, I stand today to explain my reasons for voting against the debt limit increase we will be voting on just about half an hour from now.

This is a crisis that America faces. It is an ongoing crisis that will neither be created nor eliminated with today’s vote. It is a crisis that has been building gradually over the course of years—decades, in fact. It is a crisis that we certainly have known about ever since this Congress was sworn in in January of this year.

This is a crisis that threatens potentially every Federal program, from defense to entitlements, because as we continue to borrow more money as a country, we get closer and closer to the unknown but nonetheless existing point at which we will no longer be able to borrow, at least not at interest rates that will make this kind of borrowing sustainable.

For many more there to go up even to their historically average levels, within just a few years we could be spending something closer to $1 trillion every single year. Just to pay the interest on our national debt, we could be borrowing more than Social Security in an entire year, more than Medicare and Medicaid combined, and more than national defense in an entire year. What happens when we get to that point? Where does that money come from? The reality is that every Federal program, from defense to entitlements, could see its coffers raided in an unfortunate Draconian display of fiscal irresponsibility if we continue to punt this problem and not to address it.

The legislation at issue today addresses this problem by perpetuating it. I am pleased, of course, that this legislation does certain things and has invigorated a new conversation on the sorts of strategies that need to be in place if we are ever going to address this problem on a long-term basis.

Some 7 or 8 months ago, there were still people in this town of Washington, DC who were saying things along the lines of “we need another stimulus package” or “we need more Federal spending of one sort or another.” They are no longer saying that. Now the discussion focuses not on whether to cut but how much.

There is, of course, renewed discussion about the need for a balanced budget amendment. But talk is different from outcomes. What we need are outcomes. What fundamentally change to the way we spend money in Washington. What we need is to restrict Congress’s authority, granted by clause 2 of article I, section 8, of the Constitution, to incur debt in the United States—that power needs to be restricted. The only way we can restrict that on a permanent basis, one that will bind not only this Congress but future Congresses that come after us, is through an amendment to the Constitution.

This legislation raises the debt limit by about $2.5 trillion. This is a record-breaking sum. Not too many years ago,
when I was in high school, this was roughly equivalent to our entire national debt. Now, through one piece of legislation, we are increasing, expanding our already huge national debt by roughly that same sum, and it does not contain any permanent, binding structural changes of the sort that would be necessary to make sure we get out of this problem, to make sure we end the problem we have created through Congress’s reckless pattern of perpetual deficit spending.

That is why I have insisted since before I was even sworn into office that before we raise the debt limit, we need to pass a balanced budget amendment and submit it to States for ratification. Nearly every State balances its budget each and every year. It is not news when a State does this. I look forward to the time when it will no longer be news when Congress does the same.

There are significant cuts discussed in the legislation out of the fiscal year 2012 discretionary spending budget. Some dispute this number and suggest, as some of my colleague have already, that, in fact, the fiscal year 2012 budget will spend $23 billion more. Others concede the point and say: OK, let’s assume for purposes of this discussion that it does, in fact, cut $7 billion from what otherwise would be new deficit spending. Now, $7 billion is roughly equivalent to the amount of debt we have added to our total debt portfolio just in the last 30 hours or so, roughly the period of time that has elapsed since this legislation was announced late Sunday night until this very moment, because we are borrowing about $4 billion of new debt every single day. State governments can’t afford to lose more than two-tenths of 1 percent of a cut.

I do believe we have made progress. I commend our leadership for working so hard to focus the discussion on the need for cuts.

We have, unfortunately, had Democratic leadership in this body that has been bent on delaying the announcement of any deal as long as possible and preventing legislation such as the Cut, Cap, and Balance Act from coming to the floor, where it could have been subjected to an open debate, discussion, and amendment process, as well it should be. I regret the fact that it didn’t come to that, the fact that that legislation, which could have solved this problem and would have put us on a path toward fiscal responsibility, toward ending this problem once and for all, was not even allowed its day in the Senate to be debated and discussed on the merits.

At the end of the day, we have to come to terms with the fact that the course we are on, from a fiscal standpoint, is utterly unsustainable, and adding more debt to our now-bursting portfolio of debt will only contribute to this problem—unless we adopt a balanced budget amendment. The time to do that is right now.

The American people overwhelmingly support a balanced budget amendment, to the tune of about 75 percent. To my great astonishment, some of my colleagues and even the President have suggested that a balanced budget amendment is somehow a radical idea—so radical as to be absurd and even evil. I urge, though three out of four Americans believe we need a balanced budget amendment.

I will close by referring to a quote by a man named William Morris, who said this in the late 1800s:

One man with an idea in his head is in danger of being considered a madman; two men with the same idea in common may be foolish, but can hardly be mad; ten men sharing an idea begin to look like a fanaticism, a hundred and society begins to tremble, a hundred thousand and there is war and the cause has victories tangible and real; and why only a hundred thousand? Why not a hundred million and peace upon the earth? You and I who are gathered together, it is we who have to answer that question.

The economy is in peril. We need action, the economy will be irreversibly fractured.

We have reached a bipartisan solution that would link our debt ceiling and prevent a downgrade of our credit. We need to invest in it by rebuilding roads, bridges, and increasing access to broadband. This is what will lead to new jobs, new opportunity, and new prosperity.

We also need to invest in education, science, research and technology. These investments will lead to jobs of the future and prepare students and workers to compete in a global economy. This means making sure kids have access to higher or career education. It means supporting scientists who are finding cure for the most devastating diseases. And it means giving businesses the tools they need to develop new products.

We can’t cut our way to a new economy. We need to invest in it by rebuilding roads, bridges, and increasing access to broadband. This is what will lead to new jobs, new opportunity, and new prosperity.

After wrenching analysis, I will vote for this bipartisan agreement because it is an achievable and pragmatic solution to the crisis that would be caused by inaction. It will require tough action, but it is necessary to honor our obligations to the greatest generation and the next generation.
billed as the next Chairman of the Joint Chiefs of Staff, testified that cuts above the $400 billion in defense spending that were already being studied would be "extraordinarily difficult and very high risk." I agree. But what is currently falling within a debate is not just the enormous size of the potential reductions but that the defense cuts being discussed have little to no strategic or military rationale to support them. They are essentially just numbers on a page. Our national defense planning and spending must be driven by considered strategy, not arbitrary arithmetic.

"These defense cuts, initially about $350 billion over 10 years—but especially those that could result from sequestration that could amount to another $500 billion—reflect minimal, if any, understanding of how they will be applied or what impact they will have on our defense capabilities or our national security." Secretary Panetta has made it clear that a comprehensive review will precede any decisions he makes on further defense cuts, the Congress currently has no specific indication of how the current debt compromise proposals would impact our national security forces, what changes they would require to our compensation system, what equipment and weapons would have to be cancelled as a result, or what additional risk to the readiness and modernization of our military forces, and our equipment we would have to accept. If Congress is to make informed decisions about our national defense spending, we need information like this, and it will have a crucial impact on how the joint committee created under this compromise goes about its work. And based on that sort of information, we must do everything we can to avoid an exercise in blind sequestration of defense funds that could come into play if the joint committee cannot find a way to find further cuts of $1.2 trillion or more that can be enacted into law.

For many months, we have been engaged in a political tug-of-war over whether we should raise the debt limit and allow the President greater borrowing authority. I joined my colleagues on this side of the aisle in our insistence that any increase in our debt ceiling be accompanied by meaningful, real cuts in spending, not just typical "fiscal cliff" rhetoric and mirrors. I believe we achieved our goal with this compromise. The deal before us provides at least one dollar of actual spending cuts, not gimmicks, for each dollar in debt limit increases. It doesn’t raise a single dollar in taxes. By including upfront cuts, a joint committee, a balanced budget amendment, BBA, vote, the debt disapproval process and sequesters, it continues the pressure on the President and Congress to continue cutting spending through the next election and beyond.

Some of my colleagues from the other side of the aisle have described the debate on this issue as a "manufactured crisis." They cite the fact that, in the past, we routinely raised the debt ceiling with little or no debate, having done so at least 10 times in the last ten years. Well, I say to my friends, you are leaving out one very critical factor that faced this possibility: The deal that makes our current situation anything but "routine"—and that is this: Never before in the history of this great nation has our debt been $1.4 trillion. Never before in our history have we faced the possibility of our creditworthiness downgraded due to our inability to control our spiraling debt, which could very well decimate the good faith and credit of the United States, which would have a severe impact this instance in the world.

This measure represents the beginning, not the end, of what I believe will be a sustained national focus on getting our fiscal house in order. We still have a very long way to go and a great deal of hard work to do. Americans are still hurting. Unemployment remains at unacceptable levels and is estimated to continue to grow. We need to cut spending, spur economic growth, and send people back to work. Our goals cannot be achieved by raising taxes on individuals and small businesses, and they cannot be achieved by expanding the size of government and massively increasing federal spending. It is time we learned from the lessons of the past, and the past has taught us that we cannot spend and tax our way to prosperity. America has been driven down that road, and we nearly plunged off of a cliff into economic disaster. I believe this measure will begin to put us on the right track.

I urge my colleagues to seize this opportunity to put America back on a path to fiscal solvency and vote in favor of this compromise.

Mr. KOHL. Mr. President, I rise today to support the budget agreement that has been so painstakingly negotiated over these past several weeks. This is not a perfect bill, but it will serve to get our country back on budget control. Failing to reach an agreement and allowing our nation to default is not an option.

Failing to raise the debt ceiling would mean failing to honor the obligations we have already made. Previous Congresses and administrations have always recognized this duty, raising the debt ceiling over 70 times since 1962. This is not a partisan issue. President George W. Bush signed seven debt ceiling increases and President Clinton signed four. President Reagan raised the debt ceiling 18 times.

We have also agreed to reduce our Nation’s debt by over $2 trillion, which is a significant step forward. These are sustainable fiscal path. Much of this budget savings will be found by a new joint congressional committee. Their recommendations will likely be similar to the Bowles-Simpson recommendations, the Gang of 6 proposal, and other bipartisan efforts.

I must say that I am disappointed we could not get a broader agreement to...
reduce our deficit. We know what we need to do. Every bipartisan proposal works by putting everything on the table: domestic spending, defense, entitlements, and revenue. It is not a good sign that this bill would force only spending cuts if Congress fails to pass the job-creating bill I just gave you. Refusing to put anything on the table means refusing to truly solve our budget problem.

Our system of government is built on compromise. This deal shows that the Senate and the House cannot come to an agreement, and now we need to return immediately to the most important job, getting our people back to work and getting the economy back on track.

Mr. REED. Mr. President, these are challenging economic times and Republicans have taken us to the edge of the cliff. In the limited time left to prevent government default for the first time in our Nation’s history, I think we can all agree on at least one thing—this was the result of failure to foster job creation and spur economic growth. In fact, it could well increase recessionary pressures on the economy.

As the richest country in the world, we should never have reached this crisis point. The United States always pays its bills. And, let’s be clear, the bills we are talking about are not new ones; they exist because of prior policy decisions.

Fault for the linking default on our debt ceiling to an ideological budget plan rests with my Republican colleagues. The President thought he could negotiate a grand bargain, but it turned out Republicans were not interested in compromise.

Since the onset of the debate surrounding the need to raise the debt ceiling, the American people have made their position clear: They want a fair and balanced approach to reducing the deficit. Like the majority of Americans, I understand the need to get our fiscal house in order, and I took tough votes in the 1990s to create a record budget surplus. On Sunday, I also voted for a plan that would have controlled spending to a greater extent than the bill before us today.

As in the 1990s, and so many other times in the past, reining in the budget deficit has meant spending cuts and revenue from closing loopholes in the Tax Code enjoyed by the wealthiest Americans and biggest corporations.

Debating deficit and the fact that such changes would not take effect in the short term, Republicans refused to accept a balanced approach.

Indeed, the price for averting the economic disaster of failing to raise the debt ceiling—a failure that some of my Republican colleagues were quite willing to see happen, to have our Nation go off the cliff—was a deal predicated on sacrifice by the middle class and no one else.

And so the agreement forged by the President and congressional leaders is by no measure ideal. It not only makes fundamental concessions, but ignores the No. 1 issue on the minds of Americans, which is how to address job creation and the unemployment situation.

In doing so, it also evades not only common sense but ignores economists who have warned that this trend toward drastic cuts threaten to choke off a faltering recovery. Former Labor Secretary Robert Reich expressed these sentiments in saying that the agreement: ‘‘[. . . ] hobbles the capacity of the government to respond to the jobs and growth crisis’’

This agreement doesn’t extend unemployment insurance at a time when too many Americans remain out of work. It doesn’t stave off automatic tax increases on employers in distressed States with outstanding loans from the TARP program. No new stimulus includes common sense measures to save jobs like work sharing, which has proved so effective in some of our states and abroad, nor infrastructure spending to create jobs.

Instead, the first part of this agreement includes spending cuts that could hurt the middle class and those in need—nearly $1 trillion—at a time when Americans can literally least afford it. While working men and women are coping with stagnant wages, 14 million other Americans are simply without a job in an economy that is still climbing out of a deep economic recession. In Rhode Island the jobs situation remains especially difficult and double-digit unemployment persists.

Rather than set in place a longer term debt reduction agreement that would bring much-needed certainty to the economy, this agreement brings unnecessary uncertainty by tasking a joint committee to come up with at least $1.2 trillion in deficit reduction. These recommendations would receive expedited consideration with no amendments before the end of the year. A failure of this committee to come up with the required level of cuts or a rejection by the Congress or a veto by the President of the committee’s recommendations would mean sequestration—automatic across the board cuts, half to domestic and half to defense spending.

I support the need to make continued decisions to eliminate wasteful and duplicative spending, and I perhaps this committee could come to a fair and balanced approach. Yet there remains a real likelihood that Republicans could very well dig in again on the question of ending tax giveaways to very profitable corporations and millionaires and call for drastic changes to Social Security, Medicare, and Medicaid in order to meet targeted savings. The Joint Committee could also reverse the gains we made to reform health care.

In fact, Speaker BOEHNER, in presenting this legislation to his Republican conference, said that it would be effectively impossible for the joint committee to raise revenue. This means that the joint committee could recommend legislation even more austere and imbalanced than the $17 billion cuts we are considering. Republicans could again choose to balance the budget on the back of middle-class Americans. What should make us think that a few months down the road Washington Republicans will sing another tune and be willing to put revenue on the table?

Cuts are about more than just numbers. They are about priorities, and I worry that the cuts from the joint committee or from sequestration would continue to be based on Republicans’ extreme ideological beliefs, and not on common sense priorities like jobs and the well-being of the middle class.

The bill before us has two outcomes and I see it. The upside, I do favor that, depending on who you talk to, will either fail spectacularly or succeed spectacularly in producing a balanced proposal of shared sacrifice. The thought is that the threat of sequestration, which should be considered a meat cleaver approach to priorities, could produce an equitable compromise by the joint committee. Others believe sequestration will somehow be ameliorated or avoided altogether— that Congress will somehow pass legislation in the future to blunt its impact. I hope those positive predictions prevail, but I am dubious.

In this spirit, the agreement marks a turning point for our nation at an extraordinary time. Following the Great Depression, we faced another set of extenuating economic circumstances. And only after years of misguided cuts urged by fiscal conservatives, did the Congress finally listen to those who voiced the need for spending to buttress economic growth.

It is widely known that the best way to ensure economic recovery is to get people working—paying taxes and stimulating demand that has a multiplying effect on our economy.

Of course the irony of the situation lies in how we got here. President Bush was handed the biggest surplus on record, $236 billion—indeed, we had 3 straight years of budget surplus before he drowned our Nation in red ink as far as the eye can see.

In fact, Republicans at the time were concerned the budget surplus—which was projected to last another 10 years— was in itself a danger. Federal Reserve Chairman Greenspan expressed this sentiment: ‘‘The emerging key fiscal policy need is to address the implications of maintaining surpluses beyond the point at which publicly held debt is effectively eliminated’’

The resulting Bush policies—led by the $1.8 trillion tax cuts skewed to the
those making over $250,000—erased this record surplus, and replaced it with a $6.2 trillion deficit over this time period. This is an extraordinary swing of $11.8 trillion from fiscal year 2002 to 2011. To give some comparison, our current debt is roughly half of the current value of the Nation’s output of goods and services, is approximately $15 trillion.

While Americans are hard pressed to make ends meet and find work in an economy that isn’t creating enough jobs, the largest corporations are doing extremely well.

We are seeing now corporations rack up huge profits. The nonfinancial members of the S&P 500 index are sitting on about $1.9 trillion in cash. The Federal Reserve indicated similarly that nonfinancial businesses have about $1.9 trillion in cash defined as liquid assets. We need policies that get businesses to make investments that put Americans back to work.

So a better approach would involve a serious commitment to deficit reduction that asks more from all Americans in the interest of our Nation’s long-term economic wellbeing. It would shrink instead of relying solely on spending cuts that will hurt programs that Americans depend on particularly when economic growth remains fragile. This view is in line with numerous economic experts who have voiced concern about how cutting back too soon could undermine our recovery.

A better bill would finally discard the perverse tax loopholes that reward companies that ship jobs overseas and end every welfare giveaway to profitable corporations. Put simply, a balanced approach wouldn’t ask nursing home residents to sacrifice without asking the same of wealthy folks.

In fact, I have voted for plans that took this approach in 1993 and 1997 and helped create a record surplus. I have also voted against those proposals that have built up this mound of debt—including the unfunded Bush tax cuts skewed to the wealthy; an unpaid for war in Iraq for which we have paid dearly; and the unpaid for, costly, and ill-designed Medicare prescription drug plan.

We are also missing an opportunity to address the broader problems facing middle-class Americans. They are struggling in large part because we are going down a road of conservative ideology rather than common sense. We need to work on economic growth through infrastructures, productivity, and trade, and exchange fairness, a trade policy that supports our manufacturers, and yes even tax reform to simplify our system but not as an excuse for more tax giveaways like the Bush tax cuts.

Just as I have taken tough votes in the past to ensure the long-term prosperity of our Nation, today’s vote was another difficult choice.

However, this agreement is the only option left to prevent default and evade what would be the greatest artificial crisis in our Nation’s history. It hopefully provides a powerful lever to achieve significant and smart deficit reduction in the future.

In the words of President Franklin Delano Roosevelt during his second inaugural address, “Government is competent when all who compose it work as trustees for the whole people.” Now is one of those pivotal times in our Nation’s history, where we face a stark choice that requires us to make sacrifices that put nation ahead of self.

For over 200 years, this country has been known as a hallmark of economic stability. We have always paid our bills regardless of who was President and what party was in charge.

Now that this manufactured crisis that has distracted us for too long is over, we need to get to the business of putting America back to work.

Mr. RUBIO. Mr. President, I cannot support this plan because it fails to actually solve our debt problem, fails to diminish the risk of a credit rating downgrade and is not a long-term solution to avoid this crisis. This plan still adds at least $7 trillion to our debt over 10 years. It fails to immediately start downsizing government, leaving 98 percent of deficit reduction until after the 2012 elections. By not addressing the biggest driver of our debt, health care costs, this plan ensures Medicare’s looming bankruptcy, while protecting ObamaCare’s $2.6 trillion blank check.

It contains no real structural reforms to spending, such as a constitutional balanced budget amendment. It fails to reduce spending by what credit rating agencies say is at least $4 trillion to avert a downgrade. Worst of all is that at a time of 9.2 percent unemployment, this plan fails to include pro-growth measures to get people back to work and create new taxpayers to help pay down the debt. In fact, I fear that the new “Supercommittee” in this bill could lead to expedited consideration of big tax hikes on our struggling economy. And if Congress rejects new taxes, then up to $850 billion of devastating automatic defense spending cuts would be triggered at a time when the world is as dangerous as it has ever been.

Americans are looking at Washington with anger, disgust and concern that maybe America’s problems are just too big for our leaders to solve. As I outlined in the Wall Street Journal on March 30, 2011, keeping America exceptional will require spending cuts and caps, saving Medicare and Social Security from bankruptcy, a constitutional balanced budget amendment, tax reform and regulatory reform. Above all, it will require courage.

Mr. KYL. Mr. President, I will support this legislation but with very serious reservations.

I start with the premise that this debt limit extension is not the one piece of legislation that will change everything wrong in Washington. It is, at best, a reversal of previous tax-and-spend policies, with some movement down the road to fiscal responsibility. But it sets us on a course that, if we adhere to it, will eventually enable us to balance our budget, draw down our debt, put entitlement programs on a sustainable path, and create the conditions for strong economic growth. This could have been better by a lot, absolutely true as a substantive matter, but politically, the White House and the tax-and-spend Democrats in Congress would not agree to more. They control this Chamber and the executive branch of government.

A second premise of Republican leadership was that the U.S. Government must pay its bills, not just to investors in U.S. bonds but to fulfill its commitments to the American people. From Social Security to national defense, we have obligations that Republicans insist must be met. This is not an option. That meant agreeing to terms for a debt extension that satisfied neither party.

Another premise is to focus on job creation and restoring a healthy economy. That meant not only constraining Washington spending through greater accountability but preventing job-killing tax hikes. In this, we succeeded. Contrary to some public talk, there is nothing in this legislation that would cause future tax increases. If there were, I would not support this legislation.

With this legislation, we have prevented tax increases demanded by the President, cut spending over the next 10 years, and created a mechanism to address additional spending, especially in programs such as Medicare, Medicaid, and Social Security, all of which will eventually default on their commitments without reform, and we averted a credit crisis for the U.S. Government.

This is why I have such serious reservations about the legislation. In an effort to extract a pound of flesh from Republicans, the White House, frustrated that it could not raise taxes, insisted on massive cuts in defense spending—$350 billion—by White House reckoning, over the next 10 years, potentially $18 billion less than the President’s own budget just for next year. Moreover, the White House insisted that defense suffer an additional $492 billion in cuts over the same period if the select committee set up by this bill fails to produce or Congress refuses to adopt recommendations on how to cut overall government spending to meet the goals of the bill.

Mind you, these cuts in defense were not the result of careful planning and thought. They were percents thrown out in negotiations, totally disconnected to actual defense requirements. Worse, the cuts that...
would be triggered if the select committee recommendations fall were intentionally designed to be so large, so unimaginable, so irresponsible that Congress would be inclined to approve the select committee’s recommendations. The trigger is Armageddon. It was used to characterize this scheme. Can you imagine anything more irresponsible, for the Commander in Chief of the military to promote—not just promote but insist on the knowing destruction of the U.S. military as a means to threaten Congress?

The theory was that the consequences of inaction by the Congress must be so severe that no responsible Senator or representative could dare allow the result that we would be forced to accept the select committee recommendations on pain of seeing the U.S. military decimated. This should never have been agreed to by Members of Congress but most of all never promoted by the President. To me, it comes close to violating our oath of office and the President’s responsibilities as Commander in Chief. But it is done. My view is that we should change it.

The best way for me to avoid this Armageddon is to stay in the fight and, if necessary, urge my colleagues to disregard this provision. Sixty Senators would have to agree. But I cannot imagine the 60 Senators, and even the President, when faced with the actual versus the hypothetical choice of knowingly destroying our military capacity to protect the United States, would allow it to happen when we would have the ability to stop it. As reckless as this President is to even contemplate, much less threaten, to incapacitate our military, I cannot imagine the American people would countenance such action.

As I evaluate the work of the committee, if anyone says to me, remember, the trigger is Armageddon for the U.S. military, my response will be, let’s take that debate to the American people, and let them decide. The thought that this trigger would force Senators to make unwise concessions underestimates the American people’s commitment to their own security. The White House is miscalculating. It is so Draconian that it will not work. Even this President could not implement it.

So because we cannot default in our commitments, because we have to start somewhere on our new journey toward fiscal responsibility, there is a good chance that this is a good chance that we will need to work very hard to restore spending necessary for our national security and to reject the threat of Armageddon inserted into this bill by the White House. (Mr. DURBIN assumed the Chair.)

JOINT SELECT COMMITTEE

Mr. REID. Mr. President, I would like to engage in a colloquy with my friend the Republican leader, with whom I worked in drafting the provisions of this bill creating a joint committee to address deficit reduction. We wrote a number of deadlines in the bill to guide the work of the joint committee. I wanted to discuss with my colleague the consequences of missing these deadlines.

Section 420(p) of the amendment before us makes clear that if the joint committee fails to meet the November 23 deadline to vote on the report and unless Congress votes to continue the process, if the joint committee fails to meet the December 23 deadline to pass the joint committee bill, then the joint committee bill would lose its privilege. It would cease to be benefited from expedited procedures under this amendment.

But I also want to make clear that if the joint committee or Congress fails to meet other deadlines in the title creating the joint committee, then that failure would not lead to a loss of privilege. The importance to the deadlines for the committee to vote and the Congress ultimately to act.

And so, I would like to inquire whether the Republican leader agrees with that assessment.

Mr. MCCONNELL. Mr. President, I agree with the majority leader. We did attach special importance to the deadlines for the committee to vote and the Congress ultimately to act. And we did insist on other deadlines in the title to cause the joint committee bill to lose its privilege.

Mr. REID. Mr. President, I would like to engage in a colloquy with my colleague the chairman of the Budget Committee, Senator CONRAD, who worked with me as we drafted the joint committee language in this bill.

The compromise we are voting on today on the debt limit establishes the Joint Select Committee on Deficit Reduction, also known as the super committee, charged with more than $900 billion in up-front deficit reduction in the bill. The joint committee would work to achieve another $1.5 trillion in deficit reduction, for a total of $2.4 trillion.

This important joint committee will be bicameral and bipartisan, with three members selected by each of the four congressional leaders, for a total of 12 members, evenly split between Democrats and Republicans. Importantly, their recommendations will be guaranteed an up-or-down vote on the floor of both the Senate and the House.

This is critical that the joint committee have the same flexibility to decide on and use the most appropriate baseline possible for its work.

I believe that the legislation that we will vote on today accomplishes that, most directly by mandating the joint committee to include a statement of deficit reduction as part of the legislation it must vote on. There are no conditions on that statement. But, obviously, the legislation will need to have bipartisan support to pass the House and Senate.

I wonder if the chairman of the Budget Committee would agree with my conclusion.

Mr. CONRAD. Mr. President, I think it is absolutely correct that the flexibility exists for the Joint Committee to determine the benchmark it wishes to use and that such flexibility is entirely appropriate given the circumstances.

The leader mentioned three bipartisan groups that came to a similar conclusion. I was a member of two of those groups, the President’s Fiscal Commission and the so-called Group of 6. The legislation, as I see it, for the Joint Committee, considering the most appropriate baseline to use in our deliberations given our goals. In both cases, on a bipartisan basis, we decided what made the most sense was not a standard current law baseline, as CBO normally uses for the work we do around here, but a baseline that was adjusted for more realistic policies, such as more realistic war costs, more realistic tax policies, and more realistic health spending given the need to regularly provide the so-called doc fix. I can say that having that flexibility was critical to both groups reaching completion of its work. The Joint Committee should have that same flexibility, and I believe the bill provides it.

Mr. REID. I thank the chairman of the Budget Committee, who is the Senate’s expert on such matters.

Mr. MCCONNELL. Mr. President, over the past few weeks, Congress has been engaged in a very important debate. It may have been messy, it might have appeared to some as though our government wasn’t working, but in fact the opposite was true. The push
and pull Americans saw in Washington these past few weeks was not gridlock, it was the will of the people working it out in a political system that was never meant to be pretty.

You see, one reason America isn’t already readied for crisis is what we see in Europe is that Presidents and majority parties here can’t just bring about change on a dime, as much as they might wish to from time to time. That is what checks and balances is all about, and that is the kind of balance Americans voted for in November. The American people sent a wave of new lawmakers to Congress in last November’s election with a very clear mandate: Put our Nation’s fiscal house in order. Those of us who had been fighting the big government policies of Democratic majorities in Congress welcomed them into our ranks. Together, we have held the line, and slowly but surely we have started turning things around. That is why those who think that we have not too big or too far to go for government to solve are very worried right now. They are afraid the American people may actually win the larger debate we have been having around here about the size and the scope of government and that our spending spree may actually be coming to an end. They can’t believe those who stood up for limited government and accountability have actually changed the terms of the debate here in Washington. But today, they have no choice but to admit it.

I know for some of our colleagues reform isn’t coming as fast as they would wish, and I certainly understand their frustration. I too wish we could stand here today enacting something much more ambitious. But I am encouraged by the thought these new Senators will help lead this fight until we finish the job. I want to assure them that today, although they may not see it this way, they are actually won this debate. If the debt ceiling is raised, and he stuck to his guns. The Speaker and I worked shoulder to shoulder over the past few months. I believe the American people may actually win the debate over the size and the scope of government.

In a few minutes, the Senate will vote on legislation that represents a new way of doing business in Washington. First, it creates an entirely new template for raising the Nation’s debt ceiling. One of the most important aspects of this legislation is the fact that never again will any President, from either party, be allowed to raise the debt ceiling without being held accountable for it by the American people. Second, and in addition, without having to engage in the kind of debate we have just come through. Because, you see, whoever the next President is will be back asking to raise the debt ceiling again, and it will provide another opportunity for us to focus on the subject raised by the request to raise the debt ceiling.

So we will be back at it—probably in the early part of 2013—trying to continue to make progress toward reducing the size and scope of government and reducing our spending. This kind of discussion isn’t something to dread, it is something to welcome. While the President may not have particularly enjoyed this debate we have been through, it is the debate Washington very much needed to have.

As for the particulars, this legislation caps spending over the next 10 years with a mechanism that ensures these cuts protect our military and that they are in the interests of the American people from a government default that would have affected every single one of them in one way or another. It puts in place a powerful joint committee that will recommend further cuts and enforcement reforms. It doesn’t include a dime, not a dime, in job-killing tax hikes at a moment when our economy can least afford them. Crucially, it ensures the debate over a balanced budget amendment continues and that it actually gets a vote.

This is no small feat when one considers that last week the President was still demanding tax hikes as part of any debt ceiling increase, and that as recently as May, the President’s top adviser said it was “insane” for anybody to even consider trying the debt ceiling to spending cuts. It is worth noting that 2½ months later, that adviser is no longer working at the White House and the President is now putting a condition of raising the debt ceiling, to trillions of dollars in spending cuts.

Let me be clear: The legislation the Senate is about to vote on is just a first step. But it is a crucial step toward fiscal sanity and its potentially remarkable achievement given the lengths to which some in Washington have gone to ensure a status quo that is suffocating growth, crippling the economy, and imperiling entitlements. We have had to settle for less than we wanted, but what we have achieved is in no way insignificant. We did it because we had something Democrats didn’t have: Republicans may only control one-half of one-third of the government, but the American people agreed with us on the nature of the problem. They know government didn’t accumulate $14.5 trillion in debt because it didn’t tax enough. If someone is spending themselves into oblivion, the solution isn’t to spend more; it is to spend less.

Neither side got everything it wanted in these negotiations, but I think it was the view of those in my party that we tried to get as much as we could without cutting spending or without cutting committee are serious people who put the best interests of the American people and the principles that we have fought for throughout this debate first. But before we move to the next steps, I would like to say a word about those who voted to raise the debt limit that didn’t include cuts that were greater than the amount the debt limit would be raised, and he stuck to his guns. The Speaker and I worked shoulder to shoulder over the past few months. I believe the American people may actually win the debate over the size and the scope of government.

I also thank the President and the Vice President and everyone on their staffs who believed, as we did, that despite our many differences we could all agree that America would not default on its obligations. It is a testament to the goodwill of those on both sides that we were able to reach this agreement in time. Neither side wanted to see the government default, and I am pleased we were able to work together to avoid it.

This bill does not solve the problem, but it at least forces Washington to admit that it has one. The bill doesn’t solve the problem, but it forces Washington to admit that it has one. It puts us on a path to recovery. We are nowhere near where we need to be in terms of restoring balance, but there should be no doubt about this. We have changed the debate, we are headed in the right direction, and people are wondering how it happened. Well, it happened because the American people demanded it.

In the end, we are back to where we started. The only reason we are talking about passing legislation that reeks in the size of Washington instead of growing it is because the American people believe they could have a real impact on the direction of their government. They spoke out and we heard them. It is only through their continued participation in this process, and
lawmakers who are willing to listen to them, that we will complete the work we have begun.

As Winston Churchill once said:

Courage is what it takes to stand up and speak. Courage is also what it takes to sit down and listen.

I can't think of a better way to sum up this last year and, in particular, these last few months right here in Washington than that.

The American people want to see accountability and cooperation in Washington, and they want to see that we are working together to get our fiscal house in order. This legislation doesn't get us there, but for the first time in a very long time I think we can say to the American people that we are finally facing in the right direction. For that, we have them to thank.

The PRESIDING OFFICER. The majority leader, the Senator from Nevada.

Mr. REID. Mr. President, the eyes of the American people and the world have been fixed on Washington very closely this past week. While they witnessed a lot of political wrangling, they also saw Congress make some historically important decisions and avert a default on our debt that has been so concerning to all of us for such a long period of time.

Our country was literally on the verge of a disaster. It was on the brink of a disaster. With 1 day left, we were able to get together and avert that disaster.

Now, this compromise that we have reached is not perfect.

Mr. President, could we have order, please.

The PRESIDING OFFICER. The Senate will please come to order.

We welcome all our visitors, and we want to make it clear that any disturbance or manifestation of approval or disapproval is prohibited under the Senate rules.

The majority leader may proceed.

Mr. REID. I appreciate the kind words that my counterpart, Senator McCONNELL, has stated. I have gotten to know him and Speaker BOEHNER a lot better this past month or two, especially the Speaker. Even though I disagree vehemently with the direction the Speaker's legislation took, with no bipartisan support at all, it is not the product we have here. The product we have here is one of compromise.

Without trying to outline who the winners are, there is principally one winner throughout all this, and that is the American people. We settled for less than we wanted; so did my friend, the leader of the Republicans, settle for less than he wanted. But that is the way legislation works. That is the way compromise works. But I can't let go without responding to my friend, who boasted in his own way about the new Senators and new Members of Congress who came here.

I welcome them all. But a result of the tea party direction of this Congress the last few months has been very discordant and very unfair to the American people. It stopped us from arriving at a conclusion much earlier, and we must go forward.

Also, I recognize we have to do more. Of course, we need to do more, and that is why we have the joint committee set up to do that in just a minute. The American people are not impressed with the no new revenue. The vast majority of Democrats, Independents, and Republicans think this arrangement we have just done is unfair because the richest of the rich have not paid any more, the burden of what has taken place is on the middle class and the poor.

My friend talks about no new taxes.

Mr. President, if their theory was right, with these huge taxes that took place during the Bush 8 years, the economy should be thriving. These tax cuts have not helped the economy. The loss of 6 million jobs during the Bush 8 years, two wars started, unfunded, all on borrowed money, these tax cuts all bad. If the tax cuts were so good, the economy should be thriving.

If we go back to the prior 8 years during President Clinton's administration, 23 million new jobs were created. We have spoken to the Speaker, a surplus over 10 years of $7 trillion. That has evaporated, and now we are talking about a $14 trillion debt.

The compromise we reached is imperfect, and we are going to send legislation to the President today that will not only avert the default but make significant desperate reduction. Is it enough? I repeat, no, it is not enough. This legislation will provide our economy with the stability it desperately needs.

To assure Congress that we will continue working—and I said this yesterday, I say it again. I appreciate my friend, the Republican leader, putting his arms around the idea that I came up with to have this joint committee. They have worked in decades past. There is no reason it can't work now. There is no supermajority. Each leader will appoint a committee of 12.

We need to do something because the trigger that kicks in is very difficult. We need to do this, and it has to be one that is fair. The American people demand fairness. It can't be more cuts to programs that have made this country what it is. There must be a sharing of sacrifice. It is unfair for billionaires and multimillionaires not to contribute to the arrangement that we have just made, but they are not.

My friends, the Republicans, held firm on no revenue, which is too bad. We need to have a fair approach to this joint committee, and I am confident we will do that. The one reason we are going to do that is because the trigger mechanism kicks in.

To this committee that is going to be appointed, I will talk about in just a minute.

We have made progress toward our goal of cutting the deficit spending that we see. With the job creation we have around the United States, we still face a job deficit as well. There is no issue more important to the American people than job creation. Until every American who chooses to work can find a job, our job is undone. So we are going to continue making jobs our No. 1 priority. We ask the Republicans to join us in this regard.

Adlai Stevenson once called politics "the people's business, the most important business there is." It is time for Congress to get back to doing the people's business, creating jobs. Nothing is more important than that.

Mr. President, I ask for the yeas and nays on my motion to concur.
The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to concur.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 74, nays 26, as follows,

[Rollcall Vote No. 123 Leg.]

YEAS—74

Akaka
Alexander
Barrasso
Baucus
Bayh
Bennet
Bingaman
Blumenthal
Blunt
Boozman
Boxer
Brown (MA)
Brown (OH)
Burr
Cantwell
Cardin
Carper
Casey
CoCHRAN
Collins
Conrad
Conway
Corinn
Crapo

NAYS—26

Ayotte
Chambliss
Coats
Coburn
DeMint
Gilibrand
Graham
Grassley
Harkin

The PRESIDING OFFICER. On this question, the yeas are 74 and the nays are 26. The motion to concur on the House amendment to S. 365 is agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BLUMENTHAL. Mr. President, while this agreement to raise the debt ceiling and cut spending is far from perfect, it averts a financial catastrophe that would stifle job creation and stall our fragile economic growth.

Default would have increased interest rates for every American with a mortgage, car loan, student debt or credit card. For these reasons, I voted to support this agreement.

Critically, the deal protects Social Security, Medicaid, Medicare and veterans from benefit cuts and leaves open future opportunities to fight tax loopholes, sweetheart deals and giveaways for special interests. I will certainly continue these fights and seek comprehensive tax reform to guarantee that there is a fair balance and truly shared sacrifice.

Now more than ever, we must move to focus on our number one priority—creating jobs and spurring economic growth. Americans are still hurting, seeking to find work, stay in their homes, pay tuition for schools and keep their families together. We must put Connecticut and America back to work and get our country moving in the right direction.

Mr. CONRAD. Mr. President, debate over our deficit, and our country's growing debt, has been at the center of the 112th Congress. With the passage today of the Budget Control Act of 2011, we have avoided a default on our national debt, we have made a significant downpayment on our deficit, and we are establishing a Joint Select Committee that provides a real opportunity to achieve even greater deficit reduction by the end of this year.

As chairman of the Senate Budget Committee, I am privileged to have a staff of dedicated professionals who advise me on the complicated budget issues that have been before this body. My staff also shares its expertise with Members on both sides of the aisle. They are a credit to the Senate, and I would like to take this opportunity to thank them for their hard work during the session.

Budget Committee staff director Mary Naylor deserves particular credit for putting together a team that regularly provides thorough and accurate analysis, often on incredibly short notice. Deputy staff director John Righter also deserves a special mention. Mr. Righter's mastery of baselines and scoring has been invaluable as we have developed and compared various plans to address our long-term fiscal issues. Deputy staff director Joel Friedman and committee chief counsel Joe Gaeta have also played a critical role in the committee's work this session.

The committee has a dedicated communications staff, including Stu Nagurka, Steve Posner, Adam Hughes, and Kobye Noel, that ensures that the committee's analysis is made available to Members and the general public in a clear, concise, and timely manner. In addition, committee analysts Steve Bailey, Jeannie Biniek, Amy Edwards, Jennifer Hanson-Klibride, Robyn Hiestand, Mike Jones, Sarah Kuehl Egge, Matthew Levy, Jim Miller, Matt Oheiter, Miles Patrie, and Brandon Teachout each have expertise in specific policy areas that has proven invaluable to me as the committee has reviewed every aspect of the Federal budget. The committee's staff and staff assistants, Anne Page, Josh Ryan, Ben Soksin, and Ronald Storhaug have worked late nights and weekends to make sure we all meet the demands placed on us. And finally, I would like to recognize committee's chief clerk Lorraine Severyn and administrative staffers George Woodall, Letitia Fletcher, Cathey Dugan, and Kathleen Llewellyn-Butts, who provide support to both sides of the Budget Committee.

We as Senators placed incredible demands on our staff, and they deserve to have their service to this institution and our country recognized. As we move to the next chapter of our debate over the federal budget, I offer my most sincere appreciation for their hard work.

Mr. HATCH. Mr. President, over the last several weeks, we have been debating the increase in the debt ceiling. For the time being, that debate is coming to an end. But I would like to address briefly some revisionist fiscal history that we have heard repeated during that debate.

We have heard this historical account often over the past decade. You hear it from our friends on the other side whenever the debate turns to spending policy and tax policy. I have noticed that the arguments boil down to two points. My friend and colleague, the former chairman and ranking member of the Senate Finance Committee, Senator GRASSLEY, came up with this thumbnail description of this creative historical account.

First, all of the “good” fiscal history of the 1990s was derived from the partisan tax increase bill of 1993.

And second, all of the “bad” fiscal history taking place within the past 10 years is because of the bipartisan tax relief plans originally enacted during the last administration and continued under the present administration.

You could go one step further and, as a policy premise, refine that thumbnail description to two short sentences. First sentence—lower taxes are bad. Second sentence—higher taxes are good. Not surprisingly, these revisionist historians support higher taxes and higher government spending. And not surprisingly, the revisionists oppose cutting taxes and cutting government spending.

Since time is short today, I direct folks to Senate floor remarks I made on February 14, 2011. They are available on the Senate Finance Committee under the Ranking Members Newsroom tab for that date. But it is important to reiterate the main point of those remarks. Basically the assertion by our friends on the other side that raising taxes is the key to all good fiscal history can be summarized in two short sentences.

Let’s take a quick view of the 1990s data. According to the Clinton administration’s Office of Management and Budget—or OMB—the impact of the much-vaunted about tax hike bill of 1993 was minimal. The Clinton administration’s OMB concluded that the 1993 tax increase accounted for only 13 percent of deficit reduction between 1990 and 2000. Thirteen percent puts the 1993 tax increase behind other factors such as defense cuts, other revenue, and interest savings. The data show that tax increases did not drive deficit reduction.

So as a matter of fact, only 13 percent of the positive fiscal history of the 1990s is due to the partisan 1993 tax increase. That is it.

Well, what about the last decade? The period of 2001–2010 saw a lot of deficits. From what you hear from our friends on the other side, those deficits...
are owing to the tax relief that benefitted virtually every American taxpayer. Yet CBO data tell us a different story.

On May 12, 2011, CBO released a recap of the changes over the past decade. At the peak of the recession, CBO projected a surplus of $5.6 trillion. Over the decade, deficits of $6.2 trillion materialized. That’s a swing of $11.8 trillion. What did CBO say were the causes? My friends on the other side might like to hear.

Higher spending accounts for 44 percent of the change. Let me repeat that. Higher spending was the biggest driver of the deficits of the last decade. Economic and technical changes in the estimates accounted for 28 percent of the change. So all tax relief, including the tax relief passed by Democratic Congresses and tax relief signed into law by President Obama, accounts for 28 percent.

On the other side, accounts for less than half of the fiscal change attributable to tax relief. Specifically, the bipartisanship.relief bills of 2001 and 2003, including the bill I voted for, accounted for 13.7 percent of the fiscal change of the last decade. That is not ORRIN HATCH speaking. It’s the non-partisan congressional scorekeeper, CBO.

So how much of the bad fiscal history of the last decade is attributable to tax relief? Twenty-eight percent. That is it. And that includes partisan bills like the stimulus. If you isolate the bipartisan bills that are the object of sharp criticism by our friends on the other side, the 2001 and 2003 legislation, you’ll find that those bills account for only 13.7 percent of the fiscal change in the last decade.

Abnormally low levels of spending contributed significantly to the surpluses of the 1990s. Abnormally high spending drove the deficits of the past decade. Abnormally high spending is driving our current deficits, and it will drive our future deficits as well.

To my friends on the other side, if we focus instead on hiking taxes way above their historic average, we are misreading and mistreating the problem. The reason for our previous surpluses was low spending. And the reason for our current deficits is high spending. We cannot tax our way to fiscal health.

But that said, for those of my friends on the other side who think that raising taxes is the key to our economic recovery and deficit reduction, I urge them to come to the floor and tell us how high they want to raise rates. What will do the trick? If higher taxes are the economic recovery, and the deficit and spur our economic recovery?

I want to know and America wants to know.

Ms. SNOWE. Mr. President, I rise in support of the motion to concur in the House amendment to S. 365, the legislative vehicle for the debt limit increase. Given the $14.3 trillion national debt, the $1.6 trillion deficit for the current fiscal year, and the unrestrained andskyrocketing Government programs and services, this vote commences the debate that will lead our Government to reevaluate priorities and examine its spending with a critical eye.

Today’s vote was critical to maintaining our country’s financial credibility, and it was the first step in what will be many to rein in the U.S. Government’s out-of-control spending. This bill reduces current spending, caps future spending, and controls previously unrestrained Government budgets over the next decade, while also protecting critical Social Security benefits.

Just weeks ago, the United States was warned it would lose its stellar AAA credit rating on two grounds: if Washington did nothing to address its debt and deficit spending, and if Congress failed to raise the debt ceiling, thus triggering a default. This vote addresses both of these issues for the first time in history, requiring spending reductions equal or greater to the amount the debt ceiling is raised. That is indeed a first, positive step toward making our Government accountable to its people.

This action was critically important to every family in America. A default would have resulted in a downgrade in our Nation’s credit rating and triggered higher interest rates for borrowing at all levels, from the Federal Government, to states and municipalities, to every American who has a mortgage, a car loan, a student loan, or a credit card. Failure to pass this bill would have put retirement funds at risk at the same time that we are seeking financial stability and counting on predictability in their retirement income.

While no one can predict how the ratings agencies will react to this legislation, it at least signals that our country is serious about getting its financial situation in order. In addition, it requires Congress to vote on a balanced budget amendment to the Constitution, which is a commonsense reform I have championed in both the House and the Senate. Mandating the Federal Government to do what nearly every State legislature is already required to achieve sends a message to every American and the world that Washington finally gets it, and at last understands the consequences of failing to control spending. Let there be no mistake—we can no longer accept budgets that compromise our economic growth, living standards, or opportunities that have been a hallmark of America’s greatness.

Though this agreement is historic, I have grave concerns about the super-committee established by this legislation. Creating a 12-person Washington commission to do the job of 535 elected representatives is another indication of a broken political system in dire need of repair. I will work tirelessly to bring accountability, reason, and transparency to the decisions this supercommittee makes and presents to Congress for an up-or-down vote.

This legislation initially exempts Social Security, Medicare, and veterans programs from spending cuts. After the initial cuts are implemented, I am deeply concerned that the supercommittee could seek savings from Medicare, Medicaid, and defense spending. The committee has to recommend solid recommendations that Congress must act upon in order to avoid automatic cuts designed to incentivize Congress to fulfill this responsibility. Indeed, if the committee’s recommendations are not adopted by Congress, automatic cuts to Medicare providers and defense spending could go into effect while Mr. President would be on leave. For these reasons, I will be especially vigilant about the work of the supercommittee to ensure that its recommendations achieve an equitable outcome.

Moreover, this bill should have included a pro-growth strategy for our economy to address our cumbersome Tax Code, overly onerous and inefficient regulatory scheme, and a mountain of new health care costs. I have long advocated for a major overhaul of our Tax Code, regulatory reform, and a pro-jobs agenda. Indeed, throughout this year I have repeatedly called on my President and this Congress to focus with laser-like precision on jobs and the economy. Once again, I call on the President and the Congress to immediately turn to focus on concrete measures that will actually put Americans back to work.

Indisputably, debt and deficits are a dangerous combination at a time when we have experienced an unprecedented period of long-term unemployment with more than 22 million Americans unemployed or underemployed, and another 2.2 million who want a job, but are so discouraged they stopped looking for work altogether. In the 29 months since President Obama took office, unemployment has dipped below 9 percent for only 5 months, and actually increased to 9.2 percent in June. Manufacturing grew at the slowest pace in 2 years in July. The unemployment burn is worsening, with no plausible end to foreclosures in sight. Home prices in March fell to their lowest level since 2002. Consumers, confronted with higher gas and food prices, are spending less on discretionary items.

And yet at a moment when every dollar Government spends should be wisely dedicated to job creation to return us on the path to prosperity, we are forced to commit an astounding $200 billion per year just to service our debt. The cost of our interest alone will more than double in the next 10 years to reach nearly $1 trillion per year in 2021. In fact, the CBO’s most recent
long-term outlook states that by 2035 interest costs on our Nation’s debt would reach 9 percent of GDP, more than the U.S. currently spends on Social Security or Medicare. And if interest rates were just 1 percentage point higher per year, over 10 years the deficit would balloon by $1.3 trillion from increased costs to pay interest on our debt alone.

It is abundantly clear that we can no longer afford to borrow money without a clear plan in place to rein in Federal spending and force the Government to live within its means. Today’s legislation is the first step in that direction.

CORRECTING THE ENROLLMENT OF S. 365

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to consideration of H. Con. Res. 70, the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 70) was agreed to.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a period of morning business until 4 p.m. today, with Senators permitted to speak up to 10 minutes each.

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

Mr. REID. 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. MCCAIN. I ask that the order for the quorum call be rescinded.

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

The Senator from Arizona.

RECOGNIZING THE ARMED SERVICES

Mr. MCCAIN. The Senate Armed Services Committee just met and approved the nominations of the Chairman and Joint Chiefs of Staff, Chief of Naval Operations, the Chief of Staff of the Army, and other important nominations. I congratulate all of these nominees and appreciate their service to the Nation. I know that shortly the Senate will approve these positions of great responsibility.

I want to take one moment to mention one of the new Chiefs of Staff of the United States Army, GEN Ray Odierno, one of the finest military officers I have had the opportunity to know. I was responsible, along with David Petraeus, for implementing the surge in Iraq. All of us who have had the opportunity of knowing General Odierno are proud of his new position and know he will carry out his responsibilities with the same outstanding leadership and efficiency he has displayed in the past.

I congratulate all of the nominees. These are going to be very challenging times, General Dempsey will now be the Chairman of the Joint Chiefs of Staff. I believe he is highly qualified, as are the nominees for the Vice Chairman as well as the Chief of Naval Operations. I congratulate them all. A special congratulations and word of praise for General Odierno, who is a great and outstanding leader.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUESTS—H. R. 2553

Mrs. BOXER. Mr. President, I rise because we have a crisis on our hands with the FAA, the Federal Aviation Administration. I know exactly why we have this crisis. It is made-up crisis by the Republicans. This is a Republican shutdown.

We just got past the most, well, I feel made-up crisis we have ever seen. Eighty-nine times we have passed a debt limit extension, and it took us weeks and months of wrangling to get it done. We finally got it done. I am glad we got it done. Unnecessary, people in my State panic- ing that they wouldn’t get a Social Security check, small businesses saying they couldn’t get a decent loan—all that for nothing.

We can do our work. We can take the ideas of the President’s Office of Management and Budget. We can do this. We did it when Bill Clinton was President. We worked together, and we solved the problem. We had a deficit and debt. We balanced the budget and created surpluses. We don’t have to have this talking government hostage.

So we just got done with holding the full faith and credit of the United States of America hostage, and now we are seeing an extension of the hostage-taking of the Federal Aviation Administration by the Republicans. We need to end it. How do we end it? We end it by saying we have our disagreements. On this bill, there are a couple of broad disagreements. They are important disagreements. I honor both sides of the argument. The Republicans want to overturn a ruling by the National Mediation Board. I think 56 votes said: No. Leave it alone. But guess what. It is a legitimate issue for the conference committee to deal with. It is a legitimate issue for the Senate—by the way, the Senate already had a vote on it, and we said: No, we are not going to overturn the mediation board. The vote was well over—I think 56 votes said: No. Leave it alone. It is not our business. Let it go.

But, no, the House wants this. So then when they sent over the original extension, it had that added in, this overturning of the mediation board, and we said: That is not right. We want a clean extension. So they sent it back to us, and they took up another controversial issue, which is to shut down essential air service in some communities in our country—shut down essential air service.

Now, I can tell my colleagues that I know for a fact there is room for negotiation in this area. We can work together and resolve it, but it doesn’t belong in an extension of the FAA bill. This is too important. We have thousands of people who have been furloughed who are not getting paid. I have a situation in my home county of Riverside where we have a new airport tower being put up, and unexpectedly there was a rainstorm the day before yesterday, and because nobody was working there, they couldn’t do anything about it to protect the facility, and we have damage.

We are losing money because of this terrible shutdown. Four thousand FAA employees have been furloughed without their pay. Hundreds of them happen to live and work in my State. I have two of these colleagues in the House who went home to take their break would feel if they stopped getting their pay. Many of the FAA’s engineers, scientists, research analysts, computer specialists, program managers and analysts, environmental protection specialists, and community planners are furloughed because of this take-governement-hostage approach by the Republican Party.

I have been here a while. I am a person with many opinions, and I have no problem battling out with my esteemed colleagues who is right, who is wrong, who is hurt, who is not hurt. But I know there is no question that people...
Mr. President, $130 million in investments in California airport construction will be delayed. The Associated General Contractors of America is already hurting business and hurting its members. The Senate is 70,000 construction workers and workers in related fields who have already been affected by the shutdown. The FAA has issued stop-work orders at 241 airports across the country.

In Oakland, CA, I have 60 construction workers building an air traffic control tower. They were told to stay home. They won’t get paid until an agreement is reached. Well, if we ask most Americans, they really do live pretty much paycheck to paycheck. They have some savings.

This is ridiculous. According to the San Francisco Chronicle, the project contractor from Oakland, Devcon Construction, “is eating $6,000 a day in operating costs and ‘should the delay stretch much past the summer, [we are in trouble because] inclement weather would disrupt the installation.”

I am telling you, this is another man-made, Republican-made crisis. What are we trying to prove? That we are tough guys? Let’s get a clean extension of the FAA. Let’s take our battles into the conference committee.

I want to compliment Senator Kay Bailey Hutchison. She is working, and she is _lady_ from Texas who is working with Senator Rockefeller, the chairman of our committee. We all know the House sent over not a clean extension of the FAA authorization, we do not collect the revenues on the passenger tax, which, by the way, is currently being charged by the airlines in extra ticket prices to the passengers. So the passengers are not even getting the break we are providing, not getting the revenue. It is $30 million a day we are adding to the deficit problems because we are not collecting the revenue associated with the FAA reauthorization.

For all those reasons, for the sake of those 4,000 furloughed workers who are really not at fault here, who are currently on furlough, and that is hurting our economy; for the sake of the contractor who is depending upon the government funds in order to pay their workers, many of which are small companies; for the sake of the construction work that needs to be done at our airports, including work being done at our own airport, BWI; and for the importance to moving forward with modernization of the FAA itself, I would urge us to find a way to extend the FAA authorization until we come back. I would hope we could get a conference committee together, a reauthorization, but at minimum we should extend the current provisions during those negotiations.

I say to Senator Boxer, she is absolutely right. I strongly urge the Senate to allow a short-term, clean extension of the FAA. That is the best way to proceed. I hope we can find a way to get this done now so the damage that is being done no longer will take place. I thank the Senator.

The PRESIDING OFFICER. The Senator’s time—

Mrs. BOXER. Well, I take that as a question, and I will just wrap up with my unanimous consent request because I agree with everything that was said. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 109, H.R. 2553, that a Rockefeller-Hutchison subcommittee amendment, which is the only one at the 90 limit, agreed to the bill, as amended, be read a third time and passed, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I would make note there is nothing we can do now new because the House has adjourned. So even if we were to pass this, nothing would happen with it. I have been assured that from the majority leader’s office. I agree with the Senator from California that any action on the mediation board is probably inappropriate for this bill. I would not disagree with that. But my reservation—and I plan on objecting, and I think the good Senator from California knows that—is that the House, by significant votes, passed limitations on essential air services by majorities that said we could no longer afford to spend thousands of dollars on individual seats, on subsidies for people who live 110 miles from an airport or 140 miles from an airport. But what we could do is make sure—to major airports—that those under 90, those above 90, we could still do that.

So I understand we have placed people in difficult positions, but it is us as a body, not individual Senators or parties, that has done that because we have failed to do our work.

So I object to this unanimous consent request, and then I offer one of my objections that this unanimous consent request is agreed to, it will go directly to the President, not to the House. So I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2553, which was received from the House, and I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. I object.

The PRESIDING OFFICER. Objection is heard.

There was objection to the original request. Mr. COBURN. Yes. The PRESIDING OFFICER. Objection was heard.

The Senator from California.

Mrs. BOXER. Mr. President, so there was. There was objection to the clean extension of the FAA, and as a result of Republican objection, people are hurting all over this country. Safety projects are being delayed. And this is...
just part of what we have seen since the Republicans took over the House. Now, my friend said that everything they have put in this has been voted on by the Senate. It is just not true. It is not true. Not everything in this extension of the debt they are going to have to pass it over there. So do not give the American people misinformation on this. It can be done. It just takes a will to be done.

House Members have taken off, gone home. Whatever they are doing, God bless them. But I have to tell you, I hope when they go home they hear from the people who are hurting in their States because of this. I hope they hear from the workers. Construction workers at the highest unemployment rate we have seen in generations—15 percent—and now this is going to make it worse. Construction businesses are dying for a highway bill, and I am working on that with Senator INHOEF at our committee. We are as close there. But I want to put this obstructionism, I want to put this hostage-taking into plain view. You just saw everything come to a halt for at least 3, 4 weeks because the full faith and credit of the United States has been taken hostage by the Republicans. And they said to the President—it has never happened before, OK, never. Mr. President, 89 times we have seen an increase in the debt limit. We have never seen this hostage-taking. They would not allow the President to raise the debt ceiling for things on which they voted to spend money.

When you raise the debt ceiling, you are paying your past bills. They voted for two thirds of the credit card. They voted for tax breaks to the wealthiest among us, the billionaires and the millionaires. They voted for tax breaks for the biggest multinational corporations, including Big Oil. Oh, they were happy. They even voted for a prescription drug benefit without paying for it. Then the bill comes due, and they say to President Obama: Sorry, Mr. President, we are not going to cooperate with you. They walked out on him at least three times.

We finally got a deal because some of us—and I say HARRY REID, strong; Vice President BIDEN, strong; MITCH MCCONNELL, strong; NANCY PELOSI, strong. The President made sure that at the end of the day we did not default. But what a spectacle in the world. The world cannot even believe this. And I know of the Presiding Officer’s hard work to get what we called a big deal, a major deal, a $4 trillion deficit reduction that was fair, that asked the millionaires and billionaires to pay their fair share to pay for the debt that the multinational corporations to do something. But, no, that was not to be. We wasted time—a lot of time. And what happened? We almost brought the country to its knees. Thank God it did not happen is all I can say. And I felt strongly, if we had not gotten an agreement, the President would have had to invoke the 14th amendment in order to save our country from this hostage-taking.

So that was a made-up crisis. It never happened before. Do you know that the most the debt ceiling was raised was under Ronald Reagan? Eighteen times under George Bush. 9 times, I never heard anything like this before, and I have been around here since the days of Ronald Reagan, dare I say. I was in the House for 10 years. Ronald Reagan said very clearly—and I am paraphrasing—he was very strong—do not play games with the debt ceiling. It is dangerous. He said that even the thought of it is dangerous. So we just came out of that mess.

Now let’s look at what else they have done since they took power—how many months ago? Five months? Is that all it has been? It feels like an eternity. OK, since they took over the House. They stopped the patent bill, which Senator LEAHY says would result in hundreds of thousands of jobs. Why? Because the Patent Office does not have any money to work on those brilliant ideas that are coming out of our people. They needed more funding. That bill took care of it. The House stopped it cold. Hundreds of thousands of jobs.

The Economic Development Administration—I know about that because I brought the bill here. It is a beautiful program. It has been in place for generations. It gives a little seed money in areas that have had high unemployment, and that seed money attracts private sector money, public sector money, nonprofit money, and jobs are created. They build office parks. We have examples in California of office parks, shopping malls. I am sure my friend, the Presiding Officer, has many examples of the EDA at work. They stopped it. They filibustered it. It never got a vote. That is the small business innovation bill my friend MARY LANDREU brought to the floor. The last time we counted, those bills have created 19,000 new businesses. Shut that one down. Then the House passed a budget that cut into the highway fund. I want to give you specifically what that would mean. We have the transportation program at the level they cut it in the House—one-third—and that is exactly what Chairman MICA’s bill does—we know, because CBO has told us, we lose 620,000 jobs, construction jobs.

Then they played with the FAA. They object to a clean reauthorization. Projects are shut down and workers are losing decent rights. They are holding this bill hostage. That is what it is all about. It is a very sad day.

I suggest the absence of a quorum.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. WARNER. Mr. President, I want to take a moment and add my voice to the Senators who stand here today—the Senator from Maryland and the Senator from California—about this situation with the FAA.

I would imagine if you are a visitor to our Nation’s Capitol and have come to see a little Senate debate, it is a pretty interesting day to be here. It was great news that the country avoided default today. Although it was an imperfect compromise, I was glad to vote for that. We still have obviously a long way to go on debt and deficits.

There is another issue that has not gotten as much attention as the debt ceiling debate, although it is clear that at almost any other time in our history this issue would be on the front page of every newspaper around the country and on every nightly TV newscast. I am talking about the fact that the Federal Aviation Administration—the entity that ensures the safety of our skies, the safety of our airplanes, the maintenance of our airports—has been in partial shutdown mode for over a week.

Close to 4,000 FAA employees, many from the Virginia/DC area, have been
furloughed. These folks do not know when they are going to get a paycheck or when they are going to be able to go back to work. And they have not been furloughed as a result of anything they have done. This situation is not the result of complaints about the quality of service, or the safety of the airline. The fact that the airline is not able to fly is not the fault of the pilots or the maintenance crew.

In Washington would a dispute over small rural airports force the shut down of an “essential service” in the Federal Aviation Administration. Only in Washington would we put 4,000 people out of work, and affect the lives of tens of thousands of other folks who are depending upon FAA funding for needed improvement projects at airports around the country.

We have a number of airports in Virginia where construction has basically stopped as a result of this political stalemate. With the FAA partially shut down, the airlines, which traditionally charge passengers a small tax to help fund the FAA to build, maintain, and keep airports safe, are no longer required to collect the tax. So, during this time when the operation of these airports is suspended, the cost to taxpayers is estimated to be $14 million a year.

If people are scratching their heads with this math, they have a right to scratch their heads. Only in Washington can we not collecting over a billion dollars in airport ticket taxes because of a dispute about a program that costs $14 million make any sense.

The overwhelming majority of Senate Democrats and Republicans alike say we have to go ahead with an extension. We are saying if we have issues to say we have to go ahead with an extension, the U.S. Government would lose $1.2 billion as a result of political back and forth about a program to support rural airports—a program that still doesn’t get our country’s balance sheet back in order. The money has already been appropriated. It is not as though it is new dollars. Anybody who can read a balance sheet knows we have a trillion dollar debt, $1.2 billion is over a dispute for a program that costs $14 million total.

I hope we get this resolved this afternoon in a way that shows this Congress is more up to the task than we have been, unfortunately, over the last few weeks.

A closing comment. I know the President has worked hard on the debt and deficit issue as well. I will close with the statement that my hope is that we did take a step today, with about $1 trillion in cuts over the next 10 years, and we need to make sure those cuts don’t slow down the economic recovery the Nation is still struggling with. But we have to recognize that even with this new supercommittee being created—and the President would be a great member of that committee when it is chosen—but even if that committee meets its goal of $1.5 trillion in additional cuts, shouldn’t we run sure we, $1.2 billion over a dispute for a program that costs $14 million total.

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HONORING OUR ARMED FORCES

SERGEANT OMAR A. JONES

Mr. JOHANNES. Mr. President, I rise today to remember a fallen hero, Nebraska Army National Guard Sergeant Omar A. Jones of Maywood, NE.

Sergeant Jones served as an electrician in the 623rd Engineering Company, Nebraska Army National Guard, out of Wahoo, Nebraska. Sergeant Jones died at Forward Operating Base Deh Dadi in Balkh Province, Afghanistan, on July 18, 2011.

Omar grew up in Mississippi and lived in Bogota, Colombia for many years before enlisting from high school in Colorado and chose to enter the Army instead of pursuing a college athletic scholarship. He served two tours in Iraq. One as an infantryman in the active duty Army, and one with the Nebraska Army National Guard. His love of country compelled him to seek an assignment in Afghanistan. He volunteered and even changed units and developed new skills for this opportunity.

In October 2010, he deployed to Afghanistan with the 623rd Engineering Company. It was a tough decision to deploy again because his wife Ava and two children had become the center of his life. But, it was for their freedom he chose to serve again overseas.

His commanders and fellow Soldiers recall Sergeant Jones as kind, friendly, and helpful. They say they counted on Sergeant Jones for a big smile and a willingness to listen. He loved being a soldier. A former commander put it this way:

"He had the biggest heart of any soldier I knew."

His decorations and badges earned during a distinguished career over three combat tours speak to his dedication and bravery. He received the Combat Action Badge, Marksmanship Qualification Badge (Expert), Driver and Mechanic Badge, Overseas Service Bar (2), Army Commendation Medal (2), Army Good Conduct Medal, National Defense Service Medal, Iraq Campaign Medal with Bronze Service Star, Afghanistan Campaign Medal with Bronze Service Star, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Armed Forces Reserve Medal with "M" device (2), Army Service Ribbon, Overseas Service Ribbon, and the NATO Medal.

I cannot put into words how the death of Sergeant Jones will impact the lives of those closest to him. Nebraska is honored to call him one of their own. He leaves behind a wife, Ava Jones, and two children, in Maywood and Wellfleet will provide his family with care and love during this difficult time.

Today I join the family and friends of Sergeant Jones in mourning the death of their husband, son, father, and friend. I assure his family that he will be with them in their grief. May God bless them and their families and bring them home to us safely.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The Senator from Utah.

TRIBUTE TO COLLEEN MONSON BANGERTER

Mr. LEE. Mr. President, I stand to address this body to honor the life of a member of our state in the United States who can truly be called a great American citizen. We mourn the loss of Colleen Monson Bangerter, a member of the Church of Jesus Christ of Latter-day Saints.

Colleen Monson Bangerter was born in 1935, the daughter of six children, the mother of one foster son, and in many respects was a friend to all of Utah’s 3 million residents. She served faithfully in many capacities, including as PTA president and other offices within the PTA. She also served faithfully in a variety of positions as a member of the Church of Jesus Christ of Latter-day Saints.

Just a few years ago, she and her husband, former Governor Bangerter, served as they presided over the mission of the Church of Jesus Christ of Latter-day Saints in South Africa. They worked hand in hand throughout their entire lives—in raising their children, in running Governor Bangerter’s campaigns, and in running the state throughout his time as Governor, which wasn’t an easy time for our state.

During Governor Bangerter’s two terms in office, our state faced significant financial difficulties, faced significant flooding challenges, and the Bangerters weathered these adverse conditions well, serving as standing examples to all of the citizens of Utah for what it means to rise to the challenge of adversity.

Colleen Bangerter was someone who had friends in many corners, and she also had many talents, some of which are not known by everyone, including the fact that she was the state hopscotch champion in the State of Utah in 1947. There are not many First Ladies in the United States who can claim that distinction, and she definitely did. She was also pleased to have been the recipient of the highest award that can be granted by the Boy Scouts of America, which she received just a few years ago. But of all the honors, including the honors that went along with being the first Lady of the State of Utah and serving with someone who, in my opinion, was one of the great Governors ever to serve our state, her greatest honor, her greatest prize was that of her family.

She loved being a mother, loved each of her six children, her 30 grandchildren, and 18 great grandchildren. We as Utahans mourn the passing of this great lady and the loss of this friend. We share the pain and the love of this friend. Our thoughts and our prayers go out to former Governor Bangerter and his family.

Colleen Bangerter will be very missed by her wonderful husband Norm and their family. There was a special warmth and goodness about this lady and I will never forget her twinkling eyes and bright smile. She was kind to all, she was a friend to all, and she was a partner in every sense of the word to her husband. Elaine and I love Norm and Colleen very much, and hope that Norm and his
family will find some peace and comfort in the wonderful memories they share with this remarkable woman. Her life’s work touched many lives and she will be forever remembered as someone who truly cared about others, and in doing good for her family and community.

The PRESIDING OFFICER. The Senator from Tennessee.

BUDGET CONTROL ACT

Mr. CORKER. Mr. President, I want to speak just momentarily about the legislation that was just passed.

I, for the last 14 months traveling my State in almost every nook and cranny, have talked about possible solutions, and offered legislation—the only bipartisan, bicameral legislation offered until this point—to deal with our country’s deficits and debt.

I believe we would figure out a way to deal with $5 trillion to $7 trillion worth of spending and/or savings over the next 10 years, and finally decided that $4 trillion was the magic number. I know the markets had looked at the rating agencies looked at that, the people who buy our Treasuries had looked at that number.

Over the course of the last few weeks, it became apparent that $3 trillion was probably the most that was going to be achieved, and then now we have ended up with this bill that passed today, and I supported that hoping to achieve $2.1 trillion to $2.4 trillion in savings over the next decade.

Mr. President, obviously, like many of us in this body on both sides of the aisle who know our country is in dire straits and we have a lot of work to do. I am disappointed at the magnitude of this legislation. But I am hopeful and thankful that we have taken the first step. I think this is going to be a decade of having to focus on our country’s irresponsibility over the past many years. Both parties, no doubt, have been responsible for putting us in this situation. It is going to take both parties to move us away from where we are. But I think everyone in this body fully understands that on the present course our country’s best days are behind us. I think all of us want to ensure that this country’s greatness continues; that we can continue to display American exceptionalism not only here but around the world.

I look at this solely as the first step. I know we are going to have an appropriations opportunity to look at even more savings at the end of September. I know we are going to have a series of opportunities for us to deal with this. Again, today was just a first step.

I learned through a lifetime of business, starting with doing very, very small projects at the age of 25 when I first went in business, that as a company, you can never go broke taking a profit. What I have learned in the Senate is you should never say no to spending cuts.

So while these spending cuts are not of the magnitude that I would like to have seen, I think this is a very, very good first step and something that we can all build upon. I look forward to working with people on both sides of the aisle to ensure that this is just the first step and that our country continues to have the discipline, the fortitude, the will to make the tough decisions that all of us know we are going to need to make over the course of the next many years.

That is what we owe these young pages who are getting ready to leave after service to this country over the last month; that is what we owe future generations; that is what we owe Americans; and, candidly, that is what we owe the world as citizens of this world; that is, for us to be disciplined and that we have to live within our means and to know the best thing we can possibly do as a country at this moment in time is to show we have that courage and that will.

Mr. President, I thank you for the time to speak today. I know all of us leave here and go home to recess. I know many of us will be talking about the vast amount of work that needs to be done as it relates to making sure we rein in this out-of-control Spending that has been taking place for many, many years. I look forward to that. I look forward to talking to citizens back in Tennessee, and I look forward to coming back in September and dealing with folks on both sides of the aisle to make sure we put that thought into action.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I want to thank the Senator from Tennessee, Mr. CORKER, for what he just said. I want to affirm the extraordinary amount of effort he has made to not only inform this Senate body of the crisis that we face financially, but also to come forward with some very constructive solutions on how to deal with this crisis.

I know he is disappointed that we were not able to reach a better solution than the one voted on today. I know he struggled to decide what was the best way to move forward. In the end, he decided to support the bill as a first step; but, as he said, this is the first step of what probably will be a decade-long challenge facing all of us to successfully address this deep hole of debt we have dug for ourselves as a nation.

I rise today to speak, sharing all those concerns, certainly believing that our work has just started and there is much more to do. But also as some people have seen in a very against the bill that we just had on the floor, I have not taken this vote lightly.

For the past 1½ years, as a candidate I traveled the State of Indiana, to just about every town and city in the State, talking to thousands and thousands of Hoosiers on a day-after-day basis hearing what they had to say. If, frankly, I could categorize their thoughts into one statement, it would be a deep concern about the future of our country and deep desire to have their elected representatives go to Washington and do everything they can to address this situation.

I have spent the last 7 months in the Senate hearing from thousands, if not hundreds, of Hoosiers who have written, called, visited, and talked with me back at home. Nothing has changed except the urgency of these concerns, and the deep worries that they have expressed have simply grown.

We saw, in 2010, Americans across the country express their desire for Congress to get hold of our fiscal situation; that the era of spending, of promising beyond our means, was over, and that we had to take major steps to reverse the trend. And that is why I decided to return to the Senate, to come back to work to help repair our country’s economic future. I came back to work on the things that many consider politically toxic: entitlement reform, tax reform, passing a balanced budget amendment to make sure that we would never end up in this situation again; that if there was a legacy that we could pass on to our children, if there was something that we could do for the future of our country, something that we could do for our children and grandchildren, and everyone’s children and grandchildren, it would be to never have them have to go through what we are going through now because we had taken fiscal responsibility, passing a balanced budget amendment that would, as we are sworn in, require each of us to come here and put our left hand on the Bible and our right hand in the air, to repeat the oath to honor the Constitution, and that Constitution would attain a balance.

So before taking this vote, I pondered for days and nights about the many Hoosiers who had put their faith and confidence in me and sent me back to the Senate to do everything I could to accomplish this goal. Some of those Hoosiers had tears in their eyes, worried about the future for themselves and for their children. Some had fingers in my chest, saying: Don’t let me down. Don’t go and settle for too little. Do everything you can. That is what I have tried to do.

After giving it consideration, I decided not to support this bill because I could not come to grips with having to go back home and tell the people I represent and Hoosiers that this is the best we could do. I do wish to recognize the work and leadership, the strategy and the efforts of our minority leader, Senator McCaskill, and whip, Senator Kyl, those in leadership and Senator Baucus, Senator Dorgan and Senator Reid and Senator and Eric Cantor in the House and the people who represented Republicans at the White House.
I, like most of us who serve here, appreciate their hard work and understand their frustration at Washington’s inability to accomplish a meaningful goal, a grand bargain or at least a big plan that would put us significantly on the way to fiscal reform. I don’t hold them responsible. I think that is the job of Congress, all of us. That is what we were elected to do and we were not able to do it. We have turned it over to 12 Members of Congress because that spending is bank-
rupting this country and is denying future seniors benefits they are counting on—who are dependent on Social Security and Medicare—denying them the opportunity to rest easy that their benefits will remain the same or increase with the cost of living.

The truth is that we have reported regarding the future of the Medicare Part A is that serious cuts will have to be made unless we take measures now to reform the system in a way that is expanded to those currently on it and those within, say, 10 years of retirement. We all know we have to do this. We all know, if we do not do this, we simply will not be able to accomplish what we need to, no matter what else we do.

The real work is ahead. Congress must commit to address the root causes of our problem and our debt. We have to make the difficult choices necessary to restore economic growth and good-paying jobs for the American people. We have to expand our economy beyond its ability to fulfill its responsibilities correctly.

The work is ahead. We have to address the root causes. My sleeves are rolled up. I will continue to push forward. I am going to continue to work to reform the Tax Code so businesses can provide more jobs and be more competitive. I will not back away from addressing the need for entitlement reform. We need to restructure those programs to keep them from becoming bankrupt and denying important retirement benefits for our citizens.

Now is the time for us in the Congress, whether we voted for this bill or against this bill—I am not criticizing anyone who voted for it because many of those believed it is the first of many steps. It was not adequate, in my opinion, but at least it was a first step. I do not believe we should be criticizing those who made that decision.

It also addressed the question of default. I did not support default, which is why I suggested a short-term plan. I believed this initial bill being presented to us was woefully inadequate for what we need to do right now to send the right signals that we are on a serious path to reform. I was willing to allow for a debt increase of a limited period of time, 6 to 8 weeks, cancel our recess, work to find a better solution that could achieve more support and get confidence in the investment industry that we have taken a serious step forward.

That obviously did not go forward. But, nevertheless, when we return from recess, all of us, whether we voted yes or no, must make a commitment to engage, plunge into the problem, to do whatever is necessary—not political necessary, whatever is necessary for the future of our country. That is our challenge, and I hope we will rise to that challenge.

I have not given up on our ability to respond to the will of the people and to respond to the crisis we face. So, yea or
nay, let's all agree to come back with a focus on where we need to go, what we need to do, and the courage to make the tough choices for the future.

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

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

TRIBUTE TO EDWARD LEVINE

Mr. KERRY. Mr. President, it is my pleasure but also a sad moment for members of the Foreign Relations Committee to take this time to celebrate the service of and also to salute the retirement of one of the Senate's great staffs: Ed Levine.

Ed is retiring this week after a remarkable 35 years of service to the Senate—a lot longer than most Senators get to serve and that most staff up here have the courage to hang in there and serve.

In his decades of service, Ed has provided wise and perceptive counsel to two committees, to many Members, and most recently to the Foreign Relations Committee. His deep knowledge of foreign policy and his remarkable sense of this institution are truly going to be missed and I mean missed enormously.

He grew up and he went to school here in Washington, DC, before he headed off to Berkeley and then later to Yale. When he was a young man here in this community, he used to ride the streetcar down to Georgia Avenue, where he would watch the Senators play at Griffith Stadium. For those who are too young to remember, there actually was a baseball team called the Senators once upon a time. He did not watch folks here playing at Griffith Stadium. But when the Washington Senators left for good to become the Texas Rangers, I have to reckon that Ed just decided that the U.S. Senators were the only game left in town, and he has been here ever since.

He first came to the Senate in 1976. He joined the Select Committee on Intelligence back then—literally right after it was established. It was a historical moment. Those who remember their history of the 1970s remember that was a time of great consternation about the covert activities of the CIA. The activities and the oversight of the CIA became a major national issue and concern. So it was a historic moment when the Senate was reasserting its constitutional responsibility to provide oversight.

Ed spent the next 20 years overseeing some of the Nation’s most sensitive programs and some of its most closely guarded secrets. He was trusted with some of the most secret information of our country because he never had anything but the interests of our country and the security of the Nation foremost in his mind.

I think that is also borne out in the fact that through the course of his career, even in the middle of the night or in the shadow of Members of both sides of the aisle while he was on the Intelligence Committee. He served on that committee as the personal representative of Republican Senator Clifford Case. He was also working with Senator David Durenberger, and then later for Democratic Senators Howard Metzenbaum and Chuck Robb. His work for the Intelligence Committee exemplified a standard of public service that puts the fulfillment of the Senate’s constitutional duties above any other partisan concerns.

For him, there never was a party issue, Republican or Democrat, or an ideological issue, liberal or conservative. How are the best interests of the United States of America and how do we protect its security? He has applied that very same approach to his work on the Foreign Relations Committee, where I have had the privilege of working with him over the course of the 26 years I have been here. He worked mostly previously for now-Vice President BIDEN. A few days ago, we held a business meeting at the Foreign Relations Committee, and it was characteristic of Ed’s diligence in representing the interests of country above party that Senator LUGAR, the ranking member of the committee, and who has served with him for a long time, took the time to acknowledge his service and to note how constructively he had worked with the Republican counterparts on the committee over these many years.

We saw that in large measure last year when we considered the New START treaty, in which Ed played an integral role. You know, I might mention to colleagues, when Vice President BIDEN was Senator BIDEN and chairman of the committee, he coined a nickname for him “Fast Eddie.” And the irony of that for all of us who know him is that Ed does not do “fast.” He is one of the most careful and deliberate thinkers on our staff, and that is one of the things people valued in him the most. It was never a hip shot. It was always based on thinking, research, experience, and knowledge.

His knowledge of arms control, I may say, is encyclopedic. During the New START debate, we had a war room set up one floor below this in the Foreign Relations Committee room, with dozens of experts from the various departments of our government, and stacks of briefing books and instant computer linkage to the State Department, to the Defense Department, Intelligence, and so forth, but often when we had a question, all we had to do was turn to Ed and he would know the answer from right up here in his head, from his experience.

That is not surprising, given how many treaties Ed has helped this body to consider during his career. He worked on the INF Treaty, on the START I treaty, on the START II treaty, on the Chemical Weapons Convention, on the Convention on Conventional Weapons.

So, Ed, we thank you, all the Members of the Senate, for your service. We wish you personally the best in all of your future endeavors.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

BUDGET CONTROL ACT

Mr. SESSIONS. Mr. President, we just passed legislation that would raise the debt ceiling. Part of that was an effort to reverse the debt trajectory we are on, but it can only be called, at best, a first step. We can all agree on that.

Indeed, there is an article in the Financial Times, written by Professors Rogoff and Reinhart, who wrote a book that has gotten a great deal of attention and is widely respected, describing and analyzing sovereign debt and countries that have gone bankrupt around the world. They commented that much of what occurred in our debate occurred in those other nations. The other nations scramble around when the pressure is on with something like a debt ceiling, and they don’t really change anything significantly, but they must the crisis and tell everybody everything is OK.

They say in this article in the Financial Times that everything is not OK. Indeed, the debt will increase over the
next 10 years by approximately $13 trillion, and this package would reduce the increase in our debt by $2.1 trillion to $2.4 trillion. That is not much.

In addition to that, Larry Lindsey, a former economic adviser to President Bush, has done some analysis of the Congressional Budget Office score of what the budget would look like over 10 years. He points out that they were predicting nearly 3 percent growth the first quarter of this year. So now we have re-estimated first quarter growth. Economic growth wasn’t 3 percent, it was 2.4 percent. And the second quarter initially was scored at 1.5—not 3 percent or 2.7 but 1.3 percent. Lindsey noted that $750 billion in GDP alone will mean less economic growth, less tax revenue for the government, and over 10 years it puts the government on a trajectory to lose $750 billion—it would collect $750 billion less, which is about one-third of the savings that were to occur in the bill. Dr. Lindsey says the second, third, and fourth quarters of this year will also be well below that. We may be looking at, in this year alone, enough decline in GDP of about half—or maybe more—of the savings estimated in the bill we just passed.

I wanted to point out that I believe many in Congress and in the Senate are in denial about how serious the debt threat is and that we are too often, as Rogoff and Reinhart noted, saying the same things other nations said before their economic crises hit. Indeed, the name of their book, "This Time is Different," refers to what government leaders said in those countries—those other countries that went into default and into debt crises up until the last minute. They were saying: We have it under control. It is not so bad. This time, they say, it is different.

Immediately, there was a crisis, which resulted in a loss of confidence, and they had a serious problem—similar to when people lost confidence in the housing market several years ago, which helped put us in this recession.

This is worrisome. We are not facing a little problem; we are facing a problem that will require our steadfast attention for a decade to get this country on the right course.

I note that the President had a press conference today. In a way, it rejected everything we have been talking about in this debate. It really did not talk about how serious the crisis as Rogoff and Reinhart described. He didn’t tell the American people that the real problem is spending that is surging out of control. He didn’t say we can’t continue, as a nation, borrowing 42 cents of every dollar we spend or that we can’t continue spending $3.7 trillion when we take in $2.2 trillion. He did not talk to us honestly about that. He did not send a signal; he has not sounded the alarm. Therefore, I think a lot of people—even some in Congress and some outside of Congress—sort of think it must not be so bad. The President hasn’t told us it is.

More and more people are expressing concerns. There is a growing unease nationwide, as demonstrated in consumer confidence and business investment, and in some bad manufacturing numbers we received yesterday. So things are not looking good. We have to be honest with ourselves that this is a difficult time.

He did, however, make repeated statements in his press conference about raising taxes. I don’t think that is a good thing to do when the economy is in a recession—and erroneously, I believe—that you can’t balance the budget with spending cuts. Well, you certainly can. You can argue that you would rather have tax increases and fewer spending cuts, but we can and must balance our budget. It can be done with spending reductions.

Quite a number of plans are out there proposing to do just that.

The President continues to talk as if the problem was the debt ceiling, but he did not send a signal that we have spent too much, and we borrowed all Congress has allowed the President to borrow, and you can’t borrow any more unless Congress agrees to raise the debt ceiling. But that is not the problem. The problem, this Rogoff and Reinhart said, is our debt. That is the real problem. It is not going to be easy to fix. I wish it was. If we work together as a nation, we can do it. This country can rise to meet the challenge. I am totally convinced of that.

The President said:

And since you can’t close the deficits with just spending cuts, we’ll need a balanced approach.

That means we need to balance a cut with tax increases. That is what that means.

He went on to say:

We can’t make it tougher for young people to go to college or ask seniors to pay more for health care.

But at some point, when you don’t have the money, we might not be able to be as generous as we were just a few years ago when we were in better financial condition. Isn’t that common sense? What do you mean you can’t make any changes in how we do business? We are going to have to make changes in how we do business.

He goes on to talk about investments, as he has often done. This is a quote from his press conference:

Yet, it also allows us to keep making key investments in things like education and research. . . .

Continuing to make investments in education? Does that mean we will continue our current level in education and that we will try not to cut it if we have to make reductions in spending? Is that what the President means? No.

Just last week we saw the spectacle of the Secretary of Education appearing before the Senate Appropriations Committee asking for a 13.5-percent increase in education funding. Also last week, the President talked about investments—more, more, more—including 13.5 percent more for education. You know, 90 percent of education is funded by States, cities, and counties anyway. It is not the Federal Government. It is not our primary role and never has been. We only provide approximately 10 percent of the money that gets spent on education in America.

We can’t have double-digit increases when we are borrowing 42 cents of every dollar. Every penny of that interest will be borrowed money—every penny. Doesn’t common sense tell us we might not be able to increase spending this year even if we would like to?

I point out that before the Budget Committee, on which I am the ranking Republican, we had the Secretary of Energy testify that he wanted a 9.5-percent increase for the Department of Energy—the Department that does more to block energy than create energy. The State Department was asking for a 10.5 percent increase in the President’s budget, the President’s request to us. The Department of Transportation was to get a 60-percent increase in spending in the President’s Budget. Last year, it was about $40 billion.

I note that this year, interest on our debt will be $240 billion.

I say to my colleagues that we are not dealing with reality. Americans know—maybe they are lucky enough to have two wage earners in the family when one loses their job, but do they not change the way they do business? Do they just think they can continue to spend twice as much as their income as if they were both still working? People don’t do that. All over, Americans are making tough decisions. No wonder they are upset at us for pursuing this idea that we don’t have to make any changes in what we do. It is very, very distressing to me.

The President said this about employment:

That’s part of the reason that people are so frustrated with what’s been going on in this town. In the last few months, the economy has actually had to already absorb an earthquake in Japan, the economic headwinds coming from Europe, the Arab spring, and the [increases] in oil prices, all of which have been very challenging to the recovery. But these are things we couldn’t control.

I don’t know that those are the big problems here. Rising oil prices are. Today, oil prices are just about doubling—a little more—than what they were when President Obama took office. We have shut down new exploration in the gulf, and we are blocking the production of natural gas and shale formations, which has so much promise for us. We are doing a lot of things to drive up the cost of energy.

Then he goes on to say this, which is surprising. He is the one who said the crisis was so large, it was a national problem.

Our economy didn’t need Washington to come along with a manufactured crisis to make things worse.

We had a serious debate over what to do about the debt ceiling that we have
reached, and Congress—the Republican House—yielded from $6 trillion in cuts over 10 years, as they proposed in their budget, to taking $1 trillion in cuts up front as part of this debt deal. The President wanted less cuts than that, apparently, and that is what is called for in the plan. The committee can cut $2.4 trillion, if the committee functions correctly, and we hope it will.

The PRESIDING OFFICER. Under the order, Senators are limited to 10 minutes—2.5 minutes, Mr. President.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak for an additional 5 minutes.

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

Mr. SESSIONS. What I wanted to point out is in this chart. It gives some indication of how we are operating in the Senate and the Congress, driven in substantial part by the President’s desires. It’s a chart showing the growth in certain programs that are exempt from the automatic cuts that would occur if a budget agreement is not reached as part of the legislation we just passed.

There are all programs that we like and wish we could continue to allow to grow every year. Unfortunately, we are not going to have the money to do that. We are going to have to deal with these programs and all spending—Defense and non-Defense programs, no doubt about it.

We have first over here the Civil Service Retirement and Disability Fund. The average annual percentage increase in that fund each year—2005 through 2010—was 4.9 percent. The average inflation rate during this time was 2.5 percent. So that is about twice the inflation rate.

The next fund here—a fund all of us value—is the Military Retirement Fund. It has increased at the average annual rate of 5.4 percent. Inflation is 2.5. And the program is not even evenly cut across the board, except it is not evenly cut across the board because these programs are untouched. They are untouchable because our Democratic colleagues say we can’t deal with them.

Well, it is time for us to look under the hood of the food stamps program, I have to tell you. How could it be increasing at 16.6 percent a year for 5 years? How could that happen? Don’t we need to examine it, take a good look at it? We have had no hearings. We have done nothing this year to confront the surging cost. And what about Medicaid and CHIP? Those are also surging. We, I should even say, a little on some of those programs that are growing faster than inflation.

I would point out that the military is in line, under the bill that passed, if an agreement isn’t reached, to take a 10-percent cut. That is from the baseline of the military budget. It does not include Iraq and Afghanistan, which are coming down and projected to come down dramatically.

Forgive me if I am a little bit taken aback, speaking about the unwillingness of Congress to deal with out-of-control spending. That is a good deal of money we are talking about—the Medicaid Program at $270 billion a year. Food stamps have more than doubled. It is now $78 billion a year. By comparison, Alabama’s general fund budget is about $2 billion.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. SESSIONS. I thank the Chair. I ask unanimous consent for 1 additional minute.

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

Mr. SESSIONS. As I notice no one else is here.

The PRESIDING OFFICER. The Senator from Florida is here.

Mr. SESSIONS. Oh, I am sorry. I didn’t see that. Well, I should long ago have yielded the floor, because he has something worthwhile to say, I am sure.

I close by saying we are not dealing honestly with the crisis we are in. The President is in denial. He is not looking American people in the eye and telling us what a serious fix we are in, or challenging us all to deal with the reality that we are going to have to change the way we do business. I hate to say it, but I believe that it is true. We have to do better.

I thank the Chair and I would be pleased to yield the floor to one of our more successful new Members, Senator Rubio of Florida.

The PRESIDING OFFICER. The Senator from Florida.
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don’t think anyone here would disagree with me when I say it—we can’t keep borrowing $1.2 trillion every month or more, because the point and the day will come when the people who lend us that money will stop lending us that money. If we keep doing this for very long, we will one day reach a day in this country where we will face a debt crisis, but it won’t be because of the debt limit or because of gridlock in Washington. It will be because folks are no longer willing to buy America’s debt because they seriously doubt our ability to pay it back.

That is not hyperbole. It is not an exaggeration. It is a mathematical, indisputable fact that no Member of either party would dispute. There is general agreement on this. And there is general agreement the only way to solve this problem is a combination of two things: No. 1, this government needs to generate more revenue; and No. 2, this government needs to restrict its growth and spending. Because as bad as the $300 billion a month looks, it only gets worse from here on out, in ways I don’t have time to explain in the next 10 minutes. Suffice it to say our economy isn’t growing. It is not producing enough to support our spending. Meanwhile, all the programs we fund are about to explode in their growth because more people than ever are going to retire, they will live longer than they have ever lived, and the math doesn’t add up. These are facts. No one disputes that.

The debate in Washington is not about that fact but about how do we solve it. How do we generate more money and reduce the spending at the same time? I will tell you this is not a debate we will solve in the month of August. In fact, I believe it will characterize the rest of this Congress, the 2012 elections, and the years that lie ahead. The division on how to solve it goes to the core of what our country is about—what kind of country we should be. But this division—this difference of opinion—is the reason why even though this bill passed, this debate we have had is going to move forward for some time to come.

One important point: There are those who believe the job of government is to deliver us economic justice—which basically means an economy where everyone does well or as well as possibly can be done. There is another group who believes in the concept of economic opportunity—where it is not the government’s job to guarantee an outcome but to guarantee the opportunity to fulfill your dreams and hopes. One is not more moral than the other. They are two very different visions of the role of government in America. But it lies at the heart of the debate we are having as a nation. Washington is divided because America is divided on this point, so we have to decide what every generation of America before us has decided, and that is what kind of government do we want and what role do we want it to have in America’s future.

The fault lines emerge from that. The solutions emerge from those two visions. For those who want to see economic justice, their solution is to raise more taxes. They believe there are some in America who make too much money and should pay more in taxes. They believe our government programs can stimulate economic growth. They believe that perhaps America no longer needs to fund or can no longer afford to fund our national defense and our military at certain levels.

Another group believes that, in fact, our revenues should come not from more taxes but from more taxpayers; that what we need is more people being employed, more businesses being created that will pursue tax reform, that will pursue regulatory reform. But, ultimately, we look for more money for government from economic growth, not from growth in taxes. We believe the private sector creates these jobs, not government and not politicians; that jobs are created when every everyday people from all walks of life start a business or expand an existing business.

I believe and we believe in a safety net program, programs that exist to help those who have tried and failed to stand up and try again but not safety net programs that function as a way of life, and believe that America’s national defense and our role in the world with the strongest military that man has ever known is still indispensible.

These are two very different visions of America and two very different types of solutions. Ultimately, we may find that some of these two points may not be a middle ground; that, in fact, as a nation and as a people we must decide what we want the role of government to be in America moving forward.

Let me close by saying this has been a unique week for me in a couple ways. One has been, of course, the debate that has happened. The other is my family has been here for the better part of a week, young children. We had an opportunity for the vote to walk around a little bit and look at all the statues and the monuments that pay tribute to our heritage as a people. It reminds us that we are not the first Americans who have been asked to choose what kind of country we want, what role of government we want in our country. It is a choice every generation before us has had to make.

Even in this Chamber, as I stand here, you can sit back and absorb the history of some of the extraordinary debates that took place on this very floor, debates that went to the core and to the heart of what kind of country we wanted to be moving forward. The voices of those ancients call to us even now to remind us that every generation of America has been called to choose clearly what kind of country they want moving forward. And that debate will continue. It will define the service of this Congress and for most of us, our life here. I choose wisely. I look forward to the months that lie ahead that we will choose and make the right choice for our future and for our people.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

EXTENSION OF MORNING BUSINESS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the period for morning business be extended until 6:00 p.m., with Senators permitted to speak for up to 10 minutes each.

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

FEDERAL AVIATION ADMINISTRATION

Mrs. SHAHEEN. Mr. President, I appreciate the Senator from Minnesota being willing to stay in the chair for a few more minutes before I have to preside so I can take this time to express my concern about what has happened recently and the failure to reauthorize the Federal Aviation Administration.

The authorization for that administration has expired, and it has led to a partial shutdown of that agency and to 4,000 workers being placed on unpaid furlough. A number of those workers are from New Hampshire. While I know all of us here are glad we were able to come together to reach a bipartisan agreement on raising the debt ceiling and avoiding a financial crisis, I am deeply disappointed that bipartisanship has failed us when it comes to reauthorizing the FAA.

I understand the House may head home for recess today and for the rest of August, stranding 4,000 FAA workers and as many as 70,000—that is right, 70,000—airport construction workers around the country who are out of work until we can get an agreement. So let me review for a minute how we got here.

Since the FAA’s authorization expired in 2007, Congress has passed 20 short-term extensions of the FAA. All of those bills, every single one of them, were clean bills intended to keep the FAA running while Congress decided how to deal with the complicated policy issues of a long-term reauthorization. Unfortunately, the 21st time around—that is the time that we are in—the House decided it was no longer important to keep the FAA operating, and 4,000 people are out of work while the House of Representatives may head home for recess.

I appreciate that there are some significant differences between the two long-term FAA authorization bills
passed by the House and the Senate, the most controversial of which cen-
tered around the ruling by the Na-
tional Mediation Board on unionization
rules. But that is why Chairman
ROCKEFELLER and Ranking Member
HUTCHISON appointed Members to a
conference committee where the House
and Senate could work out our policy
differences. So far, the House has re-
fused to appoint conference. Instead,
they have decided to stop negotiating
and, unfortunately, to play politics
with 4,000 FAA workers and their fami-
lies.

Right now the FAA has been shut
down for 11 days and as long as that
shutdown continues, the government
will continue to lose $200 million a
week, about $30 million a day, that
would pay for airport maintenance and
safety and for the replacement of our
country's outdated air traffic control
system. If the shutdown continues
through the August recess, we are going
to lose $1 billion in funds that could
be used to upgrade our air transpor-
tation system. That is waste
of the worst kind, and it makes our
deficit problems worse at a time when
everybody says they are so focused on
the deficits.

Every day the shutdown continues
has a very real, very painful impact on
people all around the country who have
been furloughed. I hope the House, in
leaving for recess, has left open the op-
portunity to continue to address this
dispute and resolve it in a way that
will bring everybody back to work.

The FAA has issued stop-work orders
for 241 airport construction projects
worth nearly $1 billion that support
70,000 jobs. Again, these are real people
who are being forced to make real sac-
rifices.

In my State of New Hampshire, a $16
million project to rebuild the runway
of Boire Field in Nashua will be de-
layed that will pass an estimated $200
million in funds that could be used to
upgrade our air traffic control system.

I yield the floor, and I would suggest
that we have a quorum. Without objection, it is so
ordered.

Mr. NELSON of Florida. Madam
President, I ask unanimous consent the order for the quorum call be rescinded.

Mr. NELSON of Florida. Madam
President, I ask consent to speak as in
morning business.

Mr. NELSON of Florida. Madam
President, I rise to recognize the im-
portant contributions of a special Flor-
didian for his unrelenting determina-
tion to protect one of our Nation's
unique natural resources; that is, the
Florida Everglades. He is a presti-
gious attorney. He is a commanding
litigator. This individual, Thom
Rumberger, has dedicated much of his
personal and professional life to ad-
vancing the restoration and protection
of this river of grass. His brilliant, inci-
sive mind, his creativity, and his fear-
lessness combine to make Thom one of
Florida's most influential Everglades
leaders.

He has been a man proud to serve his
country and his community. It goes
back to the time he interrupted his col-
lege career to volunteer for the Ma-
ines. He served in the Korean war.
Over the course of his life, he has con-
tinued this service as a dedicated pub-
lic servant, a respected judge, and a re-
spected partner.

In his family, he is a dedicated father
and grandfather who obviously has al-
ways found great happiness with that
ever-expanding family of his, and the
relinquished efforts he undertakes to pre-
serve Florida's natural heritage is a
legacy gift, certainly to his family and
to his colleagues but to all us Florid-
ians—indeed, to us as residents of plan-
et Earth.

I knew Thom back in those early
days in Melbourne and Brevard County
as we were experiencing the explosive
growth, at the time, of the Nation's at-
tempt to catch up with the Soviet
Union since they had surprised us by
putting up Sputnik and then later beat
us into orbit with Yuri Gagarin before
we could get Alan Shepard into suborbit
and then John Glenn into orbit.

Those were exciting times. I will
never forget I heard Thom, as we were
sitting around one day, saying I am im-
patient having to sleep because I am so
excited about getting up in the morn-
ing and going out and doing all these
things. Of course, I just listed all those
topmost priorities of public service.

Along the way, Thom became a good
friend of another Brevard County man,
George Barley. Actually, I think
George was from Orange County.

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friend of another Brevard County man,
George Barley. Actually, I think
George was from Orange County.

George married to Mary. Both of
them dedicated their lives to restora-
tion of the Everglades. George and
Mary established the Everglades Trust
and the Everglades Foundation and
then, when George died a very tragic
death back in 1995, Thom joined with
Mary to make Barley's dream of a restored Everglades became a reality.

Thom was an active member of the
Republican Party, but I can tell you
that in the friendship between us, par-
tisan membership did not mean any-
thing. We had a personal friendship,
and one could often see that as he en-
gaged in public service, but that was
especially so when it came to the pres-
ervation and the restoration of the Ev-
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evidence. He convinced the judge to have a window in the courtroom enlarged—in a historic courthouse, none-the-less—to accommodate a crane that lifted the car right into the courtroom. He has been known throughout his life for his sense of humor, often referred to—because he had so many different careers—somewhat derisively as a career chameleon. Thom worked his way all the way through college, all the way up to these present successes.

Let me tell you what he did to support himself and to pay for his college education. A lot of people do not remember Ross Allen’s Reptile Institute in Ocala, at Silver Springs. Guess what the main attraction was: the eastern diamondback rattlesnak. Thom’s job, at which he earned enough money to put himself through school, was to milk those rattlesnakes.

Clearly, that is a tourist attraction because that is a fascinating thing, to see that snake coiled up, ready to strike, and they stick a stick down there and pin his head and then reach down behind the head and pick him up and they have this 6-foot rattlesnake. But there is a purpose to this other than charming their guests. They squeeze that head and the mouth opens and those two fangs come out and they put those fangs down into a glass and they milk that rattlesnake. The poisonous venom that was then collected and stored becomes the basis of anti-venom that hospitals now keep on hand.

Or, he learned the skills of public speaking and working with the public because he had to explain how he was milking the rattlesnake to all of the guests who were there, and obviously he had their attention.

He even enjoyed a brief acting career as a stuntman for the movie “The Creature of the Black Lagoon.” Remember that one that scared the wits out of all of us when we were children, “The Creature of the Black Lagoon”? He has had quite a few varieties in his life.

He has generously committed himself to public service. Beyond the positions I have already mentioned, he was appointed to Florida’s Federal Judicial Advisory Commission and the Board of Supervisors of the Spaceport Florida Authority. Presently, he is chairman of the Everglades Trust. He has served as chairman of the Collins Center for Public Policy, which was named one of the 100 most exciting places to work in Florida, former Governor, now deceased—Gov. Leroy Collins. He has been a member of the Board of Visitors of Florida State University of Law and Board of Trustees for the Law Center Association of the University of Florida. He has represented about every environmental organization, including Save the Manatee, the Everglades Trust, and Save Our Everglades. He has been the lead counsel for the Everglades Foundation well past the last two decades.

Notably, Thom was instrumental in the passage of two Everglades-related Florida constitutional amendments, the National Reclamation Comprehensive Everglades Restoration Plan, and in obtaining several billion dollars in funding for Everglades restoration. That has been one of my primary duties as the senior Senator from Florida, and I have worked with him over the years on this Everglades restoration.

He has been primarily responsible for Florida’s acquisition of one of our natural resources, the 75,000-acre Babcock Ranch in the southwest part of Florida, which now provides necessary corridors for wildlife, especially, endangered Florida panther. In the late 1980s, Thom worked to implement some of the first manatee protection laws.

Throughout his four decades in public service, he has demonstrated the importance of looking out for the common good.

I just did an interview today in the aftermath of our vote on what started out to be highly contentious on what we were going to approve in debt reduction and deficit reduction with the pending guillotine hanging over our head, the default that would occur at 12 tonight, which has now been averted. The reporter who was asking me the questions in the interview said: Well, why is it that everything is so contentious and people are all so wrapped up in themselves that they talk past each other and they are only looking out for their own interests and don’t respect the other fellow’s point of view?

Thom Rumberger represents that kind of person who always respected the other person’s point of view. So when it was time to draw up the solution to whatever the problem was, then the parties could come together and find that consensus. That has been sorely lacking in Washington and around this country. We saw a shining little moment yesterday and today—yesterday in the House of Representa-tives in our state and today on the floor of the Senate with an overwhelming vote—to start the process of deficit reduction. It is folks such as Thom Rumberger whom we ought to be looking to in how they have demonstrated their community service instead of what they have seen play out over the last several months.

Thanks to the selfless commitment of folks such as Thom, America’s Everglades will be restored for the benefit of future generations. It is not just Florida that Thom and his family have done a great deal of gratitude. My bride of 40 years, Grace, who has known Thom almost as long as I have, joins me in thanking him and his wife Debbie for their many contributions to Florida’s treasured landscapes.

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

The Acting President pro tempore, the clerk will call the roll.

The Acting President proceeded to call the roll.

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

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

HONORING OUR ARMED FORCES

LIEUTENANT COMMANDER JANE LANHAM TAFOYA

Mr. McCONNELL. Mr. President, I want to pay tribute to a young woman from Owensboro, KY, who lost her life while in service to her country. U.S. Navy LCDR Jane Lanham Tafoya was assigned to the Naval Branch Health Clinic in Manama, Bahrain, in support of Operation Iraqi Freedom. She died from non-combat related causes on September 19, 2006. She was 43 years old.

For her heroic service, Lieutenant Commander Tafoya received many awards, medals and decorations, including the Navy and Marine Corps Commendation Medal with Gold Star, the Navy and Marine Corps Achievement Medal, the National Defense Service Medal with Bronze Star, the Global War on Terrorism Service Medal, the Armed Forces Reserve Medal, and the Navy Pistol Shot Medal with Sharpshooter Device.

Lieutenant Commander Tafoya had served for 18 years in the Navy. Before her assignment in Bahrain she had served at the Naval Hospital and Naval Reserve Center in Philadelphia, the Bureau of Medicine here in Washington, D.C., the Naval Hospital at Camp Lejeune, NC, aboard the U.S.S. Ronald Reagan, and at Navy Environmental Preventive Medicine Unit 2 in Norfolk, VA. In Bahrain she was working as an industrial hygienist.

Born in Daviess County, KY, Jane was a graduate of Owensboro Catholic High School, Murray State University and Temple University. Her mother, Avis Lanham, remembers Jane as a smart student who enjoyed learning, got all As in school, and loved to read. In high school Jane played softball and volleyball, and she was on the Murray State intramural bowling team.

Avis says that Jane loved to travel, and she loved being in the Navy. And Jane “could always see the good in people.” Avis says of her daughter. Whenever something negative was said about a person, Jane would just respond with, “Well, nobody’s perfect.” We are thinking of Jane’s loved ones today, including her husband John Tafoya; her daughters Rachel and Natalie Tafoya; her mother Avis Lanham; her brother and sister-in-law Brad and Kathy; her sister and brother-in-law
Phyllis and Kenny; and many other beloved family members and friends. Jane was preceded in death by her father Marvin Bill Lanham.

Today the Senate honors this loving wife, mother, and daughter for her long career of service. And we salute the sacrifice that LCDR Jane Lanham Tafoya made, half a world away from her native Owensboro home, on behalf of a very grateful Nation.

I yield the floor.

H.R. 2715

Mr. ROCKEFELLER. Mr. President, I rise to engage in a colloquy with my colleagues, Senators DURBIN and Pryor, over the passage of H.R. 2715, a bill that passed on the House suspension calendar by a vote of 421-2 and the Senate by unanimous consent. Due to the fact that this bill bypassed regular order and failed to receive consideration in the Commerce Committee, I believe it is important to explain our intent in passing this bill.

Mr. DURBIN. I am frustrated that the Consumer Product Safety Commission has taken too long to promulgate rules required by the Consumer Product Safety Improvement Act, CPSIA, including the rules on third-party testing obligations and the component part testing rule. I did not oppose H.R. 2715, because it does not delay or impede the Commission’s ability to implement those rules—although it may place some increased costs on the Commission due to actions required as a result of new CPSIA mandates and authorities—and I urge the Commission to complete its work expeditiously.

Mr. ROCKEFELLER. I share the Senator’s concerns about the CPSC’s delay in promulgating its regulations in accordance with the mandates of CPSIA. While I sympathize with the CPSC over its resource constraints, the Commission must accelerate its efforts and complete the important regulations required under CPSIA. The provisions in section 2 of H.R. 2715 were not intended to delay or stop the Commission’s current rulemaking under section 102 (d)(2) of the Consumer Product Safety Improvement Act to implement the critical provision related to the third-party testing of children’s products. I fully expect the Commission to go forward with these important rulemakings with no disruption from the passage of this bill.

Given the limited resources of the Commission and recognizing the length of time it has taken to implement the provisions of the Consumer Product Safety Improvement Act, it is intended that most of H.R. 2715’s new mandates on the CPSC are not rulemakings. Some of the new authority, such as the functional purpose exemption and the authority to restrict the scope of the used products exemption, are subject to a minor modifications to an important consumer product safety law and supported implementation of important aspect of the Consumer Product Safety Improvement Act such as the consumer product database. This bill will require the CPSC to extend the deadline for posting reports on defective products by 5 days if a business asserts that the information in the report is not accurate. However, this change does not alter the fact that the Commission still must post such reports in its database after those 5 days even if it is still reviewing the merits of the complaint.

COTE D’IVOIRE

Mr. INHOFE. Mr. President, I spoke about the situation in Cote d’Ivoire just last Friday and pointed out that the person responsible for the chaos and killing—a rebel named Alassane Ouattara—met last Friday with President Obama in the Oval Office.

I said then and say now again that this was an unwise and grossly misguided decision by Obama. It is in fact an outrage that our President would welcome, with open arms, a potential war criminal who is responsible for the death of at least 3,000 people and displacement of half a million refugees in the African country of Cote d’Ivoire. Ouattara is an illegitimate usurper who has scandallized Cote d’Ivoire. He illegally invaded and unlawfully ousted the democratically elected incumbent President Laurent Gbagbo.

Now the Associated Press reports just yesterday that the violence in Cote d’Ivoire remains uncontrolled. The title of the AP story says is all. It reads: “Warlords in Ivory Coast continue to reign, national reconciliation difficult 3 months later.”

The AP story highlights the just released Amnesty International report that pointed out that “Ouattara’s rebel Army continues to carry out violence and intimidation against ethnic groups perceived as having supported President Gbagbo, and that almost 700,000 people remain in refugee camps for displaced people in the country’s remote far west.”

The AP highlights the fact that although Ouattara is telling the world that he is seeking reconciliation, in fact Ouattara is allowing “a pervading culture of criminality to continue.”

For example, in the financial capital of Abidjan, warlords have taken over parts of the city and death squads roam the streets looking for Gbagbo supporters. In addition, they are committing “armed robberies, kidnapping and killings almost daily” without any sign of ceasing. At the very least rebel leader Ouattara has no control over his rebel troops, which in the recent past committed atrocities on their march to Abidjan, and at the worst he is tacitly approving their actions by not intervening.

AP also reports that “even the French Embassy sent a security message to its citizens warning that ‘incidents of unequal gravity are still being reported.'” And this is 3 months after the French themselves militarily overthrew President Gbagbo and installed Ouattara! The French are indeed now reaping what they have sown.

I point out again that Amnesty International alleges that these forces under Ouattara’s command are continuing to engage in “documented crimes under international law, including violations and abuses, including extrajudicial executions and other unlawful killings, rape and other sexual violence, torture, other ill-treatment and arbitrary arrest and detention; as well as the consequences of high levels of displacement, pervasive insecurity, and intentional destruction of homes and other buildings not justified by military necessity.”

The AP story summarizes the current situation by quoting the conclusion of the Amnesty International report which states that “if [this situation is] not addressed quickly, the very serious consequences of the recent wave of insecurity and displacement will have further repercussions during the coming years and may fuel growing discontent and unrest, undermining efforts to promote reconciliation in a country torn apart by a wave of ethnic strife and violent conflict.”

This is my ninth time speaking on the Senate floor about the ongoing bloodbath of unspeakable acts of violence that are occurring in the once beautiful and prosperous country of Cote d’Ivoire. I again call for the intervention of the African Union—and not the French—to bring an end to the violence there, and call for new elections that will this time prevent the electoral fraud by Ouattara that allowed him to claim victory. I also call for the release of President Gbagbo and his wife Simone who are being held committed atrocities and massacres.

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HONORING OUR ARMED FORCES
STAFF SERGEANT LEX L. LEWIS

Mr. BENNET. Mr. President, it is with a profound sense of melancholy that I rise today to honor the life and heroic service of Staff Sergeant Lex L. Lewis. Staff Sergeant Lewis died on July 15, 2011, when his dismounted patrol received small arms fire in Farah Province, Afghanistan. Staff Sergeant Lewis was serving in support of Operation Enduring Freedom. He was 40 years old.

Staff Sergeant Lewis was assigned to B Troop, 1st Squadron, 10th Cavalry Regiment, 4th Infantry Division, Fort Carson, Colorado. His family and friends remember Staff Sergeant Lewis as a soldier who truly loved the Army. His mother Betty said, "He just liked being a soldier... this is what he wanted to do.

After graduating from high school, Staff Sergeant Lewis joined the Navy and was first stationed in Japan. He joined the Army later, in 1999, and bravely served three combat tours—two in Iraq and one in Afghanistan.

Staff Sergeant Lewis's commanders and his fellow soldiers all agree that he served his country first, as a soldier who exemplifies the proudest traditions of the U.S. Army. They often came to him for counsel and advice during difficult times. His decorations include the Bronze Star Medal, Purple Heart, two Army Commendation Medals, five Army Achievement Medals, and two Army Good Conduct Medals.

Mark Twain once said, "The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." Staff Sergeant Lewis's service was in keeping with this sentiment—by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honor for his country. At any time, a man who lives fully is prepared to die.

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The revised Senate schedule made us miss the opening days of the Belgrade meeting, but we made up for that with an intensive agenda coming from Thursday to Sunday. All three U.S. resolutions and most of our delegation's amendments to resolutions were adopted, including a resolution I submitted on political transition in the Mediterranean region and amendments welcoming the arrest of at-large war crimes indictee Ratko Mladic and calling for Turkey to allow the Ecumenical Patriarch to open a theological school in Halki.

Senator SHAHEEN and I also used the opportunity of visiting Belgrade to encourage Serbia's democratic transition. We met with President Tadic as well as the Speaker of the Serbian National Assembly, the chief negotiator in the technical talks on Kosovo-related issues, representatives of civil society, and of Serbia's Romani and Jewish communities.

We came away from our visit impressed with the progress Serbia has made thus far. While there are lingering manifestations of the extreme violence that afflicted the Milosevic era of the 1990s, I believe there is a genuine commitment to overcome them. We should support those in and out of government in Serbia who turn this commitment into action.

Mr. President, I ask unanimous consent to have printed in the RECORD the Report to which I referred.

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

REPORT OF THE U.S. CONGRESSIONAL DELEGATION (CODEL CARD) TO BELGRADE, SERBIA; SARAJEVO, BOSNIA-HERZEGOVINA; AND DUBROVNIK, CROATIA JULY 7-10, 2011

Senator Benjamin L. Cardin (D-MD), Chairman of the Committee on Foreign Relations, and Senator Cardin's Co-Chairman, Senator John McCain (R-AZ), attended the 20th Annual Session of the OSCE Parliamentary Assembly in Belgrade, Serbia, from July 7-10, 2011. The senators were able to do this despite a U.S. congressional schedule that required them to travel from Capitol Hill to the meeting and curtailed Senate attendance to only three of the session's five days. Three resolutions and more than one dozen amendments to various resolutions initiated by the United States Delegation were nevertheless considered and passed by the Assembly. Senator Cardin was also able to make a one-day visit to neighboring Bosnia-Herzegovina, and both Senators were able to link with their colleague, Senator Thad Cochran (R-MS), during the Croatian Summit of regional political leaders held in Dubrovnik, Croatia.

THE OSCE PA

The Parliamentary Assembly was created within the framework of the OSCE as an independent, consultative body consisting of 320 parliamentarians from the 56 participating States, stretching from Central Asia and Kazakhstan across Europe to the United States and Canada. Annual Sessions are the chief venue for debating international issues and voting on a declaration addressing human rights, democratic development, rule-of-law, economic, environmental and security concerns among the participating States and the international community.

The Parliamentary Assembly adopts its declaration by majority voting for resolutions coming from the discussions held during the annual meeting. In addition, resolutions and amendments by delegations are voted on during these texts. Following the amendment of these resolutions also by majority voting, this generally allows for considerable debate to be accepted each year but also for a franker language addressing controversial or new issues to be included than the OSCE itself can achieve on the basis of consensus among the 56 participating States. The heavy focus of OSCE diplomacy on issues like trafficking in persons and combating intolerance in society is rooted in initiatives originally undertaken by the parliamentarians in the Assembly.

Having the largest delegation with 17 members, the United States historically has played a key role in OSCE PA proceedings, and there has been robust congressional participation since the Assembly's inception two decades ago. This engagement is reassuring to friends and allies in Europe while ensuring that issues of interest or concern to U.S. foreign policy are raised and discussed. In addition to representing the United States and our allies, members of the U.S. OSCE PA, have served as special representatives on specific issues of concern, committees, officers, and the Assembly president.

THE TWENTIETH ANNUAL SESSION

This year's Annual Session was hosted by the National Assembly of Serbia and held in Belgrade's Sava Center, the 1977–78 venue for the first follow-up meeting of the diplomatic process that was initiated by the 1975 signing of the Helsinki Final Act and is the OSCE today. During various meetings at the session, note was made not only of the vast changes in Europe since that time but also in Serbia, which was then a constituent republic of the former Yugoslavia but is today an independent state making progress in democratic development after overcoming more than a decade of authoritarian rule and ensuring nationalist sentiment.

A meeting of the Standing Committee—composed of OSCE PA officials plus the heads of all delegations—met prior to the opening of the belated Annual Session. Board of the Assembly, the former Minister of Foreign Affairs of Greece, the committee heard numerous reports on the activities of the past year, endorsed a budget that remained below the previous year's, and approved the record for the 2010–2011 fiscal year, and approved for consideration at the Annual Session 25 of the
items introduced by various delegations to supplement the committee resolutions. Only an Italian draft on Asbestos Contamination failed to achieve a 23 vote approving its consideration.

With approximately 230 parliamentarians in attendance, the opening plenary of the Annual Session featured a welcome by Serbian Prime Minister Mirko Cvetkovic, the OSCE National Assembly Speaker Slavica Djукic-Dejanovic and reports by the OSCE Chair-in-Office, Lithuanian Foreign Minister Audronis Aukaсis, and the newly appointed OSCE Secretary General, Lamberto Zannier of Italy. Zannier welcomed the OSCE PA’s interest in fostering closer cooperation with the OSCE Council in Vienna, and committed himself to facilitating greater PA engagement through his leadership of the OSCE Secretariat and coordination with its institutions.

In his own remarks, PA President Efthymiou noted the “spirit of Helsinki” which dominated the debate at the Belgrade meeting more than three decades ago and lamented the crisis in which the OSCE finds itself today. He called for significant changes to the operations of the Vienna-based organization to be more effective and relevant in addressing the political and security issues of today. The theme for the Annual Session—The OSCE: Freshness and Efficiency, a New Start after the Astana Summit—was chosen to address this matter in light of last December’s summit meeting in Astana, Kazakhstan, which had heightened the political attention paid to the OSCE’s work.

The following three days were devoted to committee consideration and amendments of the three resolutions and 21 supplementary items, and plenary consideration of the four additional supplementary items. Two additional amendments were defeated in the process. The first was another initiative of an Italian delegate focusing on crimes causing serious social alarm, which lacked significant support. The second originated with the Belgian delegation on enlarging the OSCE’s Mediterranean Partners for Cooperation to include Lebanon and the Palestinian National Authority (PNA). The latter was lost in a close vote after being heavily debated by those who advocate wider engagement in the long-term and those who questioned the timing of the exercise. A third initiative, which parliamentarians felt it inappropriate for the OSCE to solicit interest by the Lebanese Government and the PNA while they are both under occupation, was defeated in the process.

One of the resolutions which did pass examined the deplorable human rights situation in Belarus, the unresolved conflict in Moldova, gender issues in the OSCE and the participating States, national minority concerns including the plight of Roma, cyber security, as well as combating terrorism, transnational organized crime, and human trafficking for labor and organs.

U.S. INITIATIVES IN BELGRADE

Despite its small size, the U.S. Delegation remained active in the deliberations, introducing three resolutions of its own, working closely with the delegation of the Netherlands on a fourth, and suggesting over 20 amendments to various draft resolutions. All four of these resolutions were adopted, as were all but two of the U.S. amendments.

Co-Chairman Cardin’s major initiative was a resolution focusing on the Interim governments of Egypt and Tunisia to make a formal request for OSCE support following their consultations with the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE civil society forum to be hosted by a Mediterranean Partner State later this year. The Senator collaborated with the head of ODIHR, Ambassador Mark Kent, and the newly appointed ODIHR Head of Mission, Ambassador Andrew Gilmour, to ensure that the resolution, which the Senator authored with Co-Chairman Cardin and Senator Shaheen, was passed with widespread support.

Supported by Senator Shaheen, Co-Chairman Cardin covered several smaller and more specific issues, such as one welcoming the arrest in Serbia of a large war crimes indictee Ratko Mladic, another urging Turkey to allow the reopening of the Ecumenical Orthodox Patriarchate of Constantinople’s Theological School of Halki without condition or further delay, and another supporting greater transparency in the energy sector. Working with a German delegate, Senator Cardin also succeeded in removing language from a Serbian resolution which politicized the issue of investigative journalism, a trafficking case that originated in neighboring Kosovo during the 1999 conflict. Serbian officials lobbied the PA Assembly directly and the U.S. position on investigative journalism’s call for the United Nations to conduct the investigation, contrary to the efforts being undertaken by the U.S. and EU to proceed with the issue of investigating an ongoing EU rule-of-law mission. The U.S.-supported amendment was successful in designating the EU entity and/or the OSCE PA as responsible for the investigation. There was insufficient support, however, for a U.S. amendment welcoming EU efforts thus far.

During the course of debate, Co-Chairman Cardin also suggested granting Mediterranean Partner countries a greater ability to participate in OSCE PA sessions through changes to Assembly rules. He also highlighted U.S. policy on cyber security in the vigorous debate of a resolution which in some respects diverged from the U.S. approach. In his capacity as OSCE Vice President, the Senator, as an urgent matter, also supported consideration of a resolution focused on the lack of transparency in the functioning of the OSCEs Regional Cooperation Mission in the Caucasus. Language on this matter was also included in the final declaration.

SELECTING THE OSCE PA LEADERSHIP FOR THE NEXT TERM

In addition to hearing closing comments from Serbian Foreign Minister Vuk Jeremic and adopting the final declaration, the parliamentarians attending the Annual Session voted on the contested Assembly’s leadership. President Efthymiou was unopposed, as was Treasurer Roberto Battelli of Slovenia, and both were re-elected by acclamation. Senator Cardin ran a race against three of the nine Vice President positions, and was successful in designating the EU entity, Wolfgang Grossruessl of Austria was re-elected, with Walburga Habsburg-Douglas of Sweden and Toine Piciulis of Latvia also elected for the first time. Senator Cardin has one additional term in his term as Vice President and is not eligible for another re-election. Cardin lost a race for the committee vice presidency, but is one of four other U.S. lawmakers who were re-elected to committee positions, with only one officer retaining his position as committee chair. Others moved to different positions, or moved on or ran for the three Vice President seats. Unfortunately for the U.S. Delegation, Representative Robert B. Aderholt (R-AL), a Helsinki Commissioner, again put his re-election bid as a committee Vice Chair due to his inability to be in Belgrade. He was unsuccessful in fighting off a challenge by a French delegate who entered the race at the last minute.

SIDE EVENTS IN BELGRADE

In addition to the formal proceedings, OSCE PA meetings often offer the possibility for committee discussions to focus on issues needing additional attention. A luncheon focusing on gender issues in the OSCE is held annually, including in Belgrade. Non-governmental organizations may also hold their own events and invite the delegates to participate. In Belgrade, a coalition held a session on continued use of torture in OSCE States. Senator Cardin, with a focus particularly on the situation in Kyrgyzstan following the ethnic violence in 2009. Delegation-sponsored events in Belgrade included one on human rights opportunities for women in Belarus, an international conference on human trafficking in human organs in Kosovo and elsewhere, and one featuring a film on two Jewish sisters in Serbia who escaped the Holocaust by enrolling in a German concentration camp. Senator Shaheen and U.S. Ambassador to Serbia Mary Burce Warlick in attendance, Senator
Cardin participated in the latter event with opening comments on the work of the Vilnius-based organization Centropa, which prepared the film. Delegation staff attended most of the events in Montenegro, including a meeting with President Boris Tadic, National Assembly Speaker Slavica Djukic-Dejanovic, and chief negotiator for technical talks on Kosovo Boris Tadic. Ambassador Warlick briefed the Senators and attended the meetings.

Evident in the bilateral meetings was the progress Serbia was making in its internal political transition and attainment of European integration. Serbian officials made clear they were committed to overcoming the nationalist legacy of the Milosevic era, strengthening Serbia’s democratic institutions and encouraging greater respect for the rule of law. While there are clear differences between Serbia and Kosovo in matters related to Kosovo, the officials asked for an expression of congressional support for agreements being reached in technical talks between Serbia and the United States regarding Kosovo. The U.S. Delegation welcomed Serbia’s approach and encouraged Belgrade to curtail the activity of parallel Serbian institutions in northern Kosovo, which are currently the greatest source of instability in the region. The message was amplified throughout the region by a VOA interview conducted with Senator Cardin.

The U.S. Delegation also met with representatives of Serbia’s civil society and Romani communities. The Senators expressed support for civil society efforts to promote greater tolerance in society, to monitor the extent to which laws and policies are being implemented, and to tackle issues—such as corruption—that impede prosperity. They learned that the Romani communities in Serbia, similar to those in the United States, have difficulty obtaining adequate housing, education for their children and personal documentation necessary to exercise their rights and privileges as citizens. In a meeting with Serbia’s Chief Rabbi, which also included the President of the Jewish Federation of Serbia, the discussion focused on religious tolerance in the region, in consultation with the other religious groups in Belgrade, and property restitution legislation pending in the Serbian parliament.

On August 2, Senator Shaheen left the proceedings of the OSCE Parliamentary Assembly to make a one-day visit to neighboring Bosnia-Herzegovina, where ethnically based political parties continue to hamper government formation and the political and economic reforms necessary for progress on European integration. Visiting two days prior to the opening of the 2011 OSCE PA Annual Session in Belgrade, Senator Shaheen met with Prime Minister Boris Tadic, as well as with President Bakir Izetbegovic and U.S. Ambassador to Bosnia-Herzegovina Patrick S. Moon to pay her respects as the procession of 63 vehicles traveled through Srebrenica memorial service passed by. She expressed U.S. condolences to the families of those mourning in a media interview that received wide and favorable coverage.

Senator Shaheen also met with Social Democratic Party Chairman Zlatko Matic to discuss his concerns related to the entity and local levels of government to discuss ways to overcome the country’s current political impasse and to find a solution in particular governance model for the country. She also met with several women entrepreneurs and leaders of nongovernmental organizations to discuss their particular concerns and ability to have a positive impact in an ethnically divided Bosnian society. From the international perspective, the Chief Head of the OSCE Mission Gary Robbins and the Deputy High Representative Roderick Moore, both from the United States, Senator Shaheen noted the continued commitment of the United States to political stability in Bosnia-Herzegovina and its progress toward increasing integration into European institutions, which was supported both by the Administration and Congress. In a media interview, she stressed that the political and civil society leaders of Bosnia-Herzegovina work together, and across ethnic lines if the country is to accede to the European Union or receive IMF funding.

THE CROATIAN SUMMIT

At the conclusion of the OSCE PA Annual Session and prior to their return to Washington, Senators Cardin and Shaheen joined their colleague, Senator Begich, who was attending the 6th The OSCE Parliamentary Assembly continued to serve not only as a venue for democratic nations to come together to address the OSCE and its progress toward increased integration into European institutions.

The OSCE Parliamentary Assembly continues to serve not only as a venue for democratic nations to come together to address the needs of the region, but for advancing new ideas and issues that parliamentarians can press their diplomatic counterparts in the OSCE to incorporate into the organization’s work. In the past, Parliamentary Assembly efforts were responsible for the OSCE undertaking action to combat human trafficking and counter terrorism, and for the creation of an OSCE High Commissioner Office, which was established to combat human trafficking and the “right to receive the needed impetus to action that will keep the OSCE effective and relevant.”

Meeting in Belgrade gave a greater-than-usual level of attention to Croatia, which has been held in Oslo, Norway, and Vilnius, Lithuania. Ethnic tensions and suspicions from a decade of wars in the Western Balkans are still strong factors in the bilateral relationship and the countries visited by the congressional delegation, and their economic growth has been negatively affected not only by the larger international crisis but by poor governance and the need to improve both private and public sector productivity. These factors, combined with the need to resolve long-standing political differences, provide the needed impetus to action that will keep the OSCE effective and relevant. The Senator Shaheen noted that the continued commitment of the United States to political stability in Bosnia-Herzegovina and its progress toward increasing integration into European institutions, as well as proactively working to support the country’s efforts to become a full member of the European Union, and support for NATO operations in Afghanistan, and encouraged Croatia to support neighboring Bosnia-Herzegovina’s stability and prosperity. He also suggested ways Croatia could enhance its business and investment climate.

CONCLUSION

During the course of three days, the delegation learned what it was able to advance U.S. objectives at the multilateral OSCE PA as well as the U.S. bilateral agenda with Bosnia-Herzegovina and Croatia. The Senators welcomed additional travel, including a planned visit to Albania, but the Senators compensated with a level of activity that indicated their commitment as well as that of the U.S. Congress and the United States as a whole, to the countries of the Western Balkans and to European security and cooperation through the OSCE.

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I believe that Congress has not yet adequately examined this issue and that there are important questions that need to be answered before the FISA Amendments Act is given a long-term extension.

The central section of the FISA Amendments Act, the part that is now section 702 of the Foreign Intelligence Surveillance Act itself, specifically stated that it was intended to address foreigners outside the United States, so it did not require the Attorney General to develop procedures designed to make sure that any individuals targeted with this new authority are believed to be outside the United States. So one of the central questions that Congress needs to ask is: Are these procedures working as intended? Are they keeping the communications of law-abiding Americans from being swept up under this authority that was designed to apply to foreigners?

I wanted to know the answer to this question, so Senator Udall of Colorado and I wrote to the Director of National Intelligence if it was possible to count or estimate the number of people inside
the United States whose communications had been reviewed under section 702 of the FISA Amendments Act. The response we got was prompt and candid. The response said “it is not reasonably possible to identify the number of people located in the United States whose communications may have been reviewed under the authority” of the FISA Amendments Act.

I should be clear that I do not plan to accept this response as a final answer. I understand that it may be difficult to come up with an exact count of the number of people in the United States whose communications have been reviewed, but I believe Congress at least needs to obtain an estimate of this number so that people can understand the actual impact of the FISA Amendments Act on the privacy of law-abiding Americans.

During the markup of the intelligence authorization bill, Senator Udall of Colorado and I proposed an amendment that would have directed the inspector general of the Department of Justice to review the implementation of the FISA Amendments Act and attempt to estimate how many people inside the United States have had communications reviewed under this law since it was passed 3 years ago. Our amendment also would have directed the inspector general to examine other important aspects of the FISA Amendments Act, including the problem of recurring compliance violations and report back to Congress within 1 year.

I regret that the amendment that Senator Udall of Colorado and I offered was not adopted, but I obviously plan to keep trying to get more information about the effects of this law. I hope that I will find out that no law-abiding Americans, or at least very few, have had their communications reviewed by government agencies as a result of this law, but I believe that I have a responsibility to get concrete facts rather than just hope that this is not the case. And I believe that it would be not be responsible for the Senate to pass a multiyear extension of the FISA Amendments Act until I and others who have concerns have had our questions answered.

I look forward to working with my colleagues to amend this bill, and I am hopeful that they will be willing to modify it to address the concerns I have raised. In the meantime, I doubt that it is my intention to object to any request to pass the current version of S. 1458 by unanimous consent.

COMBATTING ILLEGAL GUN TRAFFICKING

Mr. LEVIN. Mr. President, I speak today in support of a new Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF, rule requiring federally licensed firearm dealers in four Southwest border States to report the sale of multiple semi-automatic assault rifles to the same purchaser. This narrowly tailored reporting requirement, similar to one already in place for multiple handgun sales, will provide ATF with an important tool to combat straw purchases and the illegal trafficking of firearms, including the supply of weapons to drug gangs.

Under the rule, federally licensed dealers in California, Arizona, New Mexico, and Texas must report to ATF the sale of multiple semi-automatic rifles within 5 consecutive business days. Weapons covered by the rule include AR-15s and AK-47s, military-style assault rifles favored by Mexican drug gangs. The rule focuses on sales in these four border states because they are the source of 75 percent of the firearms recovered and traced in drug-related crimes in Mexico, according to an analysis of Department of Justice statistics by the organization Mayors Against Illegal Guns. This rule allows ATF to collect information on guns that are frequently trafficked and used in crimes, improving in the Bureau's tracking efforts. Among other things, gun trace information can be used to identify potential networking and to link a suspect to a firearm in a criminal investigation.

Unfortunately, there are some who want to block ATF's ability to require this information, effectively hindering its efforts to track firearms and reduce violence along the U.S.-Mexico border. The National Rifle Association and some Members of Congress have claimed that ATF does not have the authority to implement the rule and that the rule would cause an unmanageable burden on law-abiding gun dealers. Both of these claims are false. The Firearm Owners' Protection Act of 1986, Public Law 99-308, 18 U.S.C. §923 (g)(5)(A), explicitly states that the rule shall, when requested by ATF, submit to the ATF any information required to be kept by that law, like the name and address of a purchaser and a firearm's serial number, or such lesser information as ATF may request. Information on the sale of multiple semi-automatic rifles is part of the record which firearm dealers are required to maintain.

The claim that ATF’s new rule will unfairly burden firearm dealers is also unfounded. General Cartwright, when completing the form to report multiple rifle sales will take 12 minutes for gun dealers, and substantially less time for those with computerized sales systems. I cannot imagine that the overwhelming majority of Federal firearm licensees who are law-abiding will take this offense to 12 minutes of work in the name of combating illegal trafficking and preventing violence.

The mandatory reporting of multiple sales of semi-automatic rifles to the same person is a measured, common sense step to help combat illegal firearm trafficking. The terrible drug cartel-related violence plaguing Mexico and spilling north of the border into the United States continues to be fueled by weapons illegally trafficked from the American Southwest. Again, I support ATF’s new rule, and I urge my colleagues in Congress to oppose any legislative efforts to block ATF’s ability to carry it out.

TRIBUTE TO GENERAL JAMES E. CARTWRIGHT

Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to GEN James E. Cartwright, Vice Chairman of the Joint Chiefs of Staff, who will retire tomorrow after 40 years of distinguished service to his country.

General Cartwright is one of America’s most respected four-star generals. His leadership and dedication to the security of this country will be sorely missed and I wish him all the best in his future endeavors.

On a personal note, I will miss the detailed briefings, insightful discussions, and honest assessments that I have come to expect from General Cartwright.

Simply put, he has had a notable record of achievement throughout his career.

As head of the U.S. Strategic Command, STRATCOM, General Cartwright led the effort to develop new strategies to tackle cyber, nuclear proliferation, space, and missile defense issues.

He transformed Strategic Command from an organization largely dominated by its mission with respect to nuclear weapons and nuclear doctrine to being the true center in the U.S. military for all strategic issues.

Of special note was General Cartwright’s interest and action on cybersecurity and the use of cyberspace. He saw this as a major emerging threat and responsibility of the Department, and put STRATCOM on a footing to deal with cyber as a major strategic issue.

He distinguished himself as one of those special leaders who is able to foresee and understand the constantly evolving national security environment rather than getting stuck in the old ways of seeing the world and doing things.

Based on his notable record of service, on June 28, 2007, President Bush nominated General Cartwright to succeed ADM Edmund Giambastiani as Vice Chairman of the Joint Chiefs of Staff.

General Cartwright was confirmed by the full Senate on August 3, 2007 and was sworn in on August 31 as the eighth Vice Chairman of the Joint Chiefs of Staff. Recognizing his exceptional leadership, General Cartwright was confirmed for a second term on July 31, 2009.

He has not surprisingly, used his career as the second most senior military officer in the Pentagon to make the Armed Forces a more strategic and more nimble military.
As the Vice Chairman, General Cartwright has helped guide the United States through many pivotal moments in our history: notably, the end of the military mission in Iraq, the implementation of a new strategy for the war in Afghanistan and securing ratification of the New START agreement with Russia which will reduce the number of deployed strategic nuclear warheads by 30 percent.

I spoke with General Cartwright many times over the course of the treaty negotiations, and during the Senate’s debate that ultimately led to ratification and signing New START.

He never failed to provide me with his frank and honest assessment and I greatly appreciated his clear and persuasive support for the treaty.

He recognized, as I do, that if we are to convince other nations to forgo acquiring nuclear weapons, it is imperative we stop their spread. More than 90 percent of these weapons, if taken seriously, will enhance our national security, not diminish it. And we will still maintain a robust arsenal for our defense.

He stated: I think we have more than enough capacity and capability for any threat that we see today or that might emerge in the foreseeable future.

General Cartwright’s commitment to providing his honest and blunt assessments of the issues facing the military were steadfast and untiring. He never failed to provide me with his frank and honest assessment and I greatly appreciated his clear and persuasive support for the treaty.

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TRIBUTE TO HARRIET HAGEMAN

Mr. BARRASSO. Mr. President, it is fitting that Harriet Hageman will be inducted into the 2011 Wyoming Agriculture Hall of Fame. Harriet is known across Wyoming and across our Nation as a stalwart promoter and defender of agriculture. With this honor, she is following in the footsteps of her father Jim Hageman, who was previously inducted in the Agriculture Hall of fame in 2002.

Harriet comes from a long history of agricultural producers. Her great grandfather homesteaded in Wyoming in 1879 and her parents bought their first ranch near Fort Laramie in 1961. Harriet grew up on the family's cattle ranches in the Fort Laramie area. Rather than pursuing a career in agriculture, she earned a law degree from the University of Wyoming. Yet she did not stray from the agriculture industry. Much of her legal practice has been focused on protecting agriculture’s land, water, and natural resources. She uses her Ag background coupled with her fine mind to effectively argue on behalf of Wyoming’s ranchers and farmers in courtrooms at all levels of the judiciary.

A few of her many accomplishments should be noted. Harriet was the lead attorney for the State of Wyoming in protecting its share of the North Platte River. She fought the USDA to protect Wyoming’s access to national forest lands. She tirelessly defended Wyoming’s Open Range Law before the Wyoming Supreme Court. Her clients include ranchers, farmers, irrigation districts and grazing permitees. Harriet represents them with a passion that can only come from love of agriculture.

I have had the honor of working with Harriet Hageman and have benefitted from her wisdom. I would ask my colleagues to join me in congratulating Harriet on this well-deserved honor.

TRIBUTE TO NIELS HANSEN

Mr. BARRASSO. Mr. President, at Wyoming’s State Fair, I will have the honor of inducting Niels Hansen into the Wyoming Agriculture Hall of Fame.

Forty-eight percent of Wyoming’s 97,100 square miles are managed by the Federal Government. Often, a Wyoming ranch will consist of a checkerboard of public and private lands. Running a profitable ranch, while negotiating various Federal and State regulations, is a challenge. However, Niels Hansen has done just that operating the PH Livestock Company. Niels is known as the public lands ranching leader of Wyoming. He has dedicated himself to building relationships with Federal land managers. He creates partnerships and open lines of communication with fellow ranchers and government agencies. According to my good friend, Wyoming Stock Growers Association vice president Jim Magana, Niels is highly recognized for his relentless efforts to maintain sustainable public land use.

Niels’ efforts not only benefit his four-generation Wyoming ranch, he is also an asset to agriculturalists across Wyoming. He has worked closely with the Bureau of Land Management’s, BLM, field office range staff and has been a State leader on agreements in conjunction with the BLM, U.S. Fish and Wildlife Services, the Wyoming Game and Fish Department, and the Wyoming State Grazing Board. Realizing the backbone of Wyoming’s economy, Niels has brought oil and gas developers to the table.

Anna Helm, Niels’ sister and ranch partner, said, “Many ranchers have come to depend upon his insightful wisdom and understanding of the issues and willing leadership to help them through difficult times of their own.” I ask my colleagues to join me in congratulating Niels Hansen, the 2011 inductee into the Wyoming Agriculture Hall of Fame. Wyoming lands—both public and private—are better because of his service.

NIOBRAWA COUNTY, WYOMING

Mr. BARRASSO. Mr. President, I rise today to honor the Centennial of Niobrara County, WY.

The residents of Niobrara County are fortunate to live in such a timeless and scenic place. Nearly 2,500 residents live in the communities of Lusk, Manville, Lance Creek, and Van Tassel. Its many natural wonders that fill the landscape and determination in making the desert bloom. First colonized in 1884 by George Simmons, early settlers were confronted with challenging terrain. Despite the harsh conditions, the settlement quickly grew. Within 13 years, a church, school, amusement hall, and several dozen homes were built. In 1898, the power of steam and iron transformed the town with the introduction of its important oil rigs, producing vast amounts of oil needed for the American war effort.

It is an honor to help the residents of Niobrara County celebrate their 100th anniversary. I invite my colleagues to visit this enterprising community in person. The residents of Niobrara County have capitalized on that industrious spirit. Thanks to the temperate climate and the fertile soil in the Powder River Basin, Niobrara County’s primary industry is agriculture. The county’s farmers consistently produce pasture crops like corn, wheat and beans, and its ranchers work diligently in livestock production. The county’s vast mineral resources played a key role in the county’s robust economy. Several minerals and precious metals have been discovered and mined in the grasslands of Niobrara County. Both gold and silver were discovered and mined in the early days of settlement. Later, uranium was discovered near Lusk, a discovery which sparked a statewide boom in uranium drilling. Finally, the discovery of oil in Lance Creek was perhaps the most profitable of all mineral extraction. During World War II, Lance Creek was one of the country’s important oil rigs, producing vast amounts of oil needed for the American war effort.

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UCON, IDAHO

Mr. RISCH. Mr. President, I rise today to congratulate and acknowledge the centennial anniversary of the founding of the city of Ucon, ID. On August 13, 2011, the citizens of Ucon will gather at Simmons Park to commemorate its 100th year and unveil a monument to its founders. This is a very historic and special day for this community.

Once a barren wilderness, the city of Ucon is an example of the Western spirit and determination in making the desert bloom. First colonized in 1884 by George Simmons, early settlers were confronted with challenging terrain. Despite the harsh conditions, the settlement quickly grew. Within 15 years, a church, school, amusement hall, and several dozen homes were built. In 1898, the power of steam and iron transformed the town with the introduction
of the Oregon Short Line Railroad. In order to take greater advantage of commercial opportunities provided by the railroad, the main town site was moved a mile west. Within a decade several businesses sprang up around the railroad tracks and the community began to grow. On April 11, 1910, it was officially incorporated as the city of Ucon.

In the ensuing decades, changes in the railroad and the effects of the Great Depression transitioned Ucon from a commercial hub to a residential community. Today, many in southeastern Idaho can trace their roots to the pioneers and patriots who settled Ucon. Congratulations to the people of Ucon for 100 years of success.

ADDITIONAL STATEMENTS

REMEMBERING JUSTICE DOUGLAS GRAY

Ms. AYOTTE, Mr. President, today I honor the memory of the late Douglas Gray, a former New Hampshire Superior Court justice and an extraordinary public servant who dedicated his life to serving the Granite State.

Originally from Portsmouth, Justice Gray moved at the age of seven to Rye, where he resided for the remainder of his life. He graduated from Portsmouth High School and served his country in the U.S. Army from 1951 to 1954. After graduating from the University of New Hampshire in 1959, he earned his juris doctor from Boston College Law School, and went on to pursue a successful career practicing law in Portsmouth. During 1973–1983, he served as part-time special justice in the New Hampshire District Court system.

In 1983, he was appointed by Governor John H. Sununu to serve as associate justice of the New Hampshire Superior Court, where he presided until 1998. He was then elected to serve as a senior justice and presided on a part-time basis until his retirement in 2003.

As a judge, Justice Gray possessed exceptional intelligence and a deep respect for upholding the rule of law. And as a prosecutor, I had the privilege of trying cases before him. In fact, I tried my first murder case before Justice Gray. He was tough, but always fair, and I know that I and many of my peers in the New Hampshire bar learned a great deal from him. I deeply admired his integrity and his principles and dedication to the law.

With Justice Gray’s passing, New Hampshire has lost a devoted public servant and Rye has lost a beloved member of the community. My thoughts and prayers are with his wife Cornelia and his entire family. At this sad time, Justice Gray’s passing, I pray that his family will find comfort in the memories of his life—grateful to have known a person who exemplified the very best of New Hampshire’s tradition of public service.

TRIBUTE TO JOSEPH CONKLIN LANIER, II

Mr. BENNET, Mr. President, today, August 2, 2011, I wish to thank Joseph Conklin Lanier, II for his service to the United States of America as a member of the U.S. Navy during World War II, and for choosing to make Colorado his home. He has served a life of service for Colorado and for all Americans.

A native Southerner, Mr. Lanier was among the first African Americans to serve on the bench of the New Hampshire courts. At the age of 17 in order to help support his family and survive, he enlisted in the U.S. Navy bravely from 1944 to 1946, supporting operations in Iwo Jima and Okinawa, and achieved a rank not commonly held by African Americans at the time.

Upon returning home from the war and finding strict laws and practices of segregation still in place throughout the South, Mr. Lanier followed the advice of his father regarding the importance of education as the primary tool for bettering one’s future, and finished high school. With the aid of the G.I. bill, he enrolled in the Pharmacy School at Xavier University in New Orleans and took heavy course loads to make sure he completed his degree in 4 years. Despite the challenges of segregation, he succeeded in his career, while keeping a constructive attitude, a trait he attributes to the teachings of his father.

Mr. Lanier is a role model for the many servicemen who reside in Colorado and the veterans who elect to make Colorado their home after serving in the Armed Forces. His story exemplifies the successful transition that many returning veterans have made from active duty to civilian life.

Although he is a native of the South, and has traveled to a number of locations in the United States, it struck me as interesting that, out of all the places he traveled while in the Navy, Mr. Lanier chose to make Denver, CO, his home. In his autobiographical essay, “My War on Two Fronts,” Lanier recollects that during a period of leave, he had a stopover in Denver, where in a relatively brief period of time, the State showed him its character. A White female clerk at a drugstore, sampling his hesitation about sitting down, and invited him to take a seat and enjoy his ice cream. Later, when visiting a local movie theater, he was surprised and delighted to find that there was no sign directing him to sit in segregated seating in the balcony. Mr. Lanier felt so welcomed by our State that he decided to make Colorado his home after the Navy. Following his graduation from pharmacy school, Mr. Lanier moved to Denver to work in pharmacies and in hospitals, and eventually opened up his own drugstore. Mr. Lanier found that, in Colorado, his voice could be heard on critical issues of the day, including the fight for fair housing measures to end discrimination in housing.

Today, Mr. Lanier and his wife of more than 50 years, Eula Inez Long, continue to make Colorado their home.

Mr. President and all other Members here today, please join me in honoring the life and continued work of Joseph Conklin Lanier, II. A man who, despite all the discrimination he faced, is proud to be an American. A man who, despite returning home after the war and being denied his right to vote while wearing his uniform, is proud of his distinguished service in the Navy. A man who recognizes that even in the face of adversity, one can find a way forward and help our country to become a better place, a more perfect union. For his perseverance, hope, service and patriotism, I thank and commend Joseph Lanier, a great citizen of Colorado.

TRIBUTE TO PAUL SANDOVAL

Mr. BENNET, Mr. President, on behalf of all Coloradans, I want to recognize the extraordinary character and lifetime achievements of Colorado native Paul Sandoval. His far-reaching accomplishments—from civil rights to community organizing to business and leadership, to an unwavering commitment to making Colorado a better place, and reflect, in noblest form, the enterprise spirit of the West.

I am sad to tell my colleagues that Paul has contracted locally advanced pancreatic cancer, and the Sandoval family is going through a difficult time now. And as he struggles to beat this terrible disease—and we need him to prevail—I cannot help but be reminded of all he has achieved in life, and all the social change he has helped bring about. To honor Paul and his many contributions, I would like to share a few moments from his life.

Paul and his wife Paula have for decades run a tamale shop in Denver—La Casita—that has served as the city’s unofficial epicenter of political activity. According to Wellington Webb, the former Denver mayor whom Sandoval first met while the two worked delivering groceries, Paul could always be found “holding court” at his restaurant with firemen and city officials.

“I’m just a lowly tamale maker,” Sandoval has grown accustomed to saying. But his life suggests there is
nothing ordinary about this accomplished man. A fixture in his community, Paul would make a name for himself by lifting up those around him. He cultivated enduring relationships in his community that propelled several generations of Colorado public servants. In short, Paul Sandoval has woven himself inextricably into Colorado’s political fabric, and all Coloradans are the better for it.

Born in 1944 as 1 of 11 children to Jerry and Paula Sandoval, Paul came from modest beginnings. Before he could even read newspaper headlines, Paul was selling copies of the Denver Post to help pay for his schooling at Annunciation Grade School in northeast Denver. From an early age, Paul thrived on the energy of those around him. By the time the young Sandoval finished middle school, he had helped his father win the presidency of the local meatpackers union and regularly canvassed for local candidates for common sense.

Paul graduated from high school in 1962, earning a scholarship to Louisiana State University. His education put him in close proximity to a fierce civil rights debate unfolding in neighboring Mississippi, where James Meredith sought to become the first African American to enroll at Ole Miss. Paul took up the cause and organized his fellow students for a bus trip. He participated firsthand in the demonstrations, receiving blows from the Oxford, MS, riot police.

Upon returning to Denver, Paul applied all he learned about the importance of equal opportunity in education to Colorado public life as well. He cofounded the Chicano Education Project, which focused on implementing bilingual curricula in schools and promoting civic engagement. During one trip to the San Luis Valley in southern Colorado, Paul met a young attorney named Penn Sandoval, who shared his passion for education. The two would become close allies for life.

Paul assumed his first official public role in 1974 when he successfully ran for a Colorado State Senate seat. He won the seat again in 1978. While serving in office, Paul became a leader in the educational community by personally sponsoring several Chicano doctoral students finishing their degrees. Rather than seeking a third term in the legislature, Paul pursued an at-large seat on the Denver school board in 1983, in which he would serve in a distinguished manner for 5 years.

After nearly 15 years serving in public office, Paul joined his wife and began serving Coloradans in a different equally satisfying way—at their tamale shop. And you can talk to anyone who has eaten there—you haven’t lived until you’ve tried one of Paul and Paula’s tamales with green Chile. While I am in Washington during the week, any reasonable reason will work forward to getting back home to Denver so that I can enjoy a meal courtesy of Paul.

A jack-of-all-trades if not master-of-all-trades, Paul has also remained a fixture in Colorado public life as a successful small business owner. He has provided invaluable advice to aspiring public servants. I cannot tell you how often I encounter people in my state who have benefited from Paul’s counsel and enthusiastic advocacy. I can tell you that he helped me find my way as superintendent of Denver Public Schools. I have been truly privileged to know him, and I know I rank among many who are rooting for Paul and who stand in support of his family.

Colorado is profoundly grateful for Paul Sandoval’s public service. His efforts to advance the prospects of young Latino students and students of all backgrounds represent an enormous step forward in creating the next generation of selfless Coloradans who have been affected by Paul’s unrelenting spirit. I ask my colleagues to join me in expressing in words my gratitude to Paula, Kendra, Chris, Andrea and Amanda, his children, and his entire family.

REMEMBERING GEORGE RAMOS

Mrs. BOXER. Mr. President, I would like to take a few moments to remember George Ramos, a Pulitzer Prize winning journalist with the Los Angeles Times who served his beloved hometown for decades and inspired countless others to follow in his extraordinary footsteps.

Born in 1947, George Ramos was a native of East Los Angeles. At a time when only a small number of Latino students enrolled in college, Ramos graduated in 1969 from California Polytechnic University in San Luis Obispo with a bachelor’s degree in journalism. Shortly after completing his studies, Ramos enlisted in the U.S. Army and served in West Germany and South Vietnam before returning to journalism. He worked for several newspapers before arriving at the Los Angeles Times, where he served for more than 25 years.

As an editor and reporter for the Los Angeles Times, Ramos joined with 17 Latino journalists to write the Pulitzer Prize winning “Latino Project” and also contributed to the Los Angeles Times’ Pulitzer Prize-winning coverage of the 1992 Los Angeles riots and the 1994 San Fernando earthquake. In addition to his award winning work in print media, Ramos also briefly co-hosted the Emmy Award-winning show “Life & Times” and served as a part-time faculty member at the University of Southern California. When he left the Los Angeles Times in 2003, he returned to California Polytechnic University in San Luis Obispo as a member of the journalism faculty.

Ramos lived in the Los Angeles area for most of his life and enjoyed the diversity of vibrant neighborhoods. He maintained close ties to his childhood community of East Los Angeles and frequently visited local schools to speak about journalism and the importance of higher education. Ramos served as a mentor to many aspiring journalists and also as two-term president of California Chicano New Media Association—a nonprofit organization dedicated to promoting diversity in the field of journalism.

I invite my colleagues to join me in recognizing and honoring the memory of George Ramos for his long and distinguished service to our country.

TRIBUTE TO SISTER MARY NORBERTA MALINOWSKI

Ms. COLLINS. Mr. President, in 1855 in Warsaw, Poland, Blessed Angela founded the Congregation of the Sisters of St. Felix, an order dedicated to serving the poor, the sick, and the disabled. Today, thousands of Felician Sisters carry on a tradition of compassionate service around the world. I wish to pay tribute to one of their number, a remarkable woman in Bangor, ME, the city where I live. Her name is Sister Mary Norberta Malinowski, but she is known and loved throughout Maine simply as Sister Norberta. She has dedicated her life to serving God by serving those in need.

Sister Norberta became a registered nurse in 1956 and began her career as one of the first pediatric nurse practitioners at Massachusetts General Hospital, later earning a master’s degree in public health and management, she received faculty appointments at Harvard Medical School and the Boston College Graduate School of Nursing. In 1982, Sister Norberta became president and chief executive officer of St. Joseph Hospital in Bangor. As she prepares to step down after 29 years of service, her accomplishments are being celebrated by the Maine Legislature, the city of Bangor, the Honor Society of Nursing, and the Maine chapter of Business and Professional Women, and many others.

There is much to celebrate. Under Sister Norberta’s courageous and visionary leadership, St. Joseph has been transformed into the largest community hospital in Maine. She was instrumental in bringing many firsts to the region and to the State, from digital mammography and laparoscopic surgery to allowing fathers in the delivery room.

The Felician Sisters, founded with a particular focus on serving the Polish countryside, Sister Norberta continues that tradition by leading the effort to ensure primary care services for rural Maine and to organize small community hospitals under the Maine Health Alliance to create a statewide network of care.

Sister Norberta’s contributions as a health care executive are only part of her inspiring story. She has given thousands of hours of her personal time to charity and has applied St. Joseph’s facilities to such needs as providing laundry and food services to the area’s...
homeless shelters. Countless other quiet acts of kindness testify to her caring heart and deep humility.

The 16th century Capuchin friar canonized as St. Felix was known in his time as “the saint of the streets of Rome” for his daily journeys through the city dispensing food, medicine, and comfort to the poor, the sick, and the troubled. Sister Norberta has lived that legacy through the streets of Bangor and the country roads of Maine, and I join in thanking her for her blessed service.

REMEMBERING DR. GERARD J. MANGONE

Mr. COONS. Mr. President, I wish to honor Dr. Gerard J. Mangone’s life of service to this country and my home State of Delaware. Dr. Mangone passed away on Wednesday, July 27 at his home in Newark, DE. He was 92.

Born in the Bronx in 1918, Dr. Mangone’s career as an international legal scholar spanned close to six decades, including almost 40 years as professor of marine policy at the University of Delaware. Dr. Mangone received his bachelor’s degree from the College of the City of New York in 1938. Following 4 years of active military service, he earned his master’s degree and doctoral degree in international law from Harvard University in 1947 and 1949 respectively. His dissertation won the Charles Sumner Award for the most distinguished contribution to international peace.

Before joining the University of Delaware, Dr. Mangone held faculty and administrative positions at institutions including Wesleyan University, Swarthmore College, and Syracuse University, where he served as associate and acting dean of the Maxwell Graduate School of Citizenship and Public Affairs, as well as Temple University, where he served as dean for the College of Liberal Arts, vice president for academic affairs, and provost. Dr. Mangone was appointed soon thereafter as executive director of the President’s Commission on the United Nations during the creation of its Convention on the Law of the Sea and was the first senior fellow at the new Woodrow Wilson Center for International Scholars. Dr. Mangone also served as a consultant to the White House, U.S. Department of State, the United Nations, Japan, the Ford Foundation, and the Rockefeller Foundation. For this series, he contracted with authors from around the globe to provide detailed information on some of the world’s most critical navigation passages, much of which is still used today.

Dr. Mangone earned numerous accolades throughout his career. He was a visiting professor at Yale University, Mt. Holyoke College, Trinity College, Princeton University, and Johns Hopkins University as well as a visiting lecturer at the University of Bologna, Peking University, the University of Natal, Capetown University, and the University of Western Australia. At Calcutta University in India, he was named as the Tagore Law Professor, and at the University of Delaware, he received the most distinguished faculty award as Francis Alison Professor. In 2010, UD awarded Dr. Mangone an honorary doctor of science degree.

The Young Scholars Award, which recognizes promising and accomplished faculty at the University of Delaware, was named in his honor. In celebration of his 90th birthday in 2008, Martinus Nijhoff Publishers established the Gerard J. Mangone Prize to be awarded annually to the author of the best contribution published in the International Journal of Marine and Coastal Law, of which Dr. Mangone was editor-in-chief.

With his remarkable energy and constant dedication to academic excellence, Dr. Mangone was an exemplary mentor, having advised 45 University of Delaware students in achieving graduate degrees. He wrote more than 20 books and edited 25 others, and he authored scores of scholarly papers.

Dr. Mangone’s vision, passion, and dedication forever changed the way we view our international relationships. He brought together administrators, students, his ideas, and his influence on our laws and international agreements.

I hope my colleagues will join me in remembering Dr. Gerard J. Mangone.

WHITE RIVER, SOUTH DAKOTA

Mr. JOHNSON of South Dakota. Mr. President, today I wish to pay tribute to the 100th anniversary of the founding of Wood, SD. This community in Mellette County in western South Dakota, has a rich and proud history of representing our State’s frontier spirit.

Wood, named for its renowned Fourth of July celebrations, as well as the Mellette County Fair. Like many towns in South Dakota, the railroad served as a major lifeline to the town of Wood. This first train from the Chicago Northwestern Railroad rolled into Wood from Winner on October 19, 1929. Wood claims many exceptional residents including James Abourezk, the first Arab American to serve South Dakota in the U.S. Senate.

Today, Wood stands as a testament to the steadfast commitment of the residents to their small town. Wood still maintains close ties to the rich agricultural heritage of South Dakota. Small communities like Wood are a vital part of the economy of South Dakota and a reminder of the hard struggles endured by our frontier forefathers. One hundred years after its founding, Wood remains a strong community and a great asset to the State of South Dakota. I am proud to honor Wood on this historic milestone.

TRIBUTE TO GEOFFREY B. SHIELDS

Mr. LEAHY. Mr. President, today I honor the dean and president of Vermont Law School, Geoffrey B. Shields, as he announces his retirement after four decades as a practicing attorney, educator, and scholar. He will leave a legacy about which he should be very proud.

Dean Shields arrived at Vermont Law School in 2004, following a distinguished career in the public and private sectors. He received a bachelor of arts in economics, magna cum laude, from Harvard University in 1967. He earned his doctorate from Yale Law School in 1972.

Over the last 8 years, Dean Shields has guided Vermont Law School along
a path of steady growth. Through his leadership the school has gained many new and talented faculty members, and has seen substantial growth in its endowment. He has initiated capital improvement projects on the school’s campus, expanded the school’s internationalization, and has developed new clinics and institutes to focus on distinct fields of legal study. And he has sustained and built upon Vermont Law School’s environmental law program, which has been rated the best program in the region for the last three consecutive years, and in the top two for the last 21 years. These continuing successes are reflective of Dean Shields’ strong leadership and the dedication of the faculty, staff, and students who sustain a vital community of learning and innovation in the hills of central Vermont.

During his career in public service, Dean Shields served as assistant to the Secretary of the U.S. Department of Health, Education, and Welfare, counsel to the U.S. Senate Committee on Foreign Relations, and as counsel to Senator Frank Church. After he earned his law degree, he served as a law clerk for the late Judge James Oakes of the U.S. Court of Appeals for the Second Circuit, for whom a class room building at Vermont Law School is named.

In the private sector, he served as a partner at the Chicago and Washington, DC, law firm of Gardner Carton and Douglas, where he was nationally recognized for his expertise in nonprofit law, corporate law, health care law and international trade law.

Dean Shields has also made important contributions to education and scholarship beyond Vermont Law School. In Brattleboro, VT, he served as a foreign student advisor and assistant to the president at the Experiment in International Living and as an adjunct professor of economics at Marlboro College. In Marlboro, Vermont, Dean Shields has also been involved in foreign policy issues through editing and writing, and as a member of the Chicago Council on Foreign Relations and the Council on Foreign Relations in New York.

In addition to his professional accomplishments, Dean Shields has also overcome serious illness with grace, humility, and determination. As he moves into the next chapter of his life, Marcelle and I wish him and his wife Genie the best for continued health and happiness.

I thank Dean Shields for his 8 years of dedication at the Vermont Law School and I convey my admiration and respect for the contributions he has made to Vermont. He will leave Vermont’s young law school and its faculty, staff, and students in a strong position for continued growth and success. I am sure this is well-deserved by all of those who have worked with him and learned from him. I wish him all the best.

TRIBUTE TO JOHN CROSIER

Mrs. SHAHEEN. Mr. President, today I wish to honor John Crosier for his outstanding service to the State of New Hampshire’s residents and business community.

John retired as president of our State’s largest business trade association, the Business and Industry Association of New Hampshire, in 2004 after 16 years. He has served the residents of my State as a trustee of the University System of New Hampshire, a position which recently appointed him to, as a member of the board of governors for the New Hampshire Forum on Higher Education, as a member of the executive committee of the Whittemore School of Business and Economics, and as a member of the U.S. Chamber of Commerce Committee representing State chambers of commerce. Before he came to New Hampshire, he worked in Massachusetts as the head of the Massachusetts Business Roundtable and as Commissioner of Employment Security for our neighboring State. He was appointed to a Republican Governor and reappointed by a Democratic Governor.

John has been a board leader at numerous organizations, including the Institute for Civic Leadership, a recipient of the Order of the New Hampshire Bar Foundation, and the recipient of the Leadership New Hampshire Alumni Achievement Award. Throughout his years as the head of the Business and Industry Association, and through his nonprofit board leadership, John’s guiding principle has been what’s best for New Hampshire.

When I was Governor of New Hampshire, John Crosier was one of my most trusted advisors. A gentleman always, his courage of conviction and pragmatic optimism for our State’s future served as a transcendent example to all of us. He has been, and continues to be, a role model for civility in public discourse.

John’s commitment to New Hampshire was evident in his visionary work on the State’s most extensive research project, which resulted in a statewide economic strategy in 1996—An Agenda for Continued Economic Opportunity in New Hampshire. That plan set forth by John has been credited with my State’s recent strong economic recovery in comparison to other states.

Pieces of it are still being used today as a framework for New Hampshire, and it served as the foundation for a similar report by my administration during my second term as Governor. His belief that the health of the business sector is closely tied to issues of education, environment, and the nonprofit sector has contributed to the leadership of our State and will continue to guide our State in the future.

I thank John Crosier for his service to New Hampshire, and for the preparation for his well-deserved retirement. I am grateful for his friendship, leadership and advice throughout the years.

RECOGNIZING FALCON PERFORMANCE FOOTWEAR

Ms. SNOWE. Mr. President, in cities and towns all across America, there are businesses that are synonymous with the communities they serve. Maine has historically been home to a number of companies from local paper mills to Bath Iron Works. In the Lewiston-Auburn region, Falcon Performance Footwear has been part of the fabric since 1963, producing high-quality shoes and boots for generations of Miners and Americans.

Today, August 23, Falcon Performance Footwear will be recognized by the Maine Manufacturing Extension Partnership, or MEP, with its 2011 Manufacturing Excellence Award. I commend Falcon for its fine work and congratulates the company on its recognition.

Falcon Shoe Manufacturing Company got its start in 1963, when Ted Johanson opened the factory’s doors at the Roy Continental Mill in Lewiston. Originally, Falcon churned out children's shoes, but over time focused its efforts on manufacturing boots for a number of uses. In the late 1970s and early 1980s, Falcon began implementing a number of forward-thinking and innovative processes, instilling in the shoe industry to utilize computerized stitching equipment, as well as the first direct-attach polyurethane outer sole for shoes in the country. The company was also the first to make Timberland boots, and the company with the ability to expand. Falcon moved from its longtime home in Lewiston to a larger location in the neighboring city of Auburn earlier this year.

Today, Falcon’s sole focus is on making reliable, sturdy, comfortable boots, particularly for consumers in labor-intensive jobs. The company produces a number of cutting-edge industrial boots, and in 2006 began working with the Maine Firefighter Standards, a New Hampshire small business, to create a state-of-the-art boot for firefighters designed with an athletic shoe platform rather than a more rigid welted sole to provide added flexibility. Falcon added mining boots to its repertoire in 2009, which feature a type of leather that resists many of the salts and minerals frequently encountered by miners.

Over the past decade, Falcon has worked with the Maine MEP to improve the efficiency of its company on its recognition. Falcon has increased its productivity by 60 percent, retained over 50 jobs, increased its sales, and trained all of its employees in a number of advanced manufacturing techniques. I have long been a supporter of, and advocate for, the MEP program, and recognize the immense value of its services to small- and medium-sized manufacturers across the country. Indeed, the result of their partnership with the Maine MEP over the past 5 years, clients have reported increased and retained sales
Mr. THUNE. Mr. President, today I recognize Larry Gerlach. Larry Gerlach was born October 6, 1946, in Britton, SD. In 1967, he married Susan O'Connor, and they made their home in Aberdeen. Larry quickly made himself known throughout the community for his love of the area and his resolve to see it grow and prosper. Larry became a member of the Brown County Fair Board in the 1980s and served on the board for 6 years. He became the president in 1989, and in January 1992 Larry was named the Brown County Fair manager. His ambition and driven attitude helped develop the Brown County Fair into one of the largest fairs in the region. He was able to book some of the biggest names in country music to perform at the grandstand that is being named in his honor. His friends, family, and coworkers all remember him as having an upbeat and positive attitude, and he was regarded by all as a joy to be around.

Larry received many prestigious awards in his life, among them was the 1996 People’s Choice ABBY Award from the Aberdeen Chamber of Commerce. In addition, he served as the president of the South Dakota Association of Fairs from 1997-2001, and in 2003, Larry was inducted into the South Dakota Fairman’s Hall of Fame.

Unfortunately, Larry passed away in February of 2011. Although we are saddened by this loss, Larry’s memory will live on through his loved ones and those who were fortunate to work closely with him. Larry’s sense of determination, ambition, and positive attitude helped make the Brown County Fair a success, as it is today, as well as made him a greatly respected man within the Brown County community and the entire state. He will be greatly missed by all.

TRIBUTE TO BO BRUINSMAN
Mr. THUNE. Mr. President, today I recognize Bo Bruinisma, an intern in my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several weeks.

Bo is a graduate of Elk Point-Jefferson High School in South Dakota. Currently he is attending the University of South Dakota and is majoring in political science and mass communications with a Spanish minor. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Bo for all of the fine work he has done and wish him continued success in the years to come.

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.

(MESSAGES PRINTED AT END OF SENATE PROCEEDINGS.)

TRANSMITTING CERTIFICATION
THAT THE DEBT SUBJECT TO LIMIT IS WITHIN $100,000,000,000 OF THE LIMIT IN 31 U.S.C. 3101(b) AND THAT FURTHER BORROWING IS REQUIRED TO MEET EXISTING COMMITMENTS—FM 17

THE PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on the Judiciary:

To the Congress of the United States:

Pursuant to section 3101A(a)(1)(A) of title 31, United States Code, I hereby certify that the debt subject to limit is within $100,000,000,000 of the limit in 31 U.S.C. 3101(b) and that further borrowing is required to meet existing commitments.

BARACK OBAMA.
THE WHITE HOUSE, August 2, 2011.

MESSAGES FROM THE HOUSE
At 9:38 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:


The message also announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Congressional-Executive Commission on the People’s Republic of China: Mr. SMITH of New Jersey, Chairman.

ENROLLED BILL SIGNED
At 1:18 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 365. An act to provide for budget control.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUE).

MEASURES REFERRED
The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 2480. An act to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States for fiscal years 2012, 2013, and 2014, and for other purposes; to the Committee on Appropriations.

MESSAGES FROM THE HOUSE
Barack Obama.

THE WHITE HOUSE, August 2, 2011.

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MESSAGES FROM THE HOUSE
Barack Obama.

THE WHITE HOUSE, August 2, 2011.
EC–2807. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulations; Harlem River, New York City, NY” (RIN1625–AA09) (Docket No. USCG–2011–0509) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2808. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; Sector southeastern new England Sound Zone” (RIN1625–AA97) (Docket No. USCG–2010–0033) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2809. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations for Marine Events; Rogue Sound; Morehead City, NC” (RIN1625–AA08) (Docket No. USCG–2011–0066) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2811. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations and Safety Zones; Marine Events in Captain of the Port Long Island Sound Zone” (RIN1625–AA06) (Docket No. USCG–2011–0550) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2812. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations; Port Huron to Mackinac Island Sail Race” (RIN1625–AA08) (Docket No. USCG–2011–0648) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2814. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations for Marine Events; Lake St. Clair, Michigan” (RIN1625–AA08) (Docket No. USCG–2011–0277) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2815. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Extreme Sailing Series Boston; Boston Harbor, Boston, MA” (RIN1625–2011–0105) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2816. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Kathleen Whelan Wedding Fireworks, Lake St. Clair, Grosse Pointe Farms, MI” (RIN1625–AA00) (Docket No. USCG–2011–0536) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2817. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; BGSU Football Gridiron Classic Golf Fireworks, Catawba Island Club, Port Clinton, OH” (RIN1625–AA00) (Docket No. USCG–2011–0372) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2818. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone” (RIN1625–AA00) (Docket No. USCG–2011–0264) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2820. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Central Astoria Independence Celebration Fireworks Event, Wards Island, NY” (RIN1625–0073) (Docket No. USCG–2011–0475) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2821. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Swimming Events in Captain of the Port Boston Zone” (RIN1625–AA00) (Docket No. USCG–2011–0333) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2823. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations; Racing Events Requiring Safety Zones in the Captain of the Port Zone” (RIN1625–AA08) (Docket No. USCG–2011–0283) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2824. A communication from the Director of the Regulation Policy and Management Office, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Vocational Rehabilitation and Employment Program—Changes to Subsistence Allowance” (RIN2000–AO10) received in the Office of the President of the Senate on August 1, 2011; to the Committee on Veterans’ Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 623, a bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes (Rept. No. 112–45).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment:

A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act (Rept. No. 112–46).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. STABENOW for the Committee on Agriculture, Nutrition, and Forestry:

Nominations were submitted:

* Madelyn R. Creedon, of Indiana, to be an Assistant Secretary of Agriculture.

* Alan F. Estevez, of the District of Columbia, to be an Assistant Secretary of Defense.

* Air Force nomination of Gen. William M. Fraser III, to be General.

* Air Force nomination of Col. Donald P. Dunbar, to be Brigadier General.


* Air Force nomination of Brig. Gen. Verle L. Johnston, Jr., to be Major General.


Air Force nominations beginning with Brigadier General Trulan A. Eyre and ending with Colonel Jennifer L. Walter, which nominations were received and appeared in the Congressional Record on July 25, 2011.

* Army nomination of Gen. Martin E. Dempsey, to be General.

* Army nomination of Gen. Raymond T. Odierno, to be General.

* Army nomination of Maj. Gen. Keith W. Parker, to be Lieutenant General.


* Army nomination of Lt. Gen. Michael Ferriter, to be Lieutenant General.

* Army nomination of Lt. Gen. Robert L. Caslen, Jr., to be Lieutenant General.


* Army nomination of Col. Brian R. Copes, to be Brigadier General.

Army nomination of Col. Fred W. Allen, to be Brigadier General.

Army nomination of Lt. Gen. Charles H. Jacoby, Jr., to be General.

Army nominations beginning with Brigadier General Stephen E. Beigun and ending with Colonel David C. Wood, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2011. (minus 1 nominee: Colonel David O. Smith)

Army nominations beginning with Brigadier General David H. Eyen and ending with Colonel David E. Wilmot, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2011.

Army nomination of Col. Gina D. Seiler, to be Brigadier General.

Army nomination of Col. Michael A. Calhoun, to be Brigadier General.

Army nomination of Col. Kafla Jones, to be Brigadier General.

* Navy nomination of Adm. Jonathan W. Greenert, to be Admiral.

* Navy nomination of Adm. James A. Winnefeld, Jr., to be Admiral.

Navy nomination of Vice Adm. Scott R. Van Buskirk, to be Vice Admiral.

Navy nomination of Vice Adm. Mark E. Ferguson III, to be Admiral.

Navy nomination of Rear Adm. Scott H. Swift, to be Admiral.

Navy nomination of Vice Adm. Harry B. Harris, Jr., to be Vice Admiral.

Navy nomination of Vice Adm. Michael A. LeFever, to be Vice Admiral.

Navy nomination of Capt. Luke M. McCollum, to be Rear Admiral (lower half).

Mr. EVVIN of Pennsylvania, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary’s desk for the information of Senators.

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

Air Force nominations beginning with Lauren F. Aase and ending with Debra S. Zinsmeier, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Air Force nomination of Mary F. Hart-Gallagher, to be Lieutenant Colonel.

Air Force nomination of Raymond S. Collins, to be Major.

Air Force nominations beginning with Wade B. Adair and ending with Elijio J. Venegas, Jr., which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Air Force nominations beginning with Johnathan M. Compton and ending with Benjamin J. Mitchell, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Air Force nomination of Thomas B. Murphree, to be Colonel.

Army nominations beginning with Pedro T. Raga and ending with Matthew H. Vinning, which nominations were received by the Senate and appeared in the Congressional Record on June 22, 2011.

Army nominations beginning with Nicholas M. Cruzarcia and ending with Joseph P. Longfellow, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2011.

Army nominations beginning with Luisa G. Santiago, to be Lieutenant Colonel.

Army nominations beginning with Troy W. Ross and ending with Carlos E. Quezada, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2011.

Army nomination beginning with James L. Adams, Jr. and ending with Robert M. Theilen, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Army nominations beginning with Matthew B. Ahn and ending with Gregory S. Thogmartin, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2011.

Army nomination of Cindy B. Katz, to be Colonel.

Army nomination of Wiley C. Thompson, to be Colonel.

Army nomination of Marshall S. Humes, to be Lieutenant Colonel.

Army nomination of Cyrrus A. Turgeon, to be Major.

Army nominations beginning with Colleen F. Blalies and ending with Curtis T. Chun, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Army nominations beginning with Brad M. Evans and ending with Jay S. Kost, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Army nominations beginning with Matthew J. Baker and ending with Russell B. Chambers, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Army nominations beginning with Joseph B. Rusinko and ending with Paula S. Oliver, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Army nominations beginning with Charlespaul T. Anonuevo and ending with Tracy E. Walters, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

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Army nominations beginning with Michael A. Adams and ending with Paula Young, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Army nominations beginning with Geoffrey R. Adams and ending with D005579, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Army nominations beginning with Aliassa R. Ackley and ending with D0000035, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

Army nominations beginning with Thomas H. Aarsen and ending with D010899, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.

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Army nominations beginning with James S. Brown and ending with Heather J. Walton, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2011.

Army nominations beginning with Christopher A. Alfonzo and ending with Sara B. Zimmer, which nominations were received by the Senate and appeared in the Congressional Record on July 20, 2011.
Navy nominations beginning with Archie L. Barber and ending with Zavean V. Ware, which nominations were received by the Senate and appeared in the Congressional Record on July 30, 2011.

Navy nominations beginning with Mylene R. Arvizu and ending with Ashley S. Wright, which nominations were received by the Senate and appeared in the Congressional Record on July 30, 2011.

Navy nominations beginning with Amelia F. Dudley and ending with Brandon D. Smith, which nominations were received by the Senate and appeared in the Congressional Record on July 30, 2011.

Navy nominations beginning with Richfield J. Yang and ending with Chinchang Yang, which nominations were received by the Senate and appeared in the Congressional Record on July 30, 2011.

Navy nominations beginning with Charity C. Hardison and ending with Stephanie B. Murdoch, which nominations were received by the Senate and appeared in the Congressional Record on July 30, 2011.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to participate in Senate committee confirmation hearings and appear before the Senate Committee on Veterans' Affairs.

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. BLUNT (for himself, Mr. RUBIO, Mr. HATCH, Mr. CASEY, Mr. GRAHAM, Mr. Tester, and Mr. SCHUMER):

S. 1472. A bill to impose sanctions on persons making certain investments that directly and significantly contribute to the enhancement of the ability of Syria to import and produce chemical weapons, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HELLER:

S. 1473. A bill to extend Public Law 99-548 to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and to extend the authority to purchase certain parcels of public and private land; to the Committee on Energy and Natural Resources.

By Mr. HELLER:

S. 1474. A bill to amend the Internal Revenue Code of 1986 to provide for a deduction for travel expenses to medical centers of the Department of Veterans Affairs in connection with examinations or treatments relating to service-connected disabilities; to the Committee on Finance.

By Mr. HELLER:

S. 1475. A bill to convey certain land to Clark County, Nevada, to designate the Nellis Dunes National Off-Highway Vehicle Recreation Area for purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself and Mr. KIRK):

S. 1476. A bill to reduce the size of the Federal workforce and Federal employee cost relating to pay, bonuses, and travel; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS (for himself and Mr. MURKOWSKI):

S. 1477. A bill to require the Administrator of the Federal Aviation Administration to prevent the dissemination to the public of certain information with respect to non-commercial flights of private aircraft owners and operators; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON of South Dakota (for himself and Mr. THUNE):

S. 1478. A bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. TOOMEY):

S. 1479. A bill to preserve Medicare beneficiary choice by restoring and expanding Medicare open enrollment and disenrollment opportunities; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. SCHUMER):

S. 1480. A bill to provide for the construction, renovation, and improvement of medical school facilities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mr. SCHUMER):

S. 1481. A bill to authorize the Secretary of Health and Human Services to establish a program of grants to racially and geographically underserved allopathic and osteopathic medical schools for the purpose of increasing the supply of physicians; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mr. KIRK, and Mr. LIEBERMAN):

S. 1482. A bill to direct the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Newtown Battlefield located in Chippewa County, New York, and the suitability and feasibility of its inclusion in the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEVIN (for himself and Mr. CASEY):

S. 1483. A bill to ensure that persons who form corporations in the United States dis-
other purposes; to the Committee on Foreign Relations.

By Mrs. BOXER (for herself, Mr. CARDIN, Mr. COCHRAN, Mr. ROBERTS, and Mr. TESTER).

S. 1494. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act; to the Committee on Environment and Public Works.

By Mr. MURkowski:

S. 1495. A bill to amend the school dropout prevention program in the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. Collins (for herself, Mr. Lieberman, and Mr. Baucus):

S. 1496. A bill to amend title 46, United States Code, to prohibit the delegation by the Secretary of Transportation of inspection, certification, and related services to a foreign classification society that provides comparable services to Iran, North Korea, North Sudan, or Syria, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. Klobuchar (for herself, Mr. Udall of Colorado, Mr. Bennet, and Mr. Franken):

S. 1497. A bill to amend title XVIII of the Social Security Act to extend for 3 years reasonable cost conventions under Medicare; to the Committee on Finance.

By Mr. Vitter (for himself and Mr. Heller):

S. 1498. A bill to direct the Secretary of Transportation to promulgate a rule to improve the daytime and nighttime visibility of agricultural equipment that may be operated on a public road; to the Committee on Commerce, Science, and Transportation.

By Ms. Murkowski (for herself, Mr. Enzi, and Mr. Alexander):

S. 1500. A bill to give Americans access to affordable child-only health insurance coverage; to the Committee on Health, Education, Labor, and Pensions.

By Mr. Heller (for himself, Mr. Risch, Mr. Vitter, Mr. Lee, Ms. Ayotte, Mr. Paul, Mr. Boozman, and Mr. Johnson of Wisconsin):

S. 1501. A bill to require the Joint Select Committee on Deficit Reduction to conduct the business of the Committee in a manner that is open to the public; to the Committee on Rules and Administration.

By Mr. Baucus (for himself and Mr. Tester):

S. 1502. A bill to restore public trust in pipeline safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. Brown of Massachusetts:

S. 1503. A bill to decrease the deficit by re-aligning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes; to the Committee on Environment and Public Works.

By Ms. Kaka (for himself, Mr. Inouye, and Mr. Bingaman):

S. 1504. A bill to restore Medicare eligibility for citizens of the Freely Associated States to the Committee on Finance.

By Mr. Tester:

S. 1505. A bill to amend the Public Health Service Act to provide for the participation of public health entities in a program determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its designation as a Public Health Emergency, to be eligible under the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. Rubio (for himself, Mr. Cynyn, and Mrs. Hutchinson):

S. 1506. A bill to prevent the Secretary of the Treasury from expanding United States bank reporting requirements with respect to interest on deposits paid to nonresident aliens; to the Committee on Finance.

By Mr. Hatch (for himself, Mr. Burr, Mr. Nelson of Nebraska, and Ms. Duckworth):

S. 1507. A bill to provide protections from workers with respect to their right to select or refrain from selecting representation by a labor organization; to the Committee on Health, Education, Labor, and Pensions.

By Mr. Menendez (for himself, Mr. Isakson, and Mrs. Feinstein):

S. 1508. A bill to extend loan limits for programs of the Federal Housing Administration, the government-sponsored enterprises, and the Department of Veterans Affairs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. Wyden:

S. 1509. A bill to provide incentives for States to improve the well-being of children in the child welfare system through systemic reforms and innovations, increased collaboration between and integration of higher standards of accountability; to the Committee on Finance.

By Mr. Udall of Colorado (for himself, Mr. Manchin, Mrs. McCaskill, Mr. Nelson of Nebraska, and Mr. Nelson of Florida):

S. Res. 24. A resolution proposing an amendment to the Constitution relative to requiring a balanced budget; 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. Kirk:

S. Res. 250. A resolution expressing the sense of the Senate that the memorial park on Hero Street USA, in Silvis, Illinois, would be recognized as the Street Memorial Park and should continue to be supported as a park by the Town of Silvis at no cost to United States taxpayers; to the Committee on the Judiciary.

By Mr. Carper (for himself, Ms. Snowe, Mrs. Murray, Mr. Lieberman, Mr. Blumenthal, Mr. Baucus, Ms. Stabenow, Mr. Casey, Mr. Grassley, Mrs. Gillibrand, Mr. Tester, Mr. Whitehouse, Mr. Coons, and Mr. Merkley):

S. Res. 251. A resolution expressing support for improvement in the collection, processing, and consumption of recyclable materials throughout the United States; to the Committee on Environment and Public Works.

By Mr. Lugar (for himself, Mr. Murray, Mr. Kennedy, Mrs. Duckworth, and Mr. Merkley):

S. Res. 252. A resolution celebrating the 60th Anniversary of the United States-Philippines Mutual Defense Treaty; to the Committee on Foreign Relations.

By Mr. Hoeven:


By Mr. Reed (for himself, Mr. Murkowski, Mr. Whitehouse, Mr. Corker, Mr. Crapo, Ms. Snowe, Mr. Blunt, Mr. Brown of Massachusetts, Mr. Roberts, Mr. Begich, Mr. Lieberman, Mr. Landrieu, Mr. Akaka, Mr. Rubio, Mr. Baucus, Mr. Blumenthal, Mrs. Hutchison, Mr. Cashy, Mr. Burr, and Mr. Cochran):

S. Res. 254. A resolution designating August 16, 2011, as "National Airborne Day"; considered and agreed to.

By Mr. Rockefeller (for himself, Mr. Alexander, and Mr. Levin):

S. Res. 255. A resolution designating October 8, 2011, as "National Chess Day" to enhance awareness and encourage students and adults to engage in chess and to enhance critical thinking and problem-solving skills; considered and agreed to.

By Mr. Inouye (for himself and Mr. Alexander):

S. Res. 256. A resolution designating the week of October 2 through October 8, 2011, as "National Nurse-Managed Health Clinic Week"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 207. At the request of Mr. Kohl, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 207, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 290. At the request of Mr. Nelson of Florida, the name of the Senator from New Hampshire (Mrs. Shaheen) was added as a cosponsor of S. 290, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 274. At the request of Mrs. Hagan, the name of the Senator from Alaska (Mr. Begich) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 306. At the request of Mr. Webb, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of S. 306, a bill to establish the National Criminal Justice Commission.

S. 341. At the request of Mr. Reid, the name of the Senator from New Hampshire (Mrs. Shaheen) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain
At the request of Mrs. Feinstein, the names of the Senator from New Jersey (Mr. Menendez) and the Senator from Pennsylvania (Mr. Toomey) 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.

At the request of Mrs. Boxer, the name of the Senator from New Hampshire (Mrs. Shaheen) was added as a cosponsor of S. 387, a bill to amend title 37, United States Code, to provide flexible spending arrangements for members of uniformed services, and for other purposes.

At the request of Mr. Harkin, the names of the Senator from Delaware (Mr. Carper) and the Senator from Kansas (Mr. Moran) were added as cosponsors of S. 412, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

At the request of Mr. Udall of Colorado, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of S. 499, a bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

At the request of Mr. Bingaman, the name of the Senator from Missouri (Mr. Blunt) was added as a cosponsor of S. 512, a bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out programs to develop and demonstrate 2 small modular nuclear reactor designs, and for other purposes.

At the request of Mr. Lautenberg, the name of the Senator from Ohio (Mr. Brown) was added as a cosponsor of S. 578, a bill to amend title V of the Social Security Act to eliminate the abstinence-only education program.

At the request of Mrs. Feinstein, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of S. 598, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

At the request of Ms. Snowe, the name of the Senator from Pennsylvania (Mr. Toomey) was added as a cosponsor of S. 633, a bill to prevent fraud in small business contracting, and for other purposes.

At the request of Mr. Brown of Ohio, the name of the Senator from Pennsylvania (Mr. Casey) was added as a cosponsor of S. 665, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

At the request of Mr. Rockefeller, the name of the Senator from South Dakota (Mr. Johnson) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

At the request of Mr. Casey, the name of the Senator from New Hampshire (Mrs. Shaheen) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

At the request of Mr. Wyden, the name of the Senator from South Dakota (Mr. Johnson) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

At the request of Mr. Thune, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. 710, a bill to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

At the request of Mr. Wyden, the name of the Senator from South Dakota (Mr. Johnson) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer’s disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer’s disease and related dementias by improving detection, diagnosis, and care planning.

At the request of Mr. Wyden, the name of the Senator from North Dakota (Mr. Hoeven) 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.

At the request of Mr. Baucus, the name of the Senator from New York (Mr. Schumer) was added as a cosponsor of S. 806, a bill to require the Secretary of the Army to conduct levee system evaluations and certifications on receipt of requests from non-Federal interests.

At the request of Mr. Whitehouse, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 833, a bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school, post-secondary education, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes.

At the request of Mr. Casey, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

At the request of Mr. Thune, the name of the Senator from South Dakota (Mr. Johnson) was added as a cosponsor of S. 866, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain new or significant articles, and to exempt those articles from a definition under that Act.

At the request of Mr. Tester, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. 866, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

At the request of Mrs. Shaheen, her name was added as a cosponsor of S. 866, supra.

At the request of Mr. Tester, the name of the Senator from Ohio (Mr. Portman) was added as a cosponsor of S. 901, a bill to amend the Land and Water Conservation Fund Act of 1965 to ensure that amounts are made available for projects to provide recreational public access, and for other purposes.

At the request of Mr. Harkin, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 919, a bill to authorize grant programs to ensure successful, safe, and healthy students.
energy jobs and set efficiency standards for small-duct high-velocity air conditioning and heat pump systems, and for other purposes.

S. 950

At the request of Mr. Toomey, his name 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 names of the Senator from Nebraska (Mr. Nelson) and the Senator from New Jersey (Mr. Lautenberg) were added as cosponsors 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. 958

At the request of Mr. Casey, the name of the Senator from New York (Mr. Schumer) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program to provide home and community-based services for children with serious special needs. The program was first authorized by S. 530, a bill to amend title 10, United States Code, to provide for children's hospitals that operate graduate medical education programs.

S. 102

At the request of Mr. Schumers, the names of the Senator from Indiana (Mr. Coats) and the Senator from New York (Mrs. Gillibrand) were added as cosponsors of S. 102, a bill to prohibit theft of medical products, and for other purposes.

S. 1025

At the request of Mr. Leahy, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1039

At the request of Mr. Cardin, the names of the Senator from Oklahoma (Mr. Inhofe) and the Senator from South Carolina (Mr. Graham) were added as cosponsors of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1048

At the request of Mr. Menendez, the names of the Senator from Oregon (Mr. Merkley) and the Senator from Hawaii (Mr. Akaka) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1100

At the request of Ms. Collins, the name of the Senator from Kansas (Mr. Roberts) was added as a cosponsor of S. 1100, a bill to amend title 41, United States Code, to prohibit inserting politics into the Federal acquisition process by prohibiting the submission of political contribution information as a condition of receiving a Federal contract.

S. 1108

At the request of Mr. Sanders, the names of the Senator from New Hampshire (Mrs. Shaheen) and the Senator from Rhode Island (Mr. Whitehouse) were added as cosponsors of S. 1108, a bill to provide local communities with tools to make solar permitting more efficient, and for other purposes.

S. 1111

At the request of Mr. Brown of Massachusetts, his name was added as a cosponsor of S. 1111, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 1145

At the request of Mr. Leahy, the name of the Senator from Missouri (Mrs. McCaskill) was added as a cosponsor of S. 1145, a bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes.

S. 1177

At the request of Mr. Bingaman, the name of the Senator from Pennsylvania (Mr. Casey) was added as a cosponsor of S. 1177, a bill to provide grants to States to improve high schools and raise graduation rates while ensuring rigorous standards, to develop and implement effective school models for struggling students and dropouts, and to improve State policies to raise graduation rates, and for other purposes.

S. 1219

At the request of Mr. Barrasso, the name of the Senator from Nevada (Mr. Heller) was added as a cosponsor of S. 1219, a bill to require Federal agencies to address the impact of Federal action on jobs and job opportunities, and for other purposes.

S. 1248

At the request of Mr. Coburn, the name of the Senator from Nevada (Mr. Heller) was added as a cosponsor of S. 1248, a bill to prohibit the consideration of any bill by Congress unless the authority provided by the Constitution of the United States for the legislation can be determined and is clearly specified.

S. 1273

At the request of Mr. Casey, the name of the Senator from Minnesota (Mr. Franken) was added as a cosponsor of S. 1273, a bill to amend the Fair Labor Standards Act with regard to certain exemptions under that Act for direct care workers and to improve the systems for the collection and reporting of data relating to the direct care workforce, and for other purposes.

S. 1280

At the request of Mr. Isakson, the name of the Senator from New Jersey (Mr. Lautenberg) was added as a cosponsor of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1297

At the request of Mr. Burr, the name of the Senator from Ohio (Mr. Portman) was added as a cosponsor of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1314

At the request of Mr. Tester, the name of the Senator from Nebraska (Mr. Neumiller) was added as a cosponsor of S. 1314, a bill to amend title 38, United States Code, to require the Secretary of Labor to establish minimum funding levels for States for the support of disabled veterans’ outreach program specialists and local veterans’ employment representatives, and for other purposes.

S. 1316

At the request of Mr. Enzi, the name of the Senator from Utah (Mr. Lee) was added as a cosponsor of S. 1316, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1319

At the request of Mr. Crapo, the names of the Senator from North Carolina (Mrs. Hagan), the Senator from North Carolina (Mr. Burr), and the Senator from Missouri (Mr. Blunt) were added as cosponsors of S. 1319, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1381

At the request of Mr. Blumenthal, the name of the Senator from New York (Mr. Schumer) was added as a cosponsor of S. 1381, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne disease, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1392

At the request of Ms. Collins, the name of the Senator from Arkansas (Mr. Boozman) was added as a cosponsor of S. 1392, a bill to provide additional time for the Administrator of
the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes.

S. 1396
At the request of Mr. THUNE, his name was added as a cosponsor of S. 1395, a bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act.

S. 1420
At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1420, a bill to require that the United States Government prioritize all obligations on the debt held by the public, Social Security benefits, and military pay in the event that the debt limit is reached, and for other purposes.

S. 1433
At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1433, a bill to pay personnel compensation and benefits for employees of the Federal Aviation Administration.

S. 1449
At the request of Mr. PRIYOR, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1449, a bill to authorize the appropriation of funds for highway safety programs and for other purposes.

S. 1450
At the request of Ms. SNOWE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1450, a bill to amend title 23, United States Code, to provide for the establishment of a commercial truck safety program, and for other purposes.

S. 1457
At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1457, a bill to direct the Secretary of Commerce to establish a Made In America Block Grant Program, and for other purposes.

S. Res. 80
At the request of Mr. KIRK, the names of the Senators from Montana (Mr. BAUCUS) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Bahá’í minority and its continued violation of the International Covenant on Human Rights.

S. Res. 122
At the request of Mr. NELSON of Nebraska, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 122, a resolution recognizing and honoring the zoos and aquariums of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS
By Mrs. GILLIBRAND (for herself and Mr. HATCH):

S. 1469. A bill to require reporting on the capacity of foreign countries to combat cybercrime, to develop action plans to improve the capacity of certain countries to combat cybercrime, and for other purposes; to the Committee on Foreign Relations.

Mr. HATCH. Mr. President, I rise today to reintroduce the International Cybercrime Reporting and Cooperation Act with Senator KIRSTEN GILLIBRAND, which if enacted, will establish a framework for global cooperation on the fight against cybercrime. As the United States continues to work on combating cybercrime here at home, we must simultaneously direct our attention to the international arena. With bipartisan support and valued input from affected industry, we have worked together on drafting a bill that encompasses reporting measures, action plans, and multilateral efforts in support of government cooperation to dismantle this global threat.

This bill recognizes that the U.S. Government’s focus on combating cybercrime internationally by requiring the President, or his designee, to annually report to Congress on the assessment of the cybercrime fighting efforts of the countries chosen by key federal agencies in consultation with private sector stakeholders. The countries to be reviewed are those with a significant role in efforts to combat cybercrime impacting U.S. Government, entities and persons, or whose activities further U.S. national security, economic, or other interests.

Cyberspace remains borderless, with no single proprietor. Accordingly, the United States must take the lead in maintaining the openness of the Internet, while securing accountability. If a country is a haven for cybercrime, or simply has demonstrated a pattern of uncooperative behavior with efforts to combat cybercrime, that nation must work with the U.S. Government. Each country must conduct criminal investigations and prosecute criminals when there is credible evidence of cybercrime incidents against the U.S. government, our private entities or our people.

With so many U.S. companies doing business overseas, we must do our part to safeguard their employees, their jobs, and their clients from cyber attacks. Our objective is simple: We need international cooperation to increase assistance and prevention efforts of cybercrime from those countries deemed to be of cyber concern. Without international cooperation, our economy, security, and people will continue to be under threat.

Cybercrime is a tangible threat to the security of our global economy, which is why we need to coordinate our fight worldwide. Until countries begin to take the necessary steps to fight criminals within their borders, cybercrime havens will continue to flourish. Countries that knowingly permit cybercriminals to attack within their borders will now know that the United States is watching, the global community is watching, and there will be consequences for not acting.

By Mr. HATCH (for himself and Mr. COBURN):
S. 1476. A bill to reduce the size of the Federal workforce and Federal employee cost relating to pay, bonuses, and travel; to the Committee on Homeland Security and Governmental Affairs.

Mr. HATCH. Mr. President, after a contentious several months navigating the increase in the debt ceiling, Congress will be returning home in the next few days. I think many of us are anxious to go back to the States, where we will hear from our fellow citizens about their thoughts on what we are doing well and where we are falling short.

Getting out of Washington and returning to our States will be a relief, but I am fully aware that after this brief respite, we will come back to Washington in the fall with many more contentious issues still on our plates.

Our Nation is still on an unsustainable fiscal path, even with today’s temporary fixes to the issues surrounding the debt ceiling. In addition, we have a government that has grown far too large and has taken far too many obligations.

Today, with all these concerns in mind, I am joined by Senator TOM COBURN in introducing the Federal Workforce Reduction and Reform Act of 2011. If enacted, this bill will go a long way toward reducing the size of the Federal Government and helping to get our Nation’s fiscal house in order.

Specifically, our bill would extend the current pay freeze for Federal civilian employees for another 3 years. Bonuses paid Federal employees would also be frozen during that time. Currently, Federal workers receive an automatic cost-of-living adjustment every year and are eligible for relocation, retention, and performance bonuses as well.

While I don’t begrudge government employees their compensation, these automatic increases come with significant costs and far outpace those typically offered in the private sector. By simply extending the current pay freeze for another 3 years, we will save the Federal Government roughly $140 billion over 10 years.

In addition, our bill would require the President, in consultation with the Office of Management and Budget and the Office of Personnel Management, to reduce the size of the Federal workforce by 15 percent—roughly 300,000 employees—over the next 10 years. This could easily be accomplished through attrition and would save taxpayers over $225 billion over that time.

The bill would require a similar reduction in the Federal contract workforce as well. We have nothing against Federal agencies contracting services out to private vendors. However, the significant increase in this practice
over the last several years has masked the size of the Federal Government. Indeed, when you include the contract workforce, the Federal Government is even larger than it appears.

Our bill would require that the President and OPM report the number of employees working on Federal contracts and reduce that number by 15 percent over the next 10 years. This would provide an even greater reduction in the size of the Federal Government and save taxpayers another $200 billion over the next decade.

Finally, this bill would reduce the travel budgets of Federal agencies by 75 percent over time. All told, the Federal Government spends over $15 billion a year on travel expenses. Most businesses respond to difficult financial times by reducing or eliminating unnecessary expenses. Most private sector leaders would tell you that travel expenses are one of the first things on the cut list. Furthermore, improvements in teleconferencing technology and web-based communication have made much of the government-sponsored travel that was required in the past unnecessary.

Our bill would cut Federal travel expenses in half for the first 2 years, and then by three quarters thereafter. This will save American taxpayers something in the neighborhood of $40 billion over 10 years.

Mr. President, our Nation is currently in the midst of a fundamental debate over the constitutional limits on the Federal Government. The President and his allies see no bounds for a living Constitution, while conservatives like myself believe that Federal power has far exceeded the Founders’ limits and is a genuine threat to personal liberty.

While this debate will likely not be resolved anytime soon, most of us can agree that we need to take immediate steps to address our Nation’s looming fiscal crisis. The deal that was approved today was a step in the right direction, but it was only one step. We must do more, and we can do more, to right our fiscal ship. Some may see things differently, but I don’t see any way that we can restore the integrity of the Nation’s fiscal position without significantly reducing the size and cost of the Federal Government. The bill we are introducing today would be an important and measurable step toward that goal.

According to the numbers and methodology used by the National Commission on Fiscal Responsibility and Reform, these changes combined will save American taxpayers more than $600 billion over 10 years. These are significant numbers. They represent more than half of the deficit reduction required in the first part of the deal agreed to today, and they could easily be realized if we enact this small handful of relatively simple reforms.

I want to thank Senator Coburn—who continues to be a leader in the fight to bring us back to fiscal sanity—for his help and support on this bill. His has been a tireless voice against government excess and I am proud to join with him in this fight.

I urge all my colleagues to support the Federal Workforce Reduction and Reform Act of 2011.

By Mr. Levin (for himself and Mr. Grassley).

S. 1493. A bill to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent wrongdoers from exploiting United States corporations in ways that threaten homeland security, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. Levin. Today, I along with my colleague, Senator Grassley, am re-introducing the Incorporation Transparency and Law Enforcement Assistance Act, a bill designed to combat terrorism, money laundering, tax evasion, and other wrongdoing facilitated by U.S. corporations with hidden owners. This commonsense bill would end the practice of our States forming over about 2 million new corporations each year for unidentified persons, and instead require the States to ask for the identities of the persons establishing those corporations. With those names on record, U.S. law enforcement faced with corporate misconduct would then have a trail to chase instead of what today is too often a dead end.

Our bill is supported by key law enforcement organizations, including the Federal Law Enforcement Officers Association, the Fraternal Order of Police, the National Association of Assistant United States Attorneys, the National Narcotic Officers’ Association, the United States Marshals Service Association, the Society of Former Special Agents of the Federal Bureau of Investigation, and the Association of Former ATF Agents. It is also endorsed by a number of small business and public interest groups, including the Main Street Alliance, Sustainable Business Network of Washington, Global Financial Integrity, Global Witness, Project on Government Oversight, Jubilee USA, Citizens for Tax Justice, Tax Justice Network USA, and the FACT Coalition.

This is the third time this bill has been introduced. In the 110th Congress, when the bill was introduced for the first time and he was a member of the U.S. Senate, President Obama served as an original cosponsor. It’s an issue that has become more urgent with time.

Right now, it takes more information to get a driver’s license or open a U.S. bank account than to form a U.S. corporation. Under current law, U.S. corporations can be established anonymously, by hidden owners who don’t reveal their identity. Our bill would change that by requiring any State that accepts anti-terrorism funding from DHS to add a new question to their existing incorporation forms asking wrongdoers to establish a new U.S. corporation or limited liability company to answer a simple but important question: who are the actual owners?

That is it. One new question on an existing form. It is a not a complicated question, yet the answer can play a key role in helping law enforcement do their job. Our bill would not require States to verify the information, but penalties would apply to persons who submit false information. States, or licensed formation agents if a State has delegated the task to them, would supply the ownership information to law enforcement upon receipt of a subpoena or summon.

We have all seen the news reports about U.S. corporations involved in financing international terrorism to money laundering, financial fraud, tax evasion, corruption, and more. Let me give you a few examples.

We now know that some terrorists use U.S. shell corporations to carry out their activities. Viktor Bout, an arms dealer who has been indicted and incarcerated in the United States for conspiracy to kill U.S. nationals, used shell corporations around the world in his work, including a dozen formed in Texas, Delaware, and Florida. Mr. Bout was recently extradited from Thailand to answer for his conduct at which time Attorney General Eric Holder stated: “Long considered one of the world’s most prolific arms traffickers, Mr. Bout will now appear in federal court in Manhattan to answer to charges of conspiring to sell millions of dollars worth of weapons to a terrorist organization for use in trying to kill Americans.” It is unacceptable that Mr. Bout was able to set up shell corporations in three of our States and use these in illicit activities without ever being asked who owned those corporations.

In another case, a New York company called the Assa Corporation owned a Manhattan skyscraper and, in 2007, wire transferred about $4.5 million in rental payments to a bank in Iran. U.S. law enforcement tracking the funds had no idea who was behind that shell corporation, until another government disclosed that it was owned by the Alavi Foundation which was known to have ties to the Iranian military. In other words, a New York corporation was being used to ship millions of U.S. dollars to Iran, a notorious supporter of terrorism.

U.S. corporations with hidden owners have also been involved in financial crimes. In 2011, a former Russian military officer, Victor Koganov, pled guilty to operating an illegal money transmitter business from his home in
Oregon, and using Oregon shell corporations to wire more than $150 million around the world on behalf of Russian clients. U.S. Attorney Dwight Holt of the District of Oregon used stark language when describing the case: "When shell corporations are manipulated in the shadows to hide the flow of tens of millions of dollars overseas, it threatens the integrity of our financial system."

Another recent case involves Florida attorney Scott Rothstein who, in 2002, pleaded guilty to fraud and money laundering in connection with a $1.2 billion Ponzi investment scheme, in which he used 83 U.S. limited liability companies to conceal his participation or ownership stake in various real estate and business ventures. Tax evasion is another type of misconduct which all too often involves the use of U.S. corporations with hidden owners. In 2006, for example, the Subcommittee showed how Howard Greaves, a Michigan businessman, worked with Terry Neal, an offshore promoter, to form shell corporations in Nevada, Canada, and offshore secrecy jurisdictions to hide more than $400,000 in reported business income. In 2004, both Mr. Greaves and Mr. Neal pled guilty to Federal tax evasion. Also in 2006, the Subcommittee showed how two brothers from Texas, Sam and Charles Wyly, created a network of 58 trusts and shell corporations to dodge the federal income taxes they incurred using a set of Nevada corporations to move offshore over $190 million in stock options without paying any taxes on that compensation.

Still another area of abuse involves the misuse of U.S. corporations in handling corruption proceeds. One example involves Teodoro Obiang, who is the son of the President of Equatorial Guinea, holds office in that country, and is currently under investigation by the Grand Jury of the United States District Court for the District of Oregon, at my request, conducting an investigation and released a report entitled, "Suspicious Banking Activities: Possible Money Laundering by U.S. Corporations Formed for Russian Entities." That report revealed that many of those U.S. corporations with hidden owners involved in or facilitating terrorism, financial crime, tax evasion, corruption, or other misconduct provide ample evidence of the need for legislation to address the problem.

The Federal Law Enforcement Officers Association and FLEOA, which represents more than 26,000 federal law enforcement officers and is a strong supporter of the bill, has stated that "[t]he unscrupulous actions and activities committed by certain states has enabled large criminal enterprises to exploit those State's flawed filing systems." FLEOA has stated further: "[W]hile all Americans are inspired by the spirit of free enterprise, our membership does not need to be published in a Yellow Pages, or need for legislation to address the problem.

The National Association of Assistant United States Attorneys which represents more than 1,500 federal prosecutors, urges Congress to take legislative action to remedy inadequate state incorporation practices. NAAUSA has written: "[W]e are in the position of years of work by the Senate Permanent Subcommittee on Investigations, which I chair. Over ten years ago, in 2000, the Government Accountability Office, at my request, conducted an investigation and released a report entitled, "Suspicious Banking Activities: Possible Money Laundering by U.S. Corporations Formed for Russian Entities." That report revealed that 1 person was able to set up more than 2,000 Delaware shell corporations and, without disclosing the identity of the beneficial owners, open U.S. bank accounts for those corporations, which then collectively moved about $1.4 billion through the accounts. It is one of the earliest government reports to give some sense of the law enforcement problems caused by U.S. corporations with hidden owners. The alarm it sounded years ago is still ringing.

In April 2006, in response to a second Subcommittee request, GAO released a report entitled, "Corporation Formation for Criminal Purpose: How Information Is Collected and Available," which reviewed the corporate formation laws in all 50 States. GAO disclosed that
vast majority of the States do not collect any information at all on the beneficial owners of the corporations and limited liability companies, or LLCs, formed under their laws. The report also found that several States have established automated corporation or LLC formation systems that allow anyone to form a new corporation or LLC in the State within 24 hours of filing an online application without any prior review of that application by State personnel. In exchange for a substantial fee, at least two States have created corporation or LLC within one hour of a request. After examining these State incorporation practices, the GAO report described the problems that the lack of beneficial ownership information has caused for a range of law enforcement investigations.

In November 2006, our Subcommittee held a hearing on the problem. At that hearing, representatives of the U.S. Department of Justice, the Internal Revenue Service, the Department of Treasury's Financial Crimes Enforcement Network or FinCEN testified that the failure of States to collect accurate information on the beneficial owners of the legal entities they form had hampered efforts to identify and prosecute criminal acts such as terrorism, money laundering, securities fraud, and tax evasion. At the hearing, the Justice Department testified: “We had allegations of corrupt foreign officials using these U.S. bank accounts to launder money, but were unable—due to lack of identifying information in the corporate records—to fully investigate this area.” The IRS testified: “Within our own borders, the laws of some states regarding the formation of legal entities have significant transparency gaps which may even rival the secrecy afforded in the most attractive tax havens.” As part of its testimony, FinCEN described identifying 768 incidents of suspicious inter-bank transfers that may be used to evade tax and proliferation of money laundering. It also noted that “each of these examples involves the relatively rare instance in which law enforcement was able to identify the perpetrator misusing U.S. shell corporations. Far too often, we are unable to do so.” The Treasury Department testified that “the ability of illicit actors to form corporations in the United States without disclosing their true identity presents a serious vulnerability and there is ample evidence that criminals and others who threaten our national security exploit this vulnerability.”

The 2009 hearings also presented evidence of dozens of Internet websites advertising corporate formation services that highlighted the ability of corporations to be formed in the United States without asking for the identity of the beneficial owners. These websites explicitly pointed to anonymous ownership as a reason to incorporate within the United States. The Treasury Department also testified that States have been used for money laundering, for their use in securing and extortion; a corporation in Wyoming had been convicted of money laundering and extortion; a corporation identified as “corporate suites.” The article described a small house in Cheyenne, Wyoming, which Wyoming Corporate Services used to sell shelf corporations that existed solely on paper but could show a history of laundering and terrorism, despite having had no real U.S. operations. That’s what is going on right now, here in our own backyard, with respect to U.S. corporations.

Despite the evidence of U.S. corporations, being misused by organized crime, terrorists, tax evaders, and other wrongdoers, and despite years of law enforcement complaints, many of our States are reluctant to admit there is a problem in establishing U.S. corporations and LLCs with hidden ownership. Too many of our States are eager to explain how quick and easy it is to set up corporations within their borders, without acknowledging that those same quick and easy procedures enable wrongdoers to utilize U.S. corporations in a variety of crimes and tax dodges both here and abroad.

Beginning in 2006, the Subcommittee worked with the States to encourage them to recognize the homeland security problem they’d created and to consider new solutions. After the Subcommittee’s 2006 hearing on this issue, for example, the National Association of Secretaries of State or...
NASS convened a 2007 task force to examine state incorporation practices. At the request of NASS and several States, I delayed introducing legislation while they worked on a proposal to require the collection of beneficial ownership information. My committee staff participated in multiple conferences, telephone calls, and meetings; suggested key principles; and provided comments to the Task Force.

In July 2007, the NASS task force issued a proposal. Rather than propose a model, the task force staff prepared a draft, which I opposed. My objection was not to the problem, however, the proposal had many deficiencies, leading the Treasury Department to state in a letter that the NASS proposal “falls short” and “does not fully address the problem of legal entities masking the identity of criminals.”

Among other shortcomings, the NASS proposal would not require States to obtain the names of the natural individuals who would be the beneficial owner of a U.S. corporation or LLC. Instead, it would allow States to obtain a list of a corporation’s “owners of record” who can be, and often are, offshore corporations or trusts. The NASS proposal also did not require the States themselves to maintain the beneficial ownership information. It would allow States to supply it to law enforcement upon receipt of a subpoena or summons. Instead, law enforcement would have to get the information from the suspect corporation or one of its agents, thereby tippling the corporation to the investigation. The proposal also failed to require the beneficial ownership information to be updated over time. These and other flaws in the proposal were identified by the Treasury Department, the Department of Justice, and others, but NASS decided to continue on the same course.

NASS enlisted the help of the National Conference of Commissioners on Uniform State Laws or NCCUSL, which produced a model law for States that wanted to adopt the NASS approach. NCCUSL presented its model at the Homeland Security and Governmental Affairs Committee’s June 2009 hearing, where it was subjected to significant criticism. The Manhattan District Attorney’s office, for example, testified: “I say without hesitation or reservation—that from a law enforcement perspective, the bill proposed by NCCUSL would be worse than useless. And there are very basic reasons for this. It eliminates the ability of law enforcement to get corporate information without alerting the target of the investigation that the investigation is ongoing. That is the primary reason. It also sets up a system that is time-consuming and complicated.”

The Department of Justice testified: “Senator, I would submit to you that in a criminal organization everyone knows who is in control and this will not be an issue of determining who is in control. What we are concerned about here from the law enforcement perspective are the criminals and the criminal organizations and so what we are asking is that when criminals use shell companies, they provide the name of the beneficial owner. That is the person who is in control, the criminal in control, as opposed to the NCCUSL proposal here, where they are suggesting that instead two nominees are provided—two nominees between law enforcement and the criminal in control.”

Despite these criticisms, NCCUSL finalized its model law in July 2009, issuing it under the title, “Uniform Law Enforcement Access to Entity Information Act.” At the November 2009 hearing, law enforcement officials criticized the NCCUSL model law, and at the hearing, Senator Levin asked: “Now the NCCUSL, in their proposal just requires a records contact and that records contact could simply be an owner of record, which could be a shell corporation, putting us right back into a circle which leads absolutely nowhere in terms of finding the beneficial owners. Would you agree that the approach of NCCUSL in this regard is not acceptable?”

The Justice Department representative, Jennifer Shasky, responded: “Yes, Senator. To allow companies to provide anything less than the beneficial owner information merely provides criminals with an opportunity to evade responsibility and put nominees between themselves and the true perpetrator.” With regard to NCCUSL’s proposal, the Treasury representative, David Cohen, testified: “[There is not an obligation for that live person to be the entity and put what I think is important in the legislation is that we get at the true beneficial owner and not someone who may be a nominee.”

In addition to its flaws, the NCCUSL model law has proven unpopular with the States for whom it was written. Despite the effort and fanfare attached to this uniform law, after two years of sitting on the books, not a single State has adopted it or given any indication of doing so.

It is deeply disappointing that the States, despite the passage of five years since FATF first called upon the United States to meet its commitment to collect beneficial ownership information, have been unable to devise an effective proposal. Part of the difficulty is that the States have a wide range of practices, differ on the extent to which they rely on incorporation records as a source of information, and differ on the extent to which they attract non-U.S. persons as incorporators. In addition, the States are competing against each other to attract persons who want to set up U.S. entities that will attract pressure for each individual State to favor procedures that allow quick and easy incorporations, with no questions asked. It’s a classic case of competition causing a race to the bottom, making it difficult for any one State to do the right thing and request the identity of the persons behind the incorporation efforts.

That is why Federal legislation in this area is critical. Federal legislation is needed to level the playing field among the States, set minimum standards for obtaining beneficial ownership information, put an end to the practice of States forming millions of legal entities each year without knowing who is behind them, and bring the United States into compliance with its international commitments.

The bill’s provisions would require the States to obtain from incorporation applicants a list of the beneficial owners of each corporation or LLC formed under their laws, to maintain this information for a period of years after a corporation is terminated, and to provide the information to law enforcement upon receipt of a subpoena or summons. The bill would also require corporations and LLCs to update their beneficial ownership information on request. The fact that the information would be kept by the State or, if a State maintains a formation agent licensing system and delegates this task, by a State’s licensed formation agent.

The particular information that would have to be provided for each beneficial owner is the owner’s name, address, and unique identifying number. The proposed penalties would apply to persons who submitted false information.

In the case of U.S. corporations formed by individuals who do not possess a drivers license or passport from the United States, the bill would require the incorporation application to include a written certification from a formation agent residing within the State attesting to the fact that the agent had obtained and verified the identity of the non-U.S. beneficial owners of the corporation, by obtaining their names, addresses, and identifying information from a non-required non-U.S. passport. The formation agent would be required to retain this information in the State for a specified period of time and produce it upon receipt of a subpoena or summons from law enforcement.

To ensure that its provisions are tightly targeted, the bill would exempt a wide range of corporations from the disclosure obligation. It would exempt, for example, virtually all highly regulated corporations or those already know who owns them. That includes all publicly-traded corporations, banks, broker-dealers, commodity brokers, registered investment funds, registered accounting firms, insurers, utilities, mutualities, and many others that have information compiled by the IRS. The bill would also exempt corporations with a substantial U.S. presence, including at least 20 employees physically located in the United States, since those individuals could provide the information that is needed to trace a corporation’s true owners. In addition, the bill would exempt corporations whose beneficial
ownership information would not ben-
efit the public interest or assist law en-
forcement. These exemptions dramati-
cally reduce the number of corpora-
tions who would be required to provide
beneficial ownership information to en-
sure that disclosure information is
focused on only those whose owners’
identities are currently hidden.
The bill does not take a position on
the issue of whether the States should
make the beneficial ownership infor-
mation available to the public. Instead
the bill leaves it entirely up to the
States to decide whether, under what
circumstances, and to what extent to
make beneficial ownership information
available to the public. The bill explic-
It should be noted that Congress has
required the States to have their own
standards for corporate secrecy, and
that, for the most part, States have
failed to meet the standards set by the
Federal Government.
ULTRALIGHT AIRCRAFT NOW FERRYING DRUGS ACROSS U.S.-MEXICO BORDER

MEXICAN ORGANIZED CRIME GROUPS ARE USING ULTRALIGHT AIRCRAFT TO DROP MARIJUANA BUNDLES IN AGRICULTURAL AND DESERT AREAS.

By Mr. UDALL of New Mexico (for himself, Mr. HELLER, Mr. BINGAMAN, and Mrs. FEINSTEIN):

S. 1485. A bill to amend the Tariff Act of 1930 (19 U.S.C. 1590) to include ultralight vehicles under the definition of aircraft for purposes of the aviation smuggling provisions under that Act, and for other purposes; to the Committee on Finance.

Mr. UDALL of New Mexico. Mr. President, today I rise to introduce the Ultralight Aircraft Smuggling Prevention Act, legislation that will crack down on smugglers who use ultralight aircraft, also known as ULAs, to bring drugs across the U.S.-Mexico border. I am pleased to be working on this in a bipartisan manner with Senators Bingaman and Feinstein in introducing this legislation. I urge my colleagues to support the Ultralight Aircraft Smuggling Prevention Act.

Mr. President, I am unanimous in my concern that the bill and an article be printed in the Record.

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

SEC. 1. SHORT TITLE. This Act may be cited as the “Ultralight Aircraft Smuggling Prevention Act of 2011.”

SEC. 2. AMENDMENTS TO THE AVIATION SMUGGLING PROVISIONS OF THE TARIFF ACT OF 1930. (a) In General. Section 590 of the Tariff Act of 1930 (19 U.S.C. 1590) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) DEFINITION OF AIRCRAFT.—(As used in this section, the term ‘aircraft’ includes an ultralight vehicle as defined by the Administrator of the Federal Aviation Administration.”.

(b) CRIMINAL PENALTIES.—Subsection (d) of section 590 of the Tariff Act of 1930 (19 U.S.C. 1590(d)) is amended in the matter preceding paragraph (1), by inserting “, or attempts or conspires to commit,” after “commits”.

(c) EFFECTIVE DATE.—The amendments made by this section apply with respect to violations of any provision of section 590 of the Tariff Act of 1930 on or after the 30th day after the date of enactment of this Act.

SEC. 3. INTERAGENCY COLLABORATION. The Assistant Secretary of Defense for Research and Engineering shall, in consultation with the Under Secretary for Science and Technology of Homeland Security, identify equipment and technology used by the Department of Defense that could also be used by U.S. Customs and Border Protection to detect and track the illicit use of ultralight aircraft near the international border between the United States and Mexico.

[From the Los Angeles Times, May 19, 2011]

ULTRALIGHT AIRCRAFT NOW FERRYING DRUGS ACROSS U.S.-MEXICO BORDER

Mexican organized crime groups, increasingly shutdown by stepped-up enforcement on land, have turned to the skies, using ultralight aircraft that resemble hang gliders to drop marijuana bundles in agricultural fields and desert scrub across the Southwest border.

What began with a few flights in Arizona in 2008 is now common from Texas to California’s Imperial Valley and, mostly recently, San Diego, where at least two ultralights suspected of carrying drugs have been detected flying over Interstate 8, according to U.S. border authorities.

A number of incursions by ultralights reached 228 in the last federal fiscal year ending Sept. 30, almost double from the previous year. Seventy-one have been detected in this fiscal year through April, according to border authorities. "flying at night with lights out, and zipping back across the border in minutes, ultralight aircraft sightings are rare, but often dramatic. At least two have been chased out of Arizona skies by Black Hawk Hawks Customs and Border Protection helicopters and F-16 jet fighters. A pair of visiting British helicopter pilots almost crashed into an ultralight during training exercises over the Imperial Valley.

Smuggling work is fraught with danger. High winds can flip the light aircraft. Moonlight provides illumination, but some pilots wear night-vision goggles. Others fly over major roads to orient themselves. Drop zones are illuminated by ground crews using strobe lights or glow sticks. There is little room for error.

At least one pilot has been paralyzed; another died in a crash.

In Calexico, Det. Mario Salinas was walking one morning when, for some reason, a meteor had become something buzzing over the Police Department on 5th Street. “I hear this weird noise, like a lawn mower. I look up and I see this small plane,” who pulled the aircraft before it eluded him as it flew over the desert.

The ultralight activity is seen as strong evidence that smugglers are having an increasingly difficult time getting marijuana over land crossings. Authorities noticed a surge in flights in Imperial County after not much flying in Mexico’s southeast corner blocked smugglers from crossing desert dunes in all-terrain vehicles.

U.S. Border Patrol agents, accustomed to seeing drug runners on four-wheeler motorcycles and dirt bikes, have had to adapt. They are now instructed to turn off their engines and roll
As many of you know, Long-Term Acute Care Hospitals, referred to as LTCHs, specialize in treating medically complex patients who need longer than usual hospital stays, on average 25 days. By comparison, the average stay for a patient in a general acute hospital is only 5-6 days. LTCHs, like rehabilitation hospitals and nursing homes, often care for patients who are discharged from a general hospital. Because of that, LTCHs are sometimes referred to as post-acute care providers. However, LTCHs are fully licensed and certified as acute care hospitals. There are approximately 425 LTCHs in the nation, compared to approximately 12,000 nursing homes and 1,400 rehabilitation hospitals. LTCH patients are very ill, with many suffering from complex respiratory issues, including those who are ventilator dependent, or other complex medical conditions.

The bill that I am introducing today implements a comprehensive set of federal criteria that will supplement existing Medicare classification criteria for LTCHs. These new criteria are designed to ensure that LTCHs are treating high acuity patients who need extended hospital stays. Analysis by the Moran Company estimates that these criteria could generate approximately $374 million over 5 years and $2.7 billion over 10 years. The bill is expected to result in a net savings of $500 million over 10 years. I plan to work with CBO to confirm that estimate.

This legislation will generate savings for the Medicare program; promote patients being cared for in the most appropriate setting; and, protect access to LTCH care for medically acute beneficiaries who need extended stays due to their complex medical condition.

This is not a new concept and the American Hospital Association has been working on this issue for years. In August 2010, the AHA initiated a workgroup representing a cross section of the nation's largest general hospital systems including Geisinger Medical System, Pennsylvania, and Partners HealthCare System, Inc., Boston. The goals of the AHA workgroup were to develop policy recommendations for uniform LTCH patient and facility criteria; distinguish LTCH hospitals from general acute hospitals and all post-acute settings; assess fiscal impact, with goal of showing overall Medicare savings; develop consensus among AHA’s LTCH members; and achieve relief from the LTCH “25 percent Rule.”

We believe that we have accomplished these goals with my legislation. Additionally, although I just voted on a debt ceiling increase, this bill has the potential to achieve significant savings. I hope that my colleagues will agree with me and that this legislation is something that they can support. I urge my colleagues to join me in cosponsoring the Long-Term Care Hospital Improvement Act of 2011.
Oregon’s utility commission also has a program that allows net metering of renewable customer-produced energy where customers are charged for the extra energy they buy from the utility company minus the amount of electricity produced themselves. This will help the customer save money and encourage the use of renewable energy sources.

management, approximately 75 percent of the area is federal land managed by the Bureau of Land Management, BLM, and the Bureau of Reclamation, while part of the site is privately owned. Unfortunately, because of the complicated land ownership pattern and the immense cost of clean-up, the United States Government was never able to initiate the reclamation process.

To turn the Three Kids Mine site into a job-creating opportunity while also cleaning up this public health and safety hazard, the bill directs the BLM to convey the Federal portions of the site to the Henderson Redevelopment Agency for the fair market value after taking into consideration the cost of cleanup for the whole mine site. The city of Henderson will then be able to take advantage of Nevada reclamation laws and work with local developers to finance and implement a plan to remediate the abandoned toxic mine site. Local officials and developers will finally be able to turn this wasteland into safe, productive land for the local community. The project will take decades from start to finish, but the city and the developers are committed to the effort and worked hard to put together a viable plan to fix this old problem without costing taxpayers a dime for cleanup.

Keeping our communities safe, healthy, and livable is critical. Removing this physical and environmental hazard from southern Nevada is a high priority for the city of Henderson and our delegation. I appreciate your help and I look forward to working with the Senate Energy Committee to move this legislation forward in the near future.

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. 1492

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 “Three Kids Mine Remediation and Reclamation Act.”

SEC. 2. DEFINITIONS.
In this Act:

(1) FEDERAL LAND.—The term “Federal land” means the approximately 948 acres of Bureau of Reclamation and Bureau of Land Management land within the Three Kids Mine Project site, as depicted on the map.

(2) HAZARDOUS SUBSTANCE; POLLUTANT OR CONTAMINANT.—The term “hazardous substance; pollutant or contaminant” means the following:

(a) The term “hazardous substance; pollutant or contaminant” includes (I) any substance, pollutant, or contaminant that is a hazardous substance, pollutant, or contaminant as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(b) CONDITIONS.—

(i) the Federal land; and

(ii) the approximately 314 acres of adjacent non-Federal land; and

(iii) the area depicted as the “Three Kids Mine Project Site” on the map.

SEC. 3. LAND CONVEYANCE.

(a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713) and section 120 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620), and any other provision of law, as soon as practicable after the conditions described in subsection (b) have been met, and subject to valid existing rights, the Secretary shall convey to the Henderson Redevelopment Agency or a designee that has been approved by the State, and the Bureau of Reclamation, while the term “responsive environmental Site Assessments: Phase I Environmental Site Assessment Process”, and “III. ASSESSMENT REQUIREMENTS.—The Phase II environmental site assessment prepared under clause (ii) shall, without limiting any additional requirements that may be required by the State, be conducted in accordance with the procedures of—

(a) the most recent version of ASTM International Standard E-1277-05 entitled “Standard Guide for Estimating Monetary Costs and Liabilities for Environmental Site Assessment”;

(b) ASSESSMENT REQUIREMENTS.—The Phase II environmental site assessment prepared under clause (ii) shall, without limiting any additional requirements that may be required by the State, be conducted in accordance with the procedures of—

(2) HENDERSON REDEVELOPMENT AGENCY.—The term “Henderson Redevelopment Agency” means the redevelopment agency of the City of Henderson, Nevada, established and authorized to transact business and exercise the powers of a public body corporate in accordance with the Nevada Community Redevelopment Law (Nev. Rev. Stat. 279.382 to 279.685).

(3) MAP.—The term “map” means the map entitled “Three Kids Mine Project Area” and dated August 2, 2011.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) STATE.—The term “State” means the State of Nevada.

(6) THREE KIDS MINE PROJECT SITE.—The term “Three Kids Mine Project Site” means the approximately 1,262 acres of land that is—

(a) comprised of—

(i) the Federal land; and

(ii) the approximately 314 acres of adjacent non-Federal land; and

(iii) the area depicted as the “Three Kids Mine Project Site” on the map.

(b) CONDITIONS.—

(1) APPRAISAL; FAIR MARKET VALUE.—

(a) IN GENERAL.—As consideration for the conveyance under subsection (a), the Henderson Redevelopment Agency shall pay the fair market value of the Federal land, if any, as determined under subparagraph (B) and as adjusted under subparagraph (B).

(b) APPRAISAL.—The Secretary shall determine the fair market value of the Federal land based on an appraisal that is conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice; and

(iii) that does not take into account any existing contamination associated with historical mining on the Federal land.

(C) REMEDIATION AND RECLAMATION COSTS.—

(a) IN GENERAL.—The Secretary shall prepare a reasonable estimate of the costs to assess, remediate, and reclaim the Three Kids Mine Project Site.

(b) CONSIDERATIONS.—The estimate prepared under clause (1) shall be—

(i) based on the results of a comprehensive Phase II environmental site assessment of the Three Kids Mine Project Site prepared by the Henderson Redevelopment Agency or a designee that has been approved by the State; and

(ii) prepared in accordance with the current version of the ASTM International Standard E-2317-06 entitled “Standard Guide for Estimating Monetary Costs and Liabilities for Environmental Site Assessment”.

III. ASSESSMENT REQUIREMENTS.—The Phase II environmental site assessment prepared under clause (ii) shall, without limiting any additional requirements that may be required by the State, be conducted in accordance with the procedures of—

(a) the most recent version of ASTM International Standard E-1277-05 entitled “Standard Guide for Estimating Monetary Costs and Liabilities for Environmental Site Assessment”;

(b) the most recent version of the ASTM International Standard E-1277-05 entitled “Standard Guide for Estimating Monetary Costs and Liabilities for Environmental Site Assessment: Phase I Environmental Site Assessment Process”; and

(c) the most recent version of the ASTM International Standard E-1277-05 entitled “Standard Guide for Estimating Monetary Costs and Liabilities for Environmental Site Assessment: Phase II Environmental Site Assessment Process”.

(2) HENDERSON REDEVELOPMENT AGENCY.—The term “Henderson Redevelopment Agency” means the redevelopment agency of the City of Henderson, Nevada, established and authorized to transact business and exercise the powers of a public body corporate in accordance with the Nevada Community Redevelopment Law (Nev. Rev. Stat. 279.382 to 279.685).
by the Henderson Redevelopment Agency and the State in the preparation of the estimate under this subparagraph.

(II) Final determination.—If there is a disagreement on the Secretary, Henderson Redevelopment Agency, and the State over the reasonable estimate of costs under this subparagraph, the parties shall jointly select, or more experts to assist the Secretary in making the final estimate of the costs.

(D) Deadline.—Not later than 30 days after the date of enactment of this Act, the Secretary shall begin the appraisal and cost estimates under subparagraphs (B) and (C), respectively.

(E) Adjustment.—The Secretary shall administratively adjust the fair market value of the Federal land, as determined under subparagraph (B), based on the estimate of remediation, and reclamation costs, as determined under subparagraph (C).

(2) Mine Remediation and Reclamation Agreement Executed.—

(A) In general.—The conveyance under subsection (a) shall be contingent on the Secretary receiving from the State written notification that a mine remediation and reclamation agreement has been executed in accordance with subparagraph (B).

(B) Requirements.—The mine remediation and reclamation agreement required under subparagraph (A) shall be an enforceable consent order or agreement administered by the State that—

(i) creates a party to perform the remediation and reclamation work at the Three Kids Mine Project Site necessary to complete a permanent and appropriately protective remediation and reclamation environmental contamination and hazardous conditions; and

(ii) contains provisions determined to be necessary by the State, including financial assurance provisions to ensure the completion of the remedy.

(3) Notification from agency.—As a condition of the conveyance under subsection (a), the Secretary shall receive from the Henderson Redevelopment Agency written notification that the Henderson Redevelopment Agency is prepared to accept conveyance of the Federal land under that subsection.


(a) In general.—Subject to valid existing rights, for the 10-year period beginning on the earlier of the date of enactment of this Act or the date of the conveyance required by this Act, the Federal land is withdrawn from entry, appropriation, operation, or disposal under the public land laws;

(b) Location, entry, and patent under the mining laws; and

(c) Disposition under the mineral leasing, mineral materials, and the geothermal leasing laws.

(b) Existing Reclamation Withdrawals.—Subject to valid existing rights, any withdrawal under the public land laws that includes all or any portion of the Federal land for which the Secretary has determined that the Bureau of Reclamation has no further need under applicable law is relinquished and revoked solely to the extent necessary—

(1) to exclude from the withdrawal the property that is no longer needed; and

(2) to allow for the immediate conveyance of the Federal land as required under this Act.

SEC. 5. ACEC Boundary Adjustment.

Notwithstanding section 268 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713), the boundary of the River Mountains Area of Critical Environmental Concern is hereby adjusted to exclude any portion of the Three Kids Mine Project Site consistent with the map.
I am joined in the effort to close this critical loophole by my colleagues, Senators LIEBERMAN and BEGICH. With the introduction of the Ethical Shipping Inspection Act of 2011, we seek to end U.S. relationships with foreign-based classification societies that also represent nations like the Islamic Republic of Iran.

Each year, non-governmental classification societies conduct more than 4,500 statutory inspections of U.S. flagged vessels to verify that these vessels meet international maritime conventions and national regulatory requirements. World-wide, more than 100 governments have established relationships with classification societies. In addition, the vast majority of commercial ships are built to and surveyed for compliance with the standards developed by classification societies.

The relationship between classification societies and the U.S. Government was established in statute in the Merchant Marine Act of 1920, when the Secretary of the Department overseeing the U.S. Coast Guard was granted the authority to delegate certain inspection and certification services to the American Bureau of Shipping, ABS, or another recognized Classification Society. In 1996 Congress expanded this program to allow foreign-based classification societies to also serve on behalf of the U.S. Government in this capacity. Today, there are four foreign-based classification societies that have established Memorandums of Understanding with the U.S. Coast Guard to conduct these inspections on the Coast Guard’s behalf.

While this act would allow this relationship between the U.S. Government and foreign-based classification societies to continue, it would eliminate a loophole in the law that allows the foreign-based classification societies that represent the United States to also represent governments of Iran, North Korea, North Sudan, or Syria. Ironically, the current law provides more latitude to foreign-based societies than we allow the American Bureau of Shipping. As a U.S.-based non-profit, non-governmental organization, ABS is restricted from providing such services in Iran under existing Iranian Transaction Regulations. Yet, the Iran Sanctions Act of 1996, as amended by the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, does not prevent foreign-based classification societies from representing both the U.S. and Iranian governments.

With this in mind, my colleagues and I have introduced this legislation to prohibit the U.S. from obtaining vessel inspection, certification, and related services from a foreign-based classification society that also provides these services on behalf of the Iranian, North Korean, North Sudanese, or Syrian government. For the United States to maintain such relationships runs directly contrary to the spirit of United States foreign policy.

It is important that we all understand the special nature of the relationship between classification societies and our Government and take action to ensure that our Government is represented by classification societies in a manner befitting of our nation’s values and consistent with U.S. foreign policy. For these reasons, my colleagues and I believe it is imperative that we amend the law to prohibit this activity, and we urge our colleagues to support this important legislation.

Mr. President, I request 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:

Be it enacted by the Senate and House of Representa-tives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE. This Act may be cited as the “Ethical Shipping Inspection Act of 2011.”

SEC. 2. LIMITATION ON DELEGATION OF INSPECTION, CERTIFICATION, AND RELATED SERVICES.

Section 3316 of title 46, United States Code, is amended by adding at the end the following new subsection:

“(e) The Secretary may not make a delegation, and shall revoke an existing delegation made, to a foreign classification society pursuant to subsection (b) or (d) to provide inspection, certification, or related services if the Secretary of State determines that the foreign classification society provides comparable services—

(1) in Iran, North Korea, North Sudan, or Syria; or

(2) for the government of Iran, North Korea, North Sudan, or Syria.”.

By Mr. AKAKA (for himself, Mr. INOUYE, and Mr. BINGAMAN):

S. 1504. A bill to restore Medicaid eligibility for citizens of the Freely Associated States; to the Committee on Finance.

Mr. AKAKA. Mr. President, I rise today to introduce the Medicaid Restoration for Citizens of Freely Associated States Act of 2011. This bill would reinstate eligibility for certain Pacific Island nations that have been invited by the Federal Government to live in the United States, but for whom the costs of services have fallen to individual states, Hawaii in particular. I would like to thank Senators INOUYE and BINGAMAN for joining me in introducing this bill.

The Freely Associated States, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, are island nations that have unique political relationships with the United States.

At the end of World War II, the United Nations established the “Trust Territory of the Pacific Islands,” which was administered by the United States between 1947 and 1986. It included the islands that now make up the FAS nations, as well as other Pacific islands liberated from Japan after World War II.

This U.S. Trusteeship presented the Federal Government with new strategic and military opportunities, allowing the United States to establish military bases and station forces in the Trust Territory and close off areas for military reasons. It also bestowed upon the United States the responsibility to promote economic development and self-reliance for the territory.

In the 1980s, the United States entered into a new phase in its relationship with the FAS through theCompact of Free Association and the Palau Compact of Free Association. The Compacts allow FAS citizens to freely enter, reside, and work in the United States and authorize their participation in certain Federal programs.

As a part of the Compacts, FAS citizens were extended Medicaid eligibility.

Unfortunately, when the Personal Responsibility and Work Opportunity Act of 1996 was enacted, FAS citizens lost many of their public benefits, including Medicaid coverage.

Subsequently, state and territorial governments have relied on the sole sources of funding for meeting the social service and public health needs of this ever growing population. And FAS migrants to Hawaii often arrive with serious medical needs, requiring costly health care services such as dialysis and chemotherapy.

These costs will continue to rise, even as the State’s resources are increasingly constrained.

Restoration of Medicaid eligibility for these individuals is crucial for states where many FAS citizens reside.

In the Pacific, this includes Hawaii, Guam, and the Northern Mariana Islands.

In the continental U.S., this includes California, Oregon, Washington, and Arkansas. Health care providers that operate in areas with high rates of uninsured are having difficulties meeting the health care needs of their communities. Uninsured FAS citizens who seek health care services contribute to the uncompensated costs that are creating an ever-greater burden on health care providers.

I ask my colleagues for their support of the Medicaid Restoration for Citizens of Freely Associated States Act of 2011. The decision to allow citizens of the Freely Associated States to come to the United States was a federal decision, with national benefits.

That we also accept the cost of that decision is a matter of fairness and responsibility.

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. 1504

Be it enacted by the Senate and House of Representa-tives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE. This Act may be cited as the “Medicaid Restoration for Citizens of Freely Associated States Act of 2011.”
SEC. 2. MEDICAID ELIGIBILITY FOR CITIZENS OF FREELY ASSOCIATED STATES.

(a) In General.—Section 402(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(2)) is amended by adding at the end the following:

"(G) MEDICAID EXCEPTION FOR CITIZENS OF FREELY ASSOCIATED STATES.—With respect to eligibility for benefits for the program described in paragraph (3)(C) (relating to medical aid) paragraph (1) shall not apply to any individual who lawfully resides in the United States (including territories and possessions of the United States) in accordance with—

"(i) section 141 of the Compact of Free Association between the Government of the United States and the Government of the Federated States of Micronesia, approved by Congress in the Compact of Free Association Amendments Act of 2003;

"(ii) section 141 of the Compact of Free Association between the Government of the United States and the Government of the Republic of the Marshall Islands, approved by Congress in the Compact of Free Association Amendments Act of 2005; or


(b) EXCEPTION TO 5-YEAR LIMITED ELIGIBILITY.—Section 409(d) of such Act (8 U.S.C. 1613(d)) is amended—

"(1) in paragraph (1), by striking "or" at the end;

"(2) by adding at the end the following new paragraph:

"(3) an individual described in section 402(b)(2)(G), but only with respect to the designated Federal program defined in section 402(b)(3)(C).

(c) DEFINITION OF QUALIFIED ALIEN.—Section 431(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(b)) is amended—

"(1) in paragraph (6), by striking "or" at the end;

"(2) by adding at the end the following new paragraph:

"(3) an individual who lawfully resides in the United States (including territories and possessions of the United States) in accordance with the Compact of Free Association referred to in section 402(b)(2)(G).

(d) CONFORMING AMENDMENTS.—Section 1106 of the Social Security Act (42 U.S.C. 1396) is amended—

"(1) in subsection (f), in the matter preceding paragraph (1), by striking "section (g) and inserting "subsection (g) and (h); and

"(2) by adding at the end the following:

"(h) The limitations of subsections (f) and (g) shall not apply with respect to medical assistance provided to an individual described in section 431(b)(8) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(e) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act and apply to benefits for items and services furnished on or after that date.

By Mr. HATCH (for himself, Mr. BURR, Mr. MCCAIN, and Mr. GRAHAM):

S. 1507. A bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization; to the Committee on Health, Education, Labor, and Pensions.

Mr. HATCH. Mr. President, today I have introduced the Employee Rights Act, a comprehensive workers' rights bill that would address many issues plaguing America's workers.

Our Nation's labor laws were designed to encourage willing employees to join labor unions and engage in collective bargaining. Contrary to what some may think, I am not anti-union and I do not want to stand in the way of unionization if the decision to unionize is truly the will of the employees. But the decision to right not to join a union is equally important. It is this right that far too often goes overlooked under our current laws, and particularly under policies implemented by unelected bureaucrats at various administrative agencies.

I am under no illusions that this legislation will be noncontroversial. There will most certainly be opposition. Indeed, I fully expect the unions and all employees that right to the Employee Rights Act, and characterize it as a radical, anti-union bill.

But, that just isn't the case. There is not a single provision in this bill that will empower employers at the expense of the employees or whose position will be improved by the Employee Rights Act are employees. Anyone whose real concern is preserving the rights of individual workers should support this bill.

Let me take a few minutes to go over the specific provisions.

First, the bill would conform and equalize unfair labor practices by unions with those of employers under the National Labor Relations Act. Currently, under Section 8 of the NLRA, employers face penalties if they "interfere with, restrain, or coerce employees" in the exercise of their rights under the Act. The same section punishes labor organizations only if they "interfere with, restrain, or coerce employers" in the exercise of those same rights.

There is no reasonable or logical justification for this difference, and workers should have the benefit of equal protection against abuse from both sides. That is why, under the Employee Rights Act, both sides will be held to the higher standard.

Next, my bill would ensure that employees are guaranteed a right to a federally supervised, secret ballot vote before requiring a union to gain majority support. In 2009 did not have to go through a secret ballot election when deciding whether to join a union.

There is no way around it. If you are pro-worker, and not just pro-union, you have to support the rights to a secret ballot.

Next, my bill would require every unionized workplace to conduct a secret ballot election every three years to determine whether a majority of employees still want to be represented by the union.

According to the Bureau of Labor Statistics, less than 10 percent of current union members voted for the union at their workplace. Most union members simply took jobs at sites that were already unionized, many of which require union membership as a condition of employment.

Under current law, if any of these employees want to decertify a union, they must go through aarduous procedure that is nearly impossible task. In addition to overcoming the many procedural hurdles provided by laws and regulations, they are required to speak out publicly against the union and subject themselves to public criticism, if not outright intimidation. Not surprisingly, very few even make the effort.

As a result, millions of American workers belong to unions they never voted for and will never get to vote. No one who claims to support the rights of workers can argue that this is a good thing. Every citizen is guaranteed an opportunity to vote out their representatives in State, local, and Federal Government. Yet, a union, once certified, is in place for perpetuity. This just shouldn't be the case.

Once again, I am not alone in my thinking. In the same survey I cited earlier, 75 percent, again, 3/4 of those polled, supported a change that would require unions to be periodically re-evaluated.

This proposal is not outlandish or punitive. It is simply common sense. It is fair to both employers and unions, and,
far more importantly, it is fair to workers.

Another provision of the bill would put a stop to the NLRB’s current proposal to shorten the required length of time between the filing of a union certification petition and an election, commonly referred to as the quickie or snap election proposal. With this proposed rule, which is set to be finalized later this year, the unions would be able to help unionize the unwitting employers unprepared. Although there is no specific timeline in the proposal, experts have concluded that, if the regulation is finalized, union elections could occur within 7 days of a petition filing. It is possible that, if worse, the proposal would eliminate many of the pre-election opportunities to appeal the petition and to resolve fundamental issues, like the size and scope of the bargaining unit.

The Obama Administration has no need for this new rule. According to the NLRB, the average time between the filing of a petition and an election is 39 days. This gives both the union and the employer an opportunity to communicate their perspectives on membership to employees and ensures that workers are able to make informed decisions.

Though the current rule is eminently reasonable and appears to be working well for everyone—including the unions who already win the majority of elections, the Obama Administration can’t risk losing the support of Big Labor. Richard Trumka, President of the AFL-CIO, recently remarked that this and other so-called reforms would effectively consolation prizes for the Democrats’ loss in the fight to pass the deceptively-named Employee Free Choice Act.

Indeed, the Obama administration, for all its good common sense, has consistently been all too eager to stack the deck in favor of the unions. Since they haven’t been able to do it through the legislative process, they’re trying to do so via regulation.

Sadly, employees are caught in the middle. The NLRB doesn’t care if they have enough time to consider all their options. They simply want to make sure the unions win more elections. To combat this, the Employee Rights Act would preserve substantive and procedural protections in the election process and ensure that workers have an opportunity to make informed decisions.

The bill would also prevent a union from ordering a strike or work stoppage unless it obtains the consent of a majority of the affected workforce through a secret ballot vote.

This is important because the rules governing how a union can order a strike are not uniform. They are determined by each union’s constitution. There is no federal rule whatsoever requiring that unions obtain majority support before they can force members into unemployment and possible replacement.

Many would be surprised to learn that union strike funds, kept to provide financial assistance for striking union members, rarely pay more than 20 percent of an employee’s salary during a work stoppage. And, more often than not, a member cannot receive any compensation for lost wages unless they participate on a picket line.

Isn’t it only fair that workers be given an opportunity to weigh in before a union orders a strike? Most people seem to think so. According to the same poll I mentioned earlier, 74 percent of Americans support this proposal.

Another provision of the Employee Rights Act would prevent an employer’s union dues or fees from being used for purposes unrelated to the union’s collective bargaining functions—including political contributions and expenditures—without that member’s written consent.

Exit polls have shown that America’s union members are almost evenly split between Democrats and Republicans, yet more than 90 percent of union political contributions go to Democrats. This is, not to put too fine a point on it, the reason why I expect strong opposition to this bill.

However I would like anyone who would oppose this provision to explain to me why it is unfair to workers who have a vested interest in the status quo.

When asked about this issue, 78 percent of those polled agreed with this idea.

The Employee Rights Act would do several more things. It would make unions liable for lost wages, unlawfully collected union dues, and even liquidated damages if they coerce, intimidate, or discipline workers for exercising their rights under the NLRA, including the right to file a decertification petition. Even an unions found to have unlawfully interfered with the filing of a decertification petition would be barred from filing objections to the subsequent decertification vote.

The bill would also strengthen prohibitions on the use or threat of violence to achieve union goals, overturning an egregiously Supreme Court decision that all but exempted unions from Federal racketeering statutes.

It would protect affected workers, union and non-union alike, the same rights as union members to vote to ratify a collective bargaining agreement or to begin a strike.

These are not outlandish proposals. They would simply introduce some long-overdue common sense into our labor laws. Not surprisingly, polls have demonstrated that each of these ideas has broad support among the public.

We have had many fierce debates in this chamber about the role of labor unions in our nation’s economy. In fact, I have been on the floor several times in the last week decrying the steps taken by the Obama Administration when it comes to helping out Big Labor.

But truthfully, I’m not interested in stopping unions from organizing or preventing collective bargaining. I simply want to protect the rights of individual workers and ensure that workers get to opt for union representation, that choice is freely made and fairly determined.

For too long, American workers have been treated by union leaders as little more than human ATMs. They claim to be progressives, supportive of equality and democracy and the working man. This bill is consistent with those principles, providing working men and women with a real and meaningful voice in decisions regarding unionization. It is supported by the National Right to Work Committee, and I am proud to have Congressman Tim Scott of South Carolina introducing companion legislation in the House.

I urge all of my colleagues to support the Employee Rights Act.

By Mr. WYDEN. S. 1509. A bill to provide incentives for States to improve the well-being of children in the child welfare system through systemic reforms and innovations, increased collaboration between State agencies, and incorporation of high standards for accountability; to the Committee on Finance.

Mr. WYDEN. Mr. President, I am pleased today to introduce the Promoting Accountability and Excellence in Child Welfare Act, a bill that would provide the way for more of those States to improve the lives and well-being of vulnerable children and their families.

The Federal government spends roughly ten times as much money on foster care as it does on preventative services, when foster care is, in nearly every case, the worst possible outcome for a child. The Promoting Accountability and Excellence in Child Welfare Act would establish a 5-year grant program to provide States with the flexibility and greater flexibility to implement comprehensive reforms to existing child welfare programs provided they can demonstrate success in improving child well-being. This flexibility would allow States to use early-intervention techniques to prevent youth from entering foster care, heightened reunification or adoption practices to decrease a child’s time in care, and strengthened support services to ensure that children and young people do not fall behind their peers while they remain in foster care. Importantly, this act establishes strong performance measures that allow successful practices to serve as scalable models.

Children and families that come into contact with the child welfare system are often served through multiple local, State, and Federal agencies including the Department of Health and Human Services, the Department of Justice, the Department of Education, the Department of Labor and the Department of Housing and Urban Development. Too often, these agencies operate in silos, with the effects playing
States and localities have proven their ability to save money through innovation while also working to promote the best interest of children and families. The Federal government often turns to state best practices to improve national laws. The history of subsidized guardianship serves as one such example. Due to an all-time high in the number of children in State foster care, in 1996 Illinois was granted the authority to allow grandparents, aunts, uncles and other adult relatives to receive Federal foster care payments if they opened their homes permanently to their relative children in foster care. Raising a child is expensive and these payments gave relatives the financial means to care for their kin.

Allowing children and youth to remain with relatives is not only a compassionate way to prevent unnecessary disruptions in a child’s life and keep families together, it also saves money. The Illinois demonstration proved that children and youth did better living with relative caregivers than they did when they remained in foster care. In addition, Federal payments gave relatives the financial means to care for their kin.

As a result, States are required to take on an additional financial burden when they reduce or eliminate Federal foster care payments. As a result, States are required to take on an additional financial burden when they reduce or eliminate Federal foster care payments.

The Promoting Accountability and Children Act (PACE) of 2008, which was signed into law in 2009, established a working group to identify existing Federal resources and streamline them to reduce duplication and allow grantees to access additional services and funding streams.

States and localities have proven their ability to save money through innovation while also working to promote the best interest of children and families. The Federal government often turns to state best practices to improve national laws. The history of subsidized guardianship serves as one such example. Due to an all-time high in the number of children in State foster care, in 1996 Illinois was granted the authority to allow grandparents, aunts, uncles and other adult relatives to receive Federal foster care payments if they opened their homes permanently to their relative children in foster care. Raising a child is expensive and these payments gave relatives the financial means to care for their kin.

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As a result, States are required to take on an additional financial burden when they reduce or eliminate Federal foster care payments. As a result, States are required to take on an additional financial burden when they reduce or eliminate Federal foster care payments.
Whereas, in addition to residential recycling, the scrap recycling industry in the United States recovers recyclable materials from waste, including end products containing materials that are difficult to recycle, such as automobile shredder residue and cathode ray tubes;

Whereas those commodity-grade materials are used as feedstock to produce new basic materials and finished products in the United States and throughout the world;

Whereas recycling stimulates the economy and provides income for those in the United States who deal in recycling and the manufacturing industry in the United States;

Whereas, in 2010, the United States recycled over 130,000,000 metric tons of recyclable material, valued at $77,000,000,000;

Whereas many manufacturers use recycled commodities as feedstock to produce new basic materials and finished products, saving energy and reducing the need for raw materials, which are generally higher-priced;

Whereas the recycling industry in the United States helps balance the trade deficit and provides emerging economies with the raw materials needed to build countries and participate in the global economy;

Whereas the scrap recycling industry in the United States sold over 41,000,000 metric tons of commodity-grade materials, valued at almost $30,000,000,000, to 154 countries;

Whereas recycling saves energy by decreasing the amount of energy needed to manufacture the products that people build, buy, and use;

Whereas using recycled materials in place of raw materials can result in energy savings of 92 percent for aluminum cans, 87 percent for mixed plastics, 63 percent for steel cans, 45 percent for recycled newspaper, and 31 percent for recycled glass; and

Whereas the bipartisan Senate Recycling Caucus and a bipartisan House Recycling Caucus were established in 2006 to provide a permanent and long-term way for members of Congress to obtain in-depth knowledge about the recycling industry and to help promote the many benefits of recycling: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for improvement in the collection, processing, and consumption of recyclable materials throughout the United States in order to create well-paying jobs, foster innovation and investment in the United States recycling infrastructure, and stimulate the manufacturing base of the United States;

(2) expresses support for strengthening the manufacturing base in the United States in order to rebuild the domestic economy, which is dependent on the supply, demand, and consumption of recyclable and recycled materials in the United States;

(3) expresses support for a competitive market for recyclable materials;

(4) expresses support for the trade of recyclable commodities, which is an integral part of the domestic and global economy;

(5) supports support for policies in the United States that promote recycling of materials, including paper, which is commonly recycled rather than thermally combusted or sent to a landfill;

(6) expresses support for policies in the United States that recognize and promote recyclable materials as essential economic commodities, rather than waste products; and

(7) expresses support for policies in the United States that promote using recyclable materials as feedstock to produce new basic materials and finished products throughout the world;

(8) expresses support for research and development of new technologies to remove materials that are impediments to recycling, such as radioactive material, poly-chlorinated biphenyls and other materials; and

(9) expresses support for research and development of new technologies to remove materials that are impediments to recycling, such as radioactive material, poly-chlorinated biphenyls and other materials;

(10) expresses support for Design for Recycling, to improve the design and manufacturing of goods to ensure that, at the end of a useful life, a good can, to the maximum extent practicable, be recycled safely and economically;

(11) recognizes that the scrap recycling industry in the United States is a manufacturing industry that is critical to the future of the United States;

(12) expresses support for policies in the United States that establish the equitable treatment of recycled materials; and

(13) expresses support for the participation of households, businesses, and governmental entities in the United States in recycling programs, where available.

SENATE RESOLUTION 252—CELEBRATING THE 60TH ANNIVERSARY OF THE UNITED STATES-PHILIPPINES MUTUAL DEFENSE TREATY

Mr. LUGAR (for himself, Mr. KERRY, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 252

Whereas Filipinos and Americans fought together in World War II, and an estimated 1,000,000 Filipinos gave their lives to defend freedom;

Whereas the United States and the Republic of the Philippines signed the United States-Philippines Mutual Defense Treaty in 1951;

Whereas the Philippines and the United States are longstanding allies, as demonstrated by the Mutual Defense Treaty, cooperation in conflicts since World War II, and the United States' designation of the Philippines as a Major Non-NATO Ally;

Whereas the United States Government seeks to maintain a strong relationship with the Government of the Philippines that promotes peace and stability in Southeast and East Asia, rule of law and human rights, economic growth, counter-terrorism efforts, and maritime security;

Whereas United States naval ships visit Philippines ports, and the United States and Philippines military forces participate in combined military exercises under the Visiting Forces Agreement established in 1998;

Whereas the United States Government and the Government of the Philippines work closely together in the struggle against terrorism to make local communities safer and help establish an environment conducive to good government and prosperity;

Whereas the United States-Philippine Forces Agreement provides for forces that are part of the Philippines, including facilities access, expanded joint training opportunities, and humanitarian and disaster relief preparedness activities;

Whereas the United States Government seeks to improve governance, strengthen the rule of law, and further develop accountable, democratic institutions that can promote peaceful solutions to conflict, human rights, good governance, and security, and is fortified by the two nations' partnerships in defending these values;

Whereas the Government of the Philippines seeks to improve governance, strengthen the rule of law, and further develop accountable, democratic institutions that can better safeguard human rights, security, and prosperity, and promote equitable economic development; and

Whereas Secretary of State Hillary Clinton met with Foreign Secretary of the Philippines Albert del Rosario, on June 23, 2011, in Washington, D.C., and reaffirmed that the United States and the Philippines are longstanding allies that are committed to honoring mutual obligations, and strengthening the alliance: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) recognizes the 60th Anniversary of the United States-Philippines Mutual Defense Treaty;

(B) confirms the alliance's enduring value as one of the key pillars of peace, stability, and prosperity in the Asia-Pacific region; and

(C) encourages both countries to mark this important occasion with continued high-level exchanges; and

(2) it is the sense of the Senate that—

(A) the United States Government should proclaim to the Government of the Philippines that a joint commission be established to review the potential for enhancing security ties between the United States and the Philippines, including forces and that, through the Mutual Defense Treaty, the Philippines, including facilities access, expanded joint training opportunities, and humanitarian and disaster relief preparedness activities;

(B) the United States Government should redouble efforts to expand and deepen the economic relationship with the Government of the Philippines toward achieving broad-based economic development in that country, including by working on new bilateral initiatives that support the efforts of the Government of the Philippines to reform its economy and enhance its competitiveness, and through trade-capacity building;

(C) the private sectors of the United States and the Philippines should establish a United States-Philipines organization with a mission to promote actively and
expands closer bilateral ties across key sectors, including security, trade and investment, education, and people-to-people programs.

(2) the Government of the Philippines should continue its efforts to strengthen its democratic institutions to fight corruption, curtail politically-motivated violence and extrajudicial killings, expand economic opportunities, and tackle internal security challenges; and

(3) the United States Government should continue its efforts to assist the Government of the Philippines in the areas of maritime security, related communications infrastructure, and overall military professionalization.

SENATE RESOLUTION 253—DESIGNATING OCTOBER 26, 2011, AS "DAY OF THE DEPLOYED"

Mr. HOEVEN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 253

Whereas more than 2,250,000 people serve as members of the United States Armed Forces;

Whereas several hundred thousand members of the Armed Forces rotate each year through deployments to 150 countries in every region of the world;

Whereas more than 2,200,000 members of the United States Armed Forces have deployed to Afghanistan and Iraq since the September 11, 2001, terrorist attacks;

Whereas the United States is kept strong and free by the loyal people who protect our precious heritage through their positive declaration and actions;

Whereas members of the Armed Forces serving at home and abroad have courageously answered the call to duty to defend the ideals of the United States and to preserve peace and freedom around the world;

Whereas members of the Armed Forces and veterans personify the virtues of patriotism, service, duty, courage, and sacrifice;

Whereas the families of members of the Armed Forces make important and significant sacrifices for the United States;

Whereas the United States began honoring the members of the Armed Forces and their families by designating October 26 as "Day of the Deployed" in 2006; and

Whereas 40 States designated October 26, 2010, as "Day of the Deployed"; Now, therefore, be it

Resolved, That the Senate—

(1) honors the members of the United States Armed Forces who are deployed at home and abroad;

(2) calls on the people of the United States to reflect on the service of those members of the United States Armed Forces, wherever they serve, both now and in the future;

(3) designates October 26, 2011, as "Day of the Deployed"; and

(4) encourages the people of the United States to observe "Day of the Deployed" with appropriate ceremonies and activities.

SENATE RESOLUTION 254—DESIGNATING AUGUST 16, 2011, AS "NA TIONAL AIRBORNE DAY"

Mr. REED of Rhode Island (for himself, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BURKER, Mr. FRAGO, Ms. SNOWE, Mr. BURTON of Massachusetts, Mr. ROBERTS, Mr. BEGICH, Mr. LIEBERMAN, Ms. LANDRIEU, Mr. AKAKA, Mr. RUBIO, Mrs. HAGAN, Mr. BAUCUS, Mr. BLUMENTHAL, Mrs. HUTCHISON, Mr. CASEY, Mr. BURR, and Mr. COCHRAN) submitted the following resolution; which was considered and agreed to:

S. Res. 254

Whereas the airborne forces of the Armed Forces have a long and honorable history as bold and fierce airborne soldiers, for the national security of the United States and the defense of freedom and peace, project the combat power of the United States by air transport to the far reaches of the battlefield and to the far corners of the world; Whereas the United States' commitment to military readiness achieved widespread recognition on June 28, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and 48 volunteers began training in July 1940;

Whereas August 16 marks the anniversary of the first official Army parachute jump on August 16, 1940, to test the innovative concept of inserting United States ground combat forces behind a battle line by means of a paratroop;

Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operational concept of the creation of a formidable force of airborne formations, such as the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas included in these divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities that provide the lineage and legacy of many airborne units throughout our Armed Forces;

Whereas the modern-day airborne forces during World War II prompted the evolution of those forces into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping missions in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas since the terrorist attacks on September 11, 2001, United States airborne forces, which include members of the XVIII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, and special operations forces of the Army, Marine Corps, Air Force, Navy SEALs, and Air Force combat control teams, together with other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

Whereas the modern-day airborne force also includes other elite forces composed of airborne trained and qualified special operations forces including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and para-rescue teams;

Whereas the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, through operational skills and achievements, distinguishes such members as intrepid combat parachutists, air assault forces, special operation forces, and, in former days, glider troops;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant special expressions of the gratitude of the people of the United States; and

Whereas since the airborne forces, past and present, celebrate August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2011, as "National Airborne Day"; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 255—DESIGNATING OCTOBER 2, 2011, AS "NATIONAL CHESS DAY TO ENHANCE AWARENESS AND ENCOURAGE STUDENTS AND ADULTS TO ENGAGE IN A GAME KNOWN TO ENHANCE CRITICAL THINKING AND PROBLEM-SOLVING SKILLS"

Mr. ROCKEFELLER (for himself, Mr. ALEXANDER, and Mr. LEVIN) submitted the following resolution; which was considered and agreed to:

S. Res. 255

Whereas there are more than 76,000 members of the United States Chess Federation (representing in this resolution "the Federation"), and unknown numbers of additional people in the United States who play the game without joining an official organization;

Whereas approximately ½ of the members of the Federation are scholastic members, and many of the scholastic members join by the age of 10;

Whereas the Federation is very supportive of the scholastic programs and sponsors a Certified Chess Coach program that provides the coaches involved in the scholastic programs training and ensures schools and students can have confidence in the programs;

Whereas many studies have linked chess playing to the improvement of student scores in reading and math, as well as improved self-esteem;

Whereas the Federation offers a school curriculum to educators to help incorporate chess into the school curriculum;

Whereas chess is a powerful cognitive learning tool that can be used to successfully enhance reading and math concepts; and

Whereas chess engages students of all learning styles and strengths and promotes problem-solving and higher-level thinking skills: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2, 2011, as "National Chess Day"; and

(2) encourages the people of the United States to observe "National Chess Day" with appropriate programs and activities.

SENATE RESOLUTION 256—DESIGNATING THE WEEK OF OCTOBER 2 THROUGH OCTOBER 8, 2011, AS "NATIONAL NURSE-MANAGED HEALTH CLINIC WEEK"

Mr. INOUYE (for himself and Mr. ALEXANDER) submitted the following resolution; which was referred to the Committee on the Judiciary:

...
Whereas nurse-managed health clinics are nonprofit community-based health care sites that offer primary care and wellness services based on the nursing model;

Whereas the nursing model emphasizes the protection, promotion, and optimization of health, the prevention of illness, the alleviation of suffering, and the diagnosis and treatment of illness;

Whereas nurse-managed health clinics are led by advanced practice nurses and staffed by an interdisciplinary team of highly qualified health care professionals;

Whereas nurse-managed health clinics offer a broad scope of services including treatment for acute and chronic illnesses, routine physical exams, immunizations for adults and children, disease screenings, health education, prenatal care, dental care, and drug and alcohol treatment;

Whereas nurse-managed health clinics have a proven track record, as the first federally funded nurse-managed health clinic was created more than 35 years ago;

Whereas, as of June 2011, more than 250 nurse-managed health clinics provided care across the United States and recorded more than 2,000,000 client encounters annually;

Whereas nurse-managed health clinics serve a unique dual role as both health care safety net access points and health workforce development sites, given that the majority of nurse-managed health clinics are affiliated with schools of nursing and serve as clinical education sites for students entering the health profession;

Whereas nurse-managed health clinics strengthen the health care safety net by expanding access to primary care and chronic disease management services for vulnerable and medically underserved populations in diverse rural, urban, and suburban communities;

Whereas research has shown that nurse-managed health clinics experience high patient retention and patient satisfaction rates, and nurse-managed health clinic patients experience higher rates of generic medication fills and lower hospitalization rates when compared to similar safety net providers; and

Whereas the use of nurse-managed health clinics offering both primary care and wellness services will help meet this increased demand in a cost-effective manner:

Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 2 through October 8, 2011, as “National Nurse-Managed Health Clinic Week”;

(2) supports the ideals and goals of National Nurse-Managed Health Clinic Week; and

(3) encourages the expansion of nurse-managed health clinics so that nurse-managed health clinics may continue to serve as health care workforce development sites for the next generation of primary care providers;

Mr. INOUYE. Mr. President, today Senator ALEXANDER and I rise to recognize over 250 Nurse-Managed Health Clinics in a Resolution designating the week of October 2, 2011, as National Nurse-Managed Health Clinic Week. Nurse-managed health clinics provide primary care and wellness services to a diverse population through all age groups and ethnicities. These clinics provide care to over two million patients in underserved or vulnerable areas across this country. Nurse-managed health clinics offer a full range of accessible and affordable health services, including primary care, health promotion, and disease prevention to low-income, as well as un-and under insured patients, regardless of their ability to pay. The care is primarily provided by nurse practitioners working in partnership with a multidisciplinary team of health professions including clinical nurse specialists, registered nurses, health educators, community outreach workers, health care students, and collaborating physicians. As recognized by the Institute of Medicine’s “Future of Nursing” report, the nurse managed clinics play a critical role in community-based preventive health care and have done so since their inception three decades ago.

A Senate resolution will help pave the way for this effort. We ask our colleagues to join us in supporting this tribute to Nurse-Managed Health Clinics.

SENATE CONCURRENT RESOLUTION No. 28—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO AWARD THE CONGRESSIONAL GOLD MEDAL, COLLECTIVELY, TO THE 100TH INFANTRY BATTALION, 442ND REGIMENTAL COMBAT TEAM, AND THE MILITARY INTELLIGENCE SERVICE, UNITED STATES ARMY, IN RECOGNITION OF THEIR DEDICATED SERVICE DURING WORLD WAR II

Mr. INOUYE (for himself and Mrs. BOXER) submitted the following concurrent resolution, which was referred to the Committee on Rules and Administration:

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

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO AWARD THE CONGRESSIONAL GOLD MEDAL

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on November 2, 2011 to award the Congressional Gold Medal, collectively, to the 100th Infantry Battalion, 442nd Regimental Combat Team, and the Military Intelligence Service, United States Army, in recognition of their dedicated service during World War II.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on August 2, 2011.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that an intern in Senator BINGAMAN’s office, Trey Debrine, be granted floor privileges during today’s business.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that Rachel Travis of my staff be granted privileges of the floor for this pending legislation.

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.


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### Table 1: Co-Sponsors and Foreign Travel Expenses

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### Table 2: Delegation Expenses

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### Consolidated Report of Expenditure

**June 29, 2011**

**Chairman, Committee on Armed Services, July 15, 2011:**

**Senator Carl Levin:**

The following table shows the consolidated report of expenditure 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 Apr. 1 to June 30, 2011.
### Name and country: Paul Groce
- **Egypt**: 286.00
- **Belgium**: 168.00

### Name and country: Senator Tom Harkin
- **Kenya**: 20.00
- **United States**: 10,793.70

### Name and country: Senator Mark Kirk
- **Kenya**: 20.00
- **United States**: 10,517.50

### Name and country: Dennis Balkham
- **Bahrain**: 20.00
- **United States**: 10,517.50

### Name and country: Patrick Magnuson
- **Bahrain**: 20.00
- **United States**: 10,793.70

### Name and country: Paul Groce
- **Kenya**: 20.00
- **United States**: 10,793.70

### Name and country: Charles Hoey
- **Belgium**: 445.00
- **United States**: 10,517.50

### Name and country: Gary Rees
- **Belgium**: 474.00
- **United States**: 10,517.50

### Name and country: Elizabeth Schmid
- **France**: 6,180.00

### Name and country: Brian Potts
- **France**: 6,260.60

### Name and country: Gary March
- **France**: 6,442.77

### Name and country: Kay Webster
- **France**: 6,442.77

### Total
- **Per diem**: 126,908.21
- **Transportation**: 89,747.90
- **Miscellaneous**: 81,350.32
- **Total**: 298,006.43

---

*Delegation expenses include payments and reimbursements to the Department of State under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.*
### 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 APRIL 1 TO JUNE 30, 2011—Continued**

<table>
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<td><strong>Transportation</strong></td>
<td><strong>Miscellaneous</strong></td>
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<tr>
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<td><strong>Foreign</strong></td>
<td><strong>Foreign</strong></td>
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<tr>
<td><strong>currency</strong></td>
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<td><strong>currency</strong></td>
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<td><strong>equivalent</strong></td>
<td><strong>equivalent</strong></td>
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<tr>
<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
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</tbody>
</table>

#### Russia
- Ruble: 200.00
- Brazil Real: 2,000.00

#### United States
- Dollar: 2,000.00

#### Total
- Dollar: 4,000.00

**Chairman, Committee on Banking, Housing, and Urban Affairs, July 12, 2011.**

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### 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 COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM APRIL 1 TO JUNE 30, 2011**

<table>
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<td><strong>Per diem</strong></td>
<td><strong>Transportation</strong></td>
<td><strong>Miscellaneous</strong></td>
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<td><strong>Foreign</strong></td>
<td><strong>Foreign</strong></td>
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<td><strong>equivalent</strong></td>
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<tr>
<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
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#### Micronesia
- Dollar: 2,000.00

#### United States
- Dollar: 2,000.00

#### Total
- Dollar: 4,000.00

**Chairman, Committee on Commerce, Science, and Transportation, July 22, 2011.**

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### 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 APRIL 1 TO JUNE 30, 2011**

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<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
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</table>

#### China
- Dollar: 3,000.00

#### Total
- Dollar: 6,000.00

**Chairman, Committee on Energy and Natural Resources, June 24, 2011.**

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### 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 APRIL 1 TO JUNE 30, 2011**

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<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
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#### United States
- Dollar: 2,000.00

#### Total
- Dollar: 4,000.00

**Chairman, Committee on Environment and Public Works, July 22, 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 JANUARY 1 TO MARCH 31, 2011**

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<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
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#### United States
- Dollar: 2,000.00

#### Total
- Dollar: 4,000.00

**Chairman, Committee on Finance, July 22, 2011.**

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**U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JANUARY 1 TO MARCH 31, 2011**

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<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
<td><strong>or U.S.</strong></td>
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#### Brazil
- Brazilian Real: 3,000.00

#### Total
- Brazilian Real: 6,000.00

**Chairman, Committee on Foreign Relations, July 22, 2011.**

#### Name and country

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<th>Miscellaneous</th>
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#### Name and country

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*Delegation expenses include: interpretation, transportation, embassy travel and overtime, as well as other official expenses in accordance with the responsibilities of the host country.


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*Delegation expenses include: interpretation, transportation, embassy travel and overtime, as well as other official expenses in accordance with the responsibilities of the host country.


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**Chairman, Committee on Finance, July 29, 2011.**
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### 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 APR. 1 TO JUNE 30, 2011**

<table>
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<tr>
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<th>Per diem</th>
<th>Transportation</th>
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<th>Per diem</th>
<th>Transportation</th>
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*Delegation expenses include payments and reimbursements to the Department of State under the authority of Sec. 602(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–382, and S. Res. 179 agreed to May 25, 1977.

### 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 SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM APR. 1 TO JUNE 30, 2011**

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### 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—ADDENDUM TO 1ST QUARTER REPORT FOR 2011—FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011**

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### 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 APR. 1 TO JUNE 30, 2011**

<table>
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### 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), CODEL MCCONNEAL TRAVEL FROM APR. 15 TO APR. 23, 2011**

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*Delegation expenses include payments and reimbursements to the Department of State and the Department of Defense under the authority of Sec. 520(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.*
THANKING SENATE STAFF

Mr. REID. Mr. President, first of all, I appreciate your patience presiding over the Senate at this late hour. I extend my appreciation to this staff, everybody here, for all this work. About the last month has been very difficult. I appreciate very much the professionalism that is shown here in the Senate and the efforts they go to to make all of us look good. Sometimes that takes a lot of effort. But I do appreciate their working so hard together here at the desk. If there is ever anything that is bipartisan, it is right here, Republicans and Democrats, and there is no partisanship on the Senate floor. Step back a little bit and there is when we are away from the professional staff, but I appreciate very much their hard work.

EXTENSION OF THE FEDERAL AVIATION ADMINISTRATION

Mr. REID. Mr. President, we have tried for days now to change what the Republicans in the House have tried to do to the American people. In fact, it appears they are going to be able to do it. We have the extension of the Federal Aviation Administration legislation that is being upheld. We wanted a temporary extension for the next few weeks. We have already extended it more than 20 times. We thought we should do it again. We have done that. That has been routine until we get some of the big issues worked out. But Republicans wanted to increase the temp and that this time with essential air service. In Pennsylvania, some of the rural areas—the Presiding Officer is from Pennsylvania; of course, Nevada has a lot of rural areas, and other States. Even the heavily populated State of New York has essential air service. Essential air service was set up a long time ago to allow underpopulated areas to be able to be in touch with the rest of the States.

The Republicans have tried to eliminate essential air service. That is the ransom we are asking for an extension of the FAA bill. I am not going to ask consent today; we have asked it many times. But I want the RECORD to be spread with how unreasonable it is, what the Republicans have done. As a result of their activities, the House Republicans, we have 80,000 people who will not be working now—80,000 people, more than 70,000 construction workers and thousands of people who are employees of the Federal Aviation Administration.

For example, in Nevada we have an air traffic control tower, a new one that needs to be built. It is going to be big, expensive, and necessary. The work has stopped. They worked there for less than a month. The work has stopped. The construction work has stopped.

I talked to the Senator from California, Senator BOXER. In Palm Springs they have one that is essential, is badly needed. Work has stopped on that. Construction projects all over America are held up at our airports. It is so unreasonable what they have done. I appreciate KAY BAILEY HUTCHISON, the Republican Senator from Texas, who has worked with the chairman of the committee, JAY ROCKEFELLER, to try to work past this. She agrees with Senator ROCKEFELLER. It is unreasonable that they have done this.

What I want to do is read a column out of the New York Times of July 29. The writer introduces his column by saying:

The facts of the crisis over the debt ceiling aren’t complicated. Republicans have, in effect, taken America hostage, threatening to undermine the economy and disrupt the essential business of government unless they get policy concessions they would never have been able to enact through legislation.

That is where we are with the FAA problem. He goes on to say:

As I said, it’s not complicated. Yet, many people in the news media apparently can’t bring themselves to acknowledge this simple reality. News reports portray the parties as equally intransigent; pundits fantasize about some kind of “centrist” uprising, as if the problem was too much partisanship on both sides. Some of us have long complained about the cult of “balance,” the insistence on portraying both parties as equally wrong and equally at fault on any issue, never mind the facts. I joked long ago that if one party declared that the earth was flat, the headlines would read “Views Differ on Shape of Planet.” But would that cult still rule in a situation as stark as the one we now face, in which one party is clearly engaged in blackmail?

He went on to say more and then he said:

The answer, it turns out, is yes. And this is no laughing matter: The cult of balance has played an important role in bringing us to the edge of disaster. For when reporting on political disputes always implies that both sides are at fault, there is no penalty for extremism. Voters won’t punish you for outrageous behavior if all they ever hear is that both sides are at fault.

Mr. President, I wish the press would report this outrageous conduct on the part of the House Republicans, in effect closing down work for 80,000 people in America because of their trying to eliminate essential air service.

The issue is certainly more than that. We know it is a labor issue. We have one airline that is terribly anti-union and they are the ones behind all this. They are using the essential air service as a guise to get what they want.

I am not going to ask consent, but I want the American people to know why essential air service is being attacked
and why 80,000 people are basically today not going to be able to go to work tomorrow.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, September 6, 2011, at 5 p.m., the Senate proceed to Executive Session to consider Calendar No. 109; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of that time the Senate proceed to vote with no intervening action or debate on Calendar No. 109; the motions to reconsider be laid upon the table, with no intervening action or debate; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate’s action and the Senate resume legislative session.

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

THE LEAHY-SMITH AMERICA INVENTS ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 87, H.R. 1249; that the PRESIDING OFFICER, the clerk will report.

The assistant legislative clerk read as follows:

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Motion to proceed to the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform.
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CLOTURE MOTION

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

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

The assistant legislative clerk read as follows:

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CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the motion to proceed to Calendar No. 87, H.R. 1249, the Leahy-Smith America Invents Act.


Mr. REID. I now ask unanimous consent that on Tuesday, September 6, following the disposition of the nomination of Bernice Bouie Donald and the resumption of the legislative session, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to Calendar No. 87, H.R. 1249; further that the mandatory quorum under rule XXII be waived.

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

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the following Environment and Public Works bills, en bloc: Calendar No. 72, S. 710; and Calendar No. 117, S. 1302.

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

Mr. REID. It is my understanding that the unanimous consent of the Senate to proceed to the consideration of those two bills; is that right?

The PRESIDING OFFICER. That is correct.

Mr. REID. I ask unanimous consent that the bills be read a third time and passed, en bloc; the motions to reconsider be laid upon the table en bloc, and any relevant statements be printed in the RECORD.

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

HAZARDOUS WASTE ELECTRONIC MANIFEST ESTABLISHMENT ACT

The bill (S. 710) to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system was ordered to be engrossed for a third reading, was read the third time, and passed, as follows: S. 710

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 “Hazardous Waste Electronic Manifest Establishment Act”.

SEC. 2. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.
(a) IN GENERAL.—Subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) is amended by adding at the end the following:

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SEC. 3024. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

(1) DEFINITIONS.—In this section:

(A) BOARD.—The term 'Board' means the Hazardous Waste Electronic Manifest Establishment Administrator Board established under subsection (f).

(B) FUND.—The term 'Fund' means the Hazardous Waste Electronic Manifest System Fund established by subsection (d).

(C) PERSON.—The term 'person' includes an individual, corporation (including a Government corporation), company, association, firm, partnership, society, joint stock company, trust, municipality, commission, Federal agency, State, political subdivision of a State, or interstate body.

(D) SYSTEM.—The term 'system' means the hazardous waste electronic manifest system established under subsection (b).

(i) IN GENERAL.—The Administrator, in consultation with the Board, shall initially, at the time at which initial amounts in the Fund.

(ii) COLLECTION OF FEES.—The Administrator, in consultation with the Board, shall:

(A) collect the fees described in paragraph (1) from the users in advance of, or as reimbursement for, the provision by the Administrator of system-related services; and

(B) deposit the fees in the Fund for use in accordance with this subsection.

(iii) FEE STRUCTURE.—The Administrator, in consultation with information technology vendors, shall determine through the contract award process described in subsection (e) the fee structure to be used to recover the full cost to the Administrator of providing system-related services, including costs relating to:

(1) materials and supplies;

(2) contracting and consulting;

(3) overhead;

(4) information technology (including costs of hardware, software, and related services);

(5) information management;

(6) collection of service fees;

(7) investment of any unused service fees;

(8) reporting and accounting;

(9) employment of direct and indirect Government personnel dedicated to establishing and maintaining the system; and

(10) project management.

(b) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a hazardous waste electronic manifest system that may be used by any user.

(c) USER FEES.—

(1) IN GENERAL.—The Administrator may impose on users such reasonable service fees as the Administrator determines to be necessary to pay costs incurred in developing, operating, maintaining, and upgrading the system, including any costs incurred in collecting and processing data from any paper manifest submitted to the system on or after the date on which the system enters operation.

(2) COLLECTION OF FEES.—The Administrator shall—

(A) collect the fees described in paragraph (1) from the users in advance of, or as reimbursement for, the provision by the Administrator of system-related services; and

(B) deposit the fees in the Fund for use in accordance with this subsection.

(3) FEE STRUCTURE.—The Administrator, in consultation with information technology vendors, shall determine through the contract award process described in subsection (e) the fee structure to be used to recover the full cost to the Administrator of providing system-related services, including costs relating to:

(1) materials and supplies;

(2) contracting and consulting;

(3) overhead;

(4) information technology (including costs of hardware, software, and related services);

(5) information management;

(6) collection of service fees;

(7) investment of any unused service fees;

(8) reporting and accounting;

(9) employment of direct and indirect Government personnel dedicated to establishing and maintaining the system; and

(10) project management.

(i) ADJUSTMENTS IN FEE AMOUNT.—

(A) IN GENERAL.—The Administrator, in consultation with the Board, shall:

(i) result in the collection of an aggregate amount for deposit in the Fund that is sufficient to cover current and projected system-related costs (including any necessary system upgrades); and

(ii) minimize, to the maximum extent practicable, the accumulation of unused amounts in the Fund.

(b) EXCEPTION FOR INITIAL PERIOD OF OPERATION.—The requirement described in clause (i) of this subsection shall not apply to any additional fee that accumulate in the Fund, in an amount that does not exceed $2,000,000, during the 3-year period beginning on the date on which the system enters operation.

(iii) WASTE DISPOSAL ACT.—Adjustments to service fees described in clause (i) shall be made—

(I) initially, at the time at which initial development costs of the system have been recovered by the Administrator such that the service fee may be reduced to reflect the elimination of the system development component of the fee; and

(II) periodically thereafter, upon receipt and acceptance of the findings of any annual accounting or auditing report under subsection (f), if the report discloses a significant disparity for a fiscal year between the funds collected from service fees under this clause (i) of this subsection and the amount that would be required to cover current and projected system-related costs (including any necessary system upgrades).
subsection for the fiscal year and expenditures made for the fiscal year to provide system-related services.

"(d) Hazardous Waste Electronic Manifest System Fund.—"

(1) Establishment.—There is established in the Treasury of the United States a revolving fund, to be known as the ‘Hazardous Waste Electronic Manifest System Fund’, consisting of—

(A) such amounts as are appropriated to the Fund under paragraph (2); and

(B) any interest earned on investment of amounts in the Fund under paragraph (4).

(2) Transfers to Fund.—There are appropriated to the Fund amounts equivalent to amounts collected as fees and received by the Administrator under subsection (c).

(3) Expenditures from Fund.—

(A) In General.—Subject to paragraph (2), on request by the Administrator, the Secretary of the Treasury shall transfer from the Fund to the Administrator such amounts as the Administrator determines to be necessary to pay costs incurred in developing, operating, maintaining, and upgrading the system under subsection (c).

(B) Use of Funds.—

(i) In General.—Fees collected by the Administrator and deposited in the Fund under this section shall be available to the Administrator for use in accordance with this section without fiscal year limitation and without further appropriation.

(ii) Oversight.—The Administrator shall carry out all necessary measures to ensure that amounts in the Fund are used only to carry out the goals of establishing, operating, maintaining, upgrading, managing, supporting, and overseeing the system.

(4) Investment of Amounts.—

(A) In General.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury and the Administrator, required to meet current withdrawals.

(B) Interest-Bearing Obligations.—Investments may be made only in—

(i) interest-bearing obligations of the United States; or

(ii) obligations, participations, or other instruments of fiduciaries, trusts, or public funds, as determined by the Secretary of the Treasury.

(C) Acquisition of Obligations.—For the purpose of subsection (a), obligations may be acquired—

(i) on original issue at the issue price; or

(ii) by purchase of outstanding obligations at a discount.

(D) Sale of Obligations.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(E) Credits to Fund.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(5) Transfers of Amounts.—

(A) In General.—The amounts required to be transferred to the Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(B) Adjustments.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required under the subsection.

(6) Accounting and Auditing.—

(A) Accounting.—For each 2-fiscal-year period, the Administrator shall prepare and submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes—

(i) an accounting of the funds paid to the Administrator under subsection (c) and disbursed from the Fund for the period covered by the report, as reflected by financial statements provided in accordance with—

(I) the Chief Financial Officers Act of 1990 (Public Law 101–576; 104 Stat. 2808) and amendments made by that Act; and

(II) the Government Management Reform Act of 1994 (Public Law 103–356; 108 Stat. 3110) and amendments made by that Act; and

(ii) an accounting describing actual expenditures from the Fund for the period covered by the report for costs described in subsection (c)(1).

(B) Auditing.—

(i) In General.—For the purpose of section 3515(c) of title 31, United States Code, the Fund shall be considered a component of an executive agency.

(ii) Components of Audit.—The annual audit required in accordance with sections 3515(b) and 3521 of title 31, United States Code, of the financial statements of activities carried out using amounts from the Fund shall include an analysis of—

(I) the fees collected and disbursed under this section;

(II) the reasonableness of the fee structure in place as of the date of the audit to meet current and projected costs of the system;

(III) the level of use of the system by users; and

(IV) the success to date of the system in operating on a self-sustaining basis and improving the efficiency of tracking waste shipments and transmitting waste shipment data.

(iii) Federal Responsibility.—The Inspector General of the Environmental Protection Agency shall—

(I) conduct the annual audit described in clause (i); and

(II) submit to the Administrator a report that describes the findings and recommendations of the Inspector General resulting from the audit.

(7) Contracts.—

(A) Authority to Enter into Contracts Funded with the Fund.—The Administrator may enter into 1 or more information technology contracts with entities determined to be appropriate by the Administrator under subsection (c) for the purposes of the contract as ‘contractors’ under which—

(i) the Administrator agrees to award a contract for the provision of system-related services; and

(ii) the contractor agrees to assume the initial risk of the information technology investment, and to obtain reimbursement for investment costs, operating costs, and other fees, by receiving as payment an agreed-upon share of the amounts collected as fees by the Administrator under subsection (c).

(B) Term of Contract.—A contract awarded under this subsection shall have a term of not more than 10 years.

(C) Achievement of Goals.—The Administrator shall ensure, to the maximum extent practicable, that a contract awarded under this subsection—

(i) is performance-based;

(ii) identifies objective outcomes; and

(iii) contains performance standards that may be used to measure achievement and goals to evaluate the success of a contractor in performing under the contract, and the right of the contractor to payment for services under the contract, taking into consideration that a primary measure of successful performance is the development of a hazardous waste electronic manifest system that—

(iv) meets the needs of the user community (including States that rely on data contained in manifests);

(v) attracts sufficient user participation and service fee revenues to ensure the viability of the system;

(vi) decreases the administrative burden on the user community; and

(vii) complies with the waste manifest data applicable to the biennial reports required by section 3002(a)(6).

(8) Payment Structure.—Each contract awarded under this subsection shall include a provision that specifies—

(A) the service fee structure of the contractor that will form the basis for payments to the contractor;

(B) the fixed-share ratio of monthly service fee revenues from which the Administrator shall reimburse the contractor for system-related development, operation, and maintenance costs and provide an additional profit or fee commensurate with the risk undertaken by the contractor in performing in accordance with the contract;

(C) the amount of additional transactional costs attributed to the ancillary use of the Administrator in implementing and managing the system, including the costs of integrating the applications of the contractor with the Federal data exchange services of the Environmental Protection Agency;

(D) the direct and indirect personnel costs incurred by the Administrator to employ personnel dedicated to the implementation and management of the system; and

(E) expenses incurred in procuring any independent contractor services to assist staff of the Administrator in the preparation of financial statements and reports and the conduct of regular user group and governance meetings necessary for the oversight of the system.

(9) Cancellation and Termination.—

(A) In General.—If the Administrator determines that sufficient funds are not made available for the continuation in a subsequent fiscal year of a contract entered into under this subsection, the Administrator shall cancel or terminate the contract.

(B) Costs.—The costs of cancellation or termination under subparagraph (A) may be paid—

(i) appropriations available for performance of the contract;

(ii) unobligated appropriations available for performance of the contract; and

(iii) funds subsequently appropriated for payment of costs of the cancellation or termination.

(10) Negotiation of Amounts.—The amount payable in the event of cancellation or termination of a contract entered into under this subsection shall be negotiated with the contractor at the time at which the contract is awarded.

(11) Authority to Enter into Contracts Funded with the Fund.—The Administrator may enter into a contract under this subsection for any fiscal year, regardless of whether funds are made specifically available for the full costs of cancellation or termination of the contract, if—

(A) funds are available at the time at which the contract is awarded to make payments with respect to a contingent liability in an amount equal to at least 100 percent of the estimated costs of a cancellation or termination during the first fiscal year of the contract, as determined by the Administrator; or

(B) funds described in clause (i) are not available as described in that clause, but the Administrator determines during the first fiscal year of the contract that—

(i) the funds are then available to make payments with respect to a contingent liability in an amount equal to at least 100 percent of the estimated costs of a cancellation or termination during the first fiscal year of the contract, as determined by the Administrator; and

(ii) the costs of cancellation or termination are not greater than the amounts that could be recovered under the contract.
"(II) agrees to perform the contract despite the unfunded contingent liability.

"(6) NO EFFECT ON OWNERSHIP.—Regardless of whether the Administrator enters into a contract under subsection (a), the parcel shall be owned by the Federal Government.

"(f) HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.—

"(1) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a board under the Hazardous Waste Electronic Manifest System Advisory Board.

"(2) COMPOSITION.—The board shall be composed of members, of which—

"(A) 1 member shall be the Administrator (or a designee), who shall serve as Chairperson of the Board; and

"(B) the other shall be individuals appointed by the Administrator—

"(i) at least 2 of whom shall have expertise in information technology;

"(ii) at least 3 of whom shall have experience in using or represent users of the manifest system to track the transportation of hazardous waste under this subtitle (or an equivalent State program); and

"(iii) at least 3 of whom shall be a State representative responsible for processing those manifests.

"(3) DUTIES.—The Board shall meet annually to discuss, evaluate the effectiveness of, and provide recommendations to the Administrator relating to the system.

"(g) REGULATIONS.—

"(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator shall promulgate regulations to carry out this section.

"(B) INCLUSIONS.—The regulations promulgated pursuant to subparagraph (A) may include such requirements as the Administrator determines to be necessary to facilitate the transition from the use of paper manifests to the use of electronic manifests, or to accommodate the processing of data from paper manifests in the electronic manifest system, including a requirement that users of paper manifests submit to the system copies of the paper manifests for data processing purposes.

"(C) REQUIREMENTS.—The regulations promulgated pursuant to paragraph (A) may ensure that each electronic manifest provides, to the same extent as paper manifests under applicable Federal and State law, for—

"(i) the ability to track and maintain legal accountability of—

"(I) the person that certifies that the information provided in the manifest is accurately described; and

"(II) the person that acknowledges receipt of the manifest;

"(ii) if the manifest is electronically submitted, such authority to access paper printout copies of the manifest from the system; and

"(iii) access to all publicly available information contained in the manifest.

"(2) EFFECTIVE DATE OF REGULATIONS.—Any regulation promulgated by the Administrator under paragraph (1) and in accordance with applicable regulations relating to electronic manifesting of hazardous waste shall take effect in each State as of the effective date specified in the regulation.

"(3) ADMINISTRATOR.—The Administrator shall carry out regulations promulgated under this subsection in each State unless the State program is fully authorized to carry out those regulations in lieu of the Administrator.

"(b) REQUIREMENT OF COMPLIANCE WITH RESPECT TO USERS.—In any case in which the State in which waste is generated, or the State in which waste will be transported to a designated facility, requires that the waste be tracked through a hazardous waste manifest, the designated facility that receives the waste shall, regardless of the State in which the facility is located—

"(1) complete the facility portion of the applicable manifest;

"(2) sign and date the facility certification; and

"(3) submit to the system a final copy of the manifest for data processing purposes.

"(c) CONFORMING AMENDMENT.—The table of contents of the Solid Waste Disposal Act (42 U.S.C. 6901) is amended by inserting at the end of the items relating to subtitle C the following:

"Sec. 3024. Hazardous waste electronic manifest system.

GENERAL SERVICES PARCEL ACT

The bill (S. 1302) to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1302

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

SECTION 1. CONVEYANCE OF PARCEL, TRACY, CALIFORNIA.

(a) DEFINITION.—In this section:

"(1) ADMINISTRATOR.—The term "Administrator" means the General Services Administrator.

"(2) CITY.—The term "City" means the city of Tracy, California.

"(3) PARCEL.—

"(A) IN GENERAL.—The term "Parcel" means the approximately 150 acres conveyed to the City for educational or recreational purposes under applicable Federal and State law, for—


"(B) CONVEYANCE.—

"(1) CITY.—The term "City" means the city of Tracy, California.

"(C) REQUIREMENTS.—The requirements of this section shall be consistent with the authority of the Administrator.

"(D) CONFORMING AMENDMENT.—The table of contents of the Solid Waste Disposal Act (42 U.S.C. 6901) is amended by inserting at the end of the items relating to subtitle C the following:

"Sec. 3024. Hazardous waste electronic manifest system.

CAMPUS FIRE SAFETY MONTH

Mr. Reid. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 104.

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. 104) designating September 2011 as "Campus Fire Safety Month."

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

Mr. Reid. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to recommit being laid aside, the clerk be directed to print in the RECORD without intervening action or debate, and any statements relating to the matter be printed in the RECORD.

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

The resolution (S. Res. 104) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 104

Whereas, each year, States across the Nation formally designate September as Campus Fire Safety Month;

Whereas, since January 2000, at least 143 people, including students, parents, and children, have died in campus-related fires;

Whereas 85 percent of those deaths occurred in off-campus residences;

Whereas a majority of college students in the United States live in off-campus residences;

Whereas a number of fatal fires have occurred in buildings in which the fire suppression systems had been compromised or disabled by the occupants;
Whereas automatic fire alarm systems provide the early warning of a fire that is necessary for occupants and the fire department to take appropriate action; and

Whereas automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in its early stages, protecting the lives of the building’s occupants;

Whereas many college students live in off-campus residences, fraternity and sorority housing, and residence halls that are not adequately protected with automatic fire sprinkler systems and automatic fire alarm systems;

Whereas fire safety education is an effective method of reducing the occurrence of fires and reducing the resulting loss of life and property damage;

Whereas college students do not routinely receive effective fire safety education during their time in college;

Whereas it is vital to educate young people in the United States about the importance of fire safety to help ensure fire-safe behavior by young people during their college years and beyond; and

Whereas, by developing a generation of fire-safe students, the loss of life from fires may be significantly reduced: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2011 as “Campus Fire Safety Month”;

(2) encourages administrators of institutions of higher education and municipalities across the country to—

(A) provide educational programs to all students during September and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on- and off-campus student housing; and

(C) to ensure fire-safe living environments through fire safety education, installation of fire suppression and detection systems, and the development and enforcement of applicable codes relating to fire safety.

NATIONAL AIRBORNE DAY

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 254.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 254) designating August 16, 2011, as “National Airborne Day.”

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

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 254) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 254

Whereas the airborne forces of the Armed Forces have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world; and

Whereas the United States’ experiment with airborne operations began on June 2, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and 48 volunteers began training in July 1940;

Whereas August 16 marks the anniversary of the first official Army parachute jump on August 16, 1940, to test the innovative concept of inserting ground combat forces behind a battle line by means of a parachute;

 Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operational concept and led to the creation of a formidable force of airborne formations, such as the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

 Whereas included in these divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities that provide the linkage and legacy of many airborne units throughout our Armed Forces;

 Whereas the achievements of the airborne forces during World War II prompted the evolution of those forces into a diversified force of parachute and air-assault units that, over the years, have fought in Vietnam, the Lebanon, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

 Whereas since the terrorist attacks on September 11, 2001, United States airborne forces, which include members of the XVII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team, the 82nd Airborne Division (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, and special operations forces of the Army, Marine Corps, Navy, and Air Force, together with other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

 Whereas the modern-day airborne force also includes other elite forces composed of airborne and special operations forces, including Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and para-rescue teams;

 Whereas of the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrapidity, and valor;

 Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with their special skills and achievements, distinguishes such members as intrepid combat paratroopers, air assault forces, special operations forces, and, in former days, glider troops;

 Whereas the history and achievements of the members and former members of the United States airborne force are rich in special expressions of the gratitude of the people of the United States; and

 Whereas since the airborne forces, past and present, have marked the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2011, as “National Airborne Day”; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

NATIONAL CHESS DAY

Mr. REID. I ask unanimous consent to proceed to S. Res. 255.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 255) designating October 8, 2011, as “National Chess Day” to enhance awareness and encourage students and adults to engage in a game known to enhance critical thinking and problem-solving skills.

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

Mr. ROCKEFELLER: Mr. President, I rise today in support of this resolution to designate National Chess Day as October 8, 2011. I greatly appreciate the support of my colleague, Senator LAMAR ALEXANDER of Tennessee.

National Chess Day is designed to enhance awareness and encourage students and adults to engage in a game known to enhance critical thinking and problem-solving skills.

There are 76,000 members of the Chess Federation and half of them are students. Studies indicate that chess programs can help with students improving in math and reading. Engaging students in such activities can make learning fun and help them develop a lifelong pastime to engage their skills.

Engaging students in chess is a wonderful opportunity to promote education, and I hope as school begins in a few weeks, more students will join the Chess Federation and learn this historical game.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 255) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 255

Whereas there are more than 76,000 members of the United States Chess Federation (referred to in this preamble as the “Federation”), and unknown numbers of additional people in the United States who play the game without joining an official organization;

Whereas approximately ½ of the members of the Federation are scholastic members, and many of the scholastic members join through their schools;

Whereas the Federation is very supportive of the scholastic programs and sponsors a
Certified Chess Coach program that provides the coaches involved in the scholastic programs training and ensures schools and students can have confidence in the programs; whereas many studies have linked chess programs to the improvement of student scores in reading and math, as well as improved self-esteem; whereas the Federation offers a school curriculm to educators to help incorporate chess into the school curriculum; whereas chess is a powerful cognitive learning tool that can be used to successfully enhance reading and math concepts; and whereas chess engages students of all learning styles and strengths and promotes problem solving and higher-level thinking skills; now, therefore, be it

Resolved, That the Senate—

(1) designates October 6, 2011, as “National Chess Day”; and

(2) encourages the people of the United States to observe “National Chess Day” with appropriate programs and activities.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 95, 220, 226, 227, 228, 229, 230, 232, 254, 255, 256, 257, 265, 266, 267, 268, 269, 275, 277, 278, 279, 280, 282, 283, 284, 285, 286, 288, and Calendar Nos. 291 through 323, and nominations placed on the Secretary’s Desk in the Air Force, Army, Foreign Service, Marine Corps, and the nominations for confirmation en bloc, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; and that President Obama be immediately notified of the Senate’s action.

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

Mr. REID. Mr. President, for the second year in a row, the Senate has failed to take significant steps before the August recess to address the serious crisis of judicial vacancies on courts around the country. Last August, Senate Republicans left 17 judicial nominations pending and consented to confirm only four Federal circuit and district court nominations before the recess. I noted at that time what a serious blow that was to our ability to make progress addressing the judicial vacancies crisis that had already persisted for well over a year. Today, as the Senate recesses with judicial vacancies still near 90 as they were a year ago, the Senate is doing even worse, confirming only 4 judicial nominations to the 24 nominees already considered by the Judiciary Committee and awaiting a Senate vote.

Last week, I urged the Senate to confirm the two dozen judicial nominations already fully considered by the Judiciary Committee and ready for final action by the Senate. Of them, 20 were unanimously reported, without a single negative vote. Many have been pending without final action for months. I am again, disappointed as Senate Republicans continue to delay these much needed and long awaited confirmations.

Even though Federal judicial vacancies have remained near or above 90 for more than 2 years, the Senate’s Republican leadership has refused to consent to vote on these qualified, consensus nominations, leaving 16 of the 20 unanimously reported nominees in limbo. This is not real progress. The American people should not have to wait more weeks and months for the Senate to do its constitutional duty and ensure the ability of our Federal courts to provide justice to Americans around the country.

In the past, we were able to confirm consensus nominees more promptly. They were not forced to languish for months. In the second year of the Bush administration, in 2002, before the August recess the Senate moved ahead to confirm a dozen judicial nominees. The next year, with a Republican Senate majority, Senate Democrats consented to seven confirmations before the August recess. With the delays that have been backlogging confirmations for years, even Federal circuit and district court nominees are being stalled, confirmed judicial nominees who could all have been confirmed before this recess. Regrettably, 16 will not go forward today because Republicans refuse to consent.

At a time when judicial vacancies remain near 90, these needless delays perpetuate the judicial vacancies crisis that Chief Justice Roberts wrote of last December and that the President, the Attorney General, bar associations, and chief judges around the country have urged us to join together to end. The Senate can and should be doing a better job working to ensure the ability of our Federal courts to provide justice to Americans around the country.

Just last week, the Congressional Research Service released a report that confirms what many of us have been saying for some time: This is the longest sustained period of historically high vacancy rates on the Federal judiciary in the last 35 years.

This is hardly surprising. Republican obstruction kept the total confirmations in the first year of the President’s term to the lowest total for a first-year President since 1937, when only 12 judicial nominees were allowed to be considered. Republican obstruction kept the 2-year total of confirmations to the lowest total in 35 years, for the first 2 years of a President’s term, with only a total of 60 Federal circuit and district court nominations confirmed during the course of those entire first 2 years of the Obama administration. Accordingly, judicial vacancies have perpetuated needlessly and caused needless delay on consensus nominees.

We are seeing it, again, this week as we approach the August recess in the third year of the Obama administration. In the 17 months I chaired the Judiciary Committee during President Bush’s first term, the Senate confirmed 100 of his Federal circuit and district court nominees. It looks like it will take twice as long to reach 100 confirmations of President Obama’s Federal circuit and district court nominees. President Obama has been in office for 31 months and only 95 of his Federal circuit and district court nominees have been confirmed. There are currently 143 judicial vacancies in Federal courts and district court judges. This year, the comparable number is only 95.

It is not accurate to pretend that real progress is being made in these circumstances. Vacancies are being kept high, consensus nominees are being delayed and it is the American people and the Federal courts that are the ones who are suffering. It’s another area in which we must come together for the American people. There is no reason Senators cannot join together to finally bring down the excessive number of vacancies that have persisted for far too long.

I have always taken seriously the responsibility of the Senate to make sure that the Federal judiciary has the resources it needs. Senate Republicans had pocket-fulfilled their way to more than 60 of President Clinton’s judicial nominations and refused to proceed on them while judicial vacancies skyrocketed to more than 110. Despite that, in the 17 months I chaired the Judiciary Committee during President Bush’s first term, we have a way for the Senate to be as productive as we were during President Bush’s first term. We were able to lower vacancies dramatically during President Bush’s years in office, cutting them in half during his first term. The Senate has reversed course during the Obama administration, and with Republican objections slowing the pace of confirmations, we have judicial vacancies at only 12 judicial vacancies were allowed to be considered. Republican obstruction kept the 2-year total of confirmations to the lowest total in 35 years, for the first 2 years of a President’s term, with only a total of 60 Federal circuit and district court nominations confirmed during the course of those entire first 2 years of the Obama administration. Accordingly, judicial vacancies have perpetuated needlessly and caused needless delay on consensus nominees. We are seeing it, again, this week as we approach the August recess in the third year of the Obama administration.
have seen that approach work on the Judiciary Committee. I have thanked the Judiciary Committee’s ranking member, Senator GRASSLEY, many times for his cooperation with me to make sure that the committee continues to make progress in the consideration of nominations. His approach has been the right approach. Regrettably, it has not been matched on the floor, where the refusal by Republican leadership to come to regular time agreement to consider nominations has put our progress—our positive action—at risk.

Republican obstruction has led to a backlog of two dozen judicial nominations pending on the Senate’s Executive Calendar. More than half of the judicial nominations on the calendar would fill judicial emergency vacancies. Yet, due to Republican objections, we have lost another opportunity to make progress by confirming consensus nominations.

Before the Memorial Day recess, I urged that the Senate take up and vote on the many consensus judicial nominations then on the calendar and ready for final action. But Republican Senators would not agree to consider a single one of the nearly 20 nominees available to the Senate for final action, only 1 was considered before the July 4 recess. In fact, the Senate has now considered only 11 nominations in the last 10 weeks and has only confirmed a total of 11 judicial nominees who had their hearings this year.

Senate Republicans have departed from the Senate’s traditional practice by refusing to confirm even unanimous, consensus nominees. I still await an explanation from the other side of the aisle why these nominations could not be considered and confirmed. Republican leadership should explain to the people and Senators from Tennessee, South Carolina, Florida, Texas, Missouri, Illinois, Maine, New York, Arkansas, Connecticut, and Pennsylvania why there continue to be vacancies on the Federal courts in their States that could easily be filled if the Senate would do its constitutional duty and vote on the President’s nominations. These judicial nominees have the support of Republican home State Senators. In fact, there are multiple nominees still pending from Louisiana and Pennsylvania. Yet those nominees still sit on the calendar without explanation for the damaging delays, leaving the people of those States to bear the brunt of having too few judges.

All 24 of the judicial nominations on the calendar have been favorably reported by the Judiciary after a fair but thorough process. We review extensive background material on each nominee. All Senators on the committee, Democratic and Republican, have the opportunity to ask the nominees questions at a Judiciary Committee hearing, the opportunity to ask questions in writing following the hearing and to meet with the nominees. All of these nominees have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. They should not be delayed for weeks and months needlessly after being so thoroughly and fairly considered by the Judiciary Committee.

Last week, the president of the American Bar Association, Stephen Zack, wrote to the Senate leaders “to urge [them] to redouble [their] efforts to fill existing judicial vacancies promptly—so that the federal courts without judges will have the judges they need to uphold the rule of law and deliver timely justice.” He wrote:

As lawyers who practice in federal courts across this nation, ABA members know firsthand that long-standing vacancies on courts with staggering caseloads impede access to the courts and create strains that will inevitably reduce the quality of our justice system and erode public confidence in the ability of the courts to vindicate constitutional rights or render fair and timely decisions.

Mr. Zack’s concerns echo those of Chief Judge John D. Bates, the Attorney General, bar associations, and chief judges around the country who have also urged us to join together to end the judicial vacancies crisis. The Senate can and should be doing a better job working to ensure the ability of our Federal courts to provide justice to Americans around the country.

The four nominees the Senate will consider today like so many others left off the calendar have the strong support of their home State Senators—Republicans and Democrats—and all were reported unanimously by the Senate Judiciary Committee.

Kathleen Williams was first nominated over a year ago to fill a judicial emergency vacancy in the Southern District of Florida. Her nomination has the support of both of her home State Senators—Senator BILL NELSON, a Democrat, and Senator RUBIO, a Republican—and was reported without objection by the Judiciary Committee.

Ms. Williams has been the Federal public defender for the Southern District of Florida for 15 years, having been appointed five times by the Eleventh Circuit, most recently earlier this year. Ms. Williams was previously a trial attorney in private practice.

Richard Brooke Jackson was first nominated over 10 months ago to fill a judicial emergency vacancy in the District of Colorado. He is currently the Chief Judge for the First Judicial District in Colorado, where he has served for over 13 years, earning recognitions as the “Best State Judge in Colorado” in 2010. Prior to joining the bench, Judge Jackson practiced law for 26 years in Denver, CO, where he was made a fellow of the American College of Trial Lawyers. Judge Jackson’s nomination has the strong support of both of his home State Senators, Senator UDALL and Senator BENNET, and was reported without objection by the Judiciary Committee.

Sara Darrow was nominated over 8 months ago to fill a judicial vacancy in the Central District of Illinois. Ms. Darrow has the bipartisan support of her home State Senators, Senator DURBIN, a Democrat, and Senator KIRK, a Republican. Ms. Darrow has been a prosecutor for over 12 years, working in both Illinois and later as a Federal prosecutor in Illinois and Iowa. She is currently chief of the violent crimes unit in the U.S. Attorney’s Office for the Central District of Illinois. Her nomination was reported by the Judiciary Committee without objection on May 12.

Nelva Gonzales Ramos was nominated in January of this year to fill a judicial emergency vacancy in the Southern District of Texas. Her nomination has the strong support of both her Republican home State Senators, Senators CORNYN and HUTCHISON, and was reported by the Judiciary Committee without objection May 12. She has served for over 12 years as a State judge in Texas, where she has presided over more than 1,200 cases. Judge Ramos has been reelected twice by the people of Texas to serve as a State judge. Prior to joining the bench, she also had a successful career as a litigator in private practice.

Richard Brooke Jackson was first nominated over 10 months ago to fill a judicial emergency vacancy in the District of Colorado. He is currently the Chief Judge for the First Judicial District in Colorado, where he has served for over 13 years, earning recognitions as the “Best State Judge in Colorado” in 2010. Prior to joining the bench, Judge Jackson practiced law for 26 years in Denver, CO, where he was made a fellow of the American College of Trial Lawyers. Judge Jackson’s nomination has the strong support of both of his home State Senators, Senator UDALL and Senator BENNET, and was reported without objection by the Judiciary Committee.

The Senate’s failure to take action and vote on 20 of the 24 judicial nominees reviewed by the Judiciary Committee and reported favorably to the Senate is yet another in a long line of missed opportunities to come together for the American people. This is not how the Senate has acted in years past with other Presidents’ judicial nominees. Vacancies are being kept high, courts are being delayed, and it is the American people and the Federal courts that are being made to suffer.

I hope that when we return from the August recess, Senators can finally join together to begin to bring down the excessive number of vacancies that have persisted on Federal courts throughout the Nation for far too long. We can and must do better.

I ask unanimous consent that a recently received letter from the President of the American Bar Association and a recent column by Professor Carl Tobias be printed in the RECORD at the conclusion of my remarks.

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

AMERICAN BAR ASSOCIATION,

HON. HARRY REID, Minority Leader, U.S. Senate,
Washington, DC.

HON. MITCH MCCONNELL, Majority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: On behalf of the
American Bar Association, I am writing to urge you to redouble your efforts to fill ex- isting judicial vacancies promptly so that the federal courts will have the judges they need to do the rule of law and deliver timely justice.

There is no priority higher to the Associa- tion than to assure that we have a fully staffed federal bench. That is why I have used my position as ABA president this past year to speak out repeatedly about the urgent need to fill existing vacancies.

We commend the Congress for starting the session by instituting procedural changes and a confirmation process approach than a fresh sense of urgency, which has helped restore regular order to the process. As a result, the President has made 87 judicial nominations this session. Without this action, the Senate would have only 32 confirmed judicial nominees this session.

However, no significant reduction in the number of vacancies has been achieved: there are only 4 fewer vacancies on the fed- eral bench today than there were January 1 of this year, and 10 percent of the authorized judgeships remain unfilled. During the last two years—since August 2009—the vacancy rate has fluctuated, but it has never dropped below 10 percent.

Thirty-eight of the present vacancies have existed for so long created such unten- able workloads for the remaining judges on the circuit courts that they have been declared judicial emergencies by the Administrative Office of the U.S. Courts. As lawyers who practice in federal courts across this nation, ABA members know firsthand that long- standing vacancies on courts with staggering caseloads impede access to the courts and create strains that will inevitably reduce the quality and timely nature of justice in the federal courts. Judicial emergencies by the Administrative Office of the U.S. Courts. As lawyers who practice in federal courts across this nation, ABA members know firsthand that long-standing vacancies on courts with staggering caseloads impede access to the courts and create strains that will inevitably reduce the quality and timely nature of justice in the federal courts.

We continue to make great progress in processing President Obama’s judicial nomi-nees. As of today, the Senate has con- firmed 31 nominees this session.

For instance, Leahy cooperated with Senator Alexander in requesting that Senator McConnell work with Senator Harry Reid (D-Nev.), the Majority Leader, to swiftly ar- range confirmations of Supreme Court nominees. On July 20, 2010, Senators Leahy and Alexander worked together on the floor. Leahy praised Ms. Stranch’s capabilities, emphasized her qualifications and urged his colleagues to con- sent to consider the nominee. Senator Alex- ander agreed that “Jane Stranch is a well- qualified nominee [and] is the longest pend- ing circuit court nominee” and asked for a prompt vote. Senator McConnell stated that some Republicans voted against Ms. Stranch’s other nominations and attempted to have the Senate act on her soon. One week later, President Obama asked that McCon- nell cooperate in filling the “vacancies that could be plumbed by Jane Stranch.”

Mr. GRASSLEY. Mr. President, today the Senate will confirm four nominees to be U.S. district judge. These are the first nominees for the Southern District of Texas, the vacan- cy for the Southern District of Florida and the vacancy for the District of Colorado, have been designated as judicial emergencies. With the votes today, we will have confirmed 33 arti- cle III judicial nominees. Twenty-one of those confirmed have been for judicial emergencies.

We continue to make great progress in processing President Obama’s judicial nomi-nees. As of today, the Senate has con- firmed 62 percent of President Obama’s nomi-nees since the beginning of his Presi- dency. That is not including the two Supreme Court Justices nominated by President Obama. As my colleagues and I wait and watch, we have consumed a considerable amount of time in the committee and on the Senate floor.

During this Congress, the Judiciary Committee has held hearings on more than 75 percent of the President’s judicial nominees. During the comparable time period for President Bush, only 70 percent of President Bush’s nominees
had hearings by this time. We have also reported 61 percent of the judicial nominees, which is comparable to President Bush’s nominees.

I support these nominations and congratulate each of them. I would like to say a few words about each one of the nominees.

Sara Lynn Darrow is nominated to be U.S. district judge for the Central District of Illinois. Ms. Darrow graduated from Marquette University in 1992 and received her J.D. degree from St. Louis University School of Law in 1997. From 1997 to 1998, Mrs. Darrow worked in the law offices of Clarence Darrow, a small general practice firm in Rock Island, IL. She became an assistant State's attorney in 1999, where she handled juvenile, misdemeanor, and felony traffic cases. Upon promotion in 2000, she handled felony cases and serious juvenile abuse cases. In 2003, Mrs. Darrow began work as an assistant U.S. attorney, prosecuting Federal crimes including drug, fraud, racketeering, child exploitation, fraud, and bankruptcy. She has prosecuted approximately 300 defendants and tried 10 cases to verdict before a jury.

The ABA Standing Committee on the Federal Judiciary has given Ms. Darrow a unanimous “Qualified” rating.

Nelva Gonzales Ramos is nominated to be U.S. district judge for the Southern District of New Mexico. She received her B.A. in 1978 and her J.D. in 1982 from the University of Miami School of Law. Ms. Williams began her legal career in 1982 as an associate attorney at Fowler, White, Burnett, Hurley, Banick & Strickrodt. At Fowler, White, Banick, & Bockius, she participated in insurance defense litigation defending insurance companies, city and county interests, hospital trusts and corporations.

From 1984 to 1986, Ms. Williams served as an assistant U.S. attorney in the Southern District of Florida. While an assistant U.S. attorney, she prosecuted individuals on charges ranging from simple narcotics and weapons matters to complex money-laundering and RICO Litigation. In 1986, Ms. Williams joined the private sector as an associate attorney for Morgan, Lewis & Bockius. At Morgan, Lewis, & Bockius, she represented financial institutions, government contractors, and multinational corporations in labor and white collar criminal defense matters.

In 1990, Ms. Williams joined the Federal Public Defender’s office as the chief assistant public defender, where she represented persons accused of violating Federal statutes but who cannot afford to retain an attorney. In 1995, she was appointed to be the public defender for the Southern District of Florida, where she continues to serve. As a Federal public defender, she has litigated a wide range of matters including immigration, complex fraud, and national security. She was also appointed to be the acting Federal public defender for the Middle District of Florida from 1999 to 2000.

The ABA Standing Committee on the Federal Judiciary has given her the rating of majority “Well Qualified” and Minority “Qualified.”

Richard Brooke Jackson is nominated to be U.S. district judge for the District of Colorado. Judge Jackson received his A.B., magna cum laude, from Dartmouth College in 1969 and his J.D., cum laude, from Harvard Law School in 1972. Following law school, Judge Jackson joined the firm of Holland & Hart. He partnered with a partner on a combination of commercial litigation and personal injury litigation. In 1978, he became a partner and opened the Washington, DC, office of the firm. Additionally, he served on a number of committees within the firm and was chair of the litigation department. His pro bono work focused on personal injury claims and occasional representation in criminal defense and family law matters.

In 1998, he was appointed to serve as district judge for the First Judicial District of Colorado. As a district judge, he handled mixed docket of criminal, civil, and domestic relations cases. In 2003, he was appointed chief judge.

The ABA Standing Committee on the Federal Judiciary has given Judge Jackson the rating of unanimous “Well Qualified.”

NOMINATION OF SARAH DOWD

Mr. DURBIN. Mr. President, I rise in strong support of the nomination of Sara Darrow to serve as a district court judge for the Central District of Illinois.

Sara Darrow is a superb nominee, and she will make an excellent addition to the Federal bench.

Her nomination is not controversial. She had her hearing before the Judiciary Committee in April and was reported out of the committee by unanimous voice vote on May 12.

Sara Darrow’s name was recommended to me by a bipartisan merit selection committee that I established to consider applicants for judicial vacancies.

I am proud to recommend her name to the President last year, and I was pleased to see the President nominate her to fill the Central District judgeship that was vacated when Judge Joe Billy McDade took senior status last year.

I want to thank Chairman PAT LEAHY of the Judiciary Committee for moving Ms. Darrow’s nomination through the committee. I also want to thank Senator MARK KIRK for his support of this nomination.

Once the Senate confirms Sara Darrow, we will finally have a full complement of judges for the Central District of Illinois. Last year there was only one judge in this district—Chief Judge Mike McCuskey—and three judgeships were vacant.

These vacancies left the Central District in a dire situation. Cases were grinding to a halt, and Judge McCuskey had to drive all across the state and a bite to keep the dockets moving.

Fortunately, earlier this year the Senate confirmed Judge Jim Shadid and Judge Sue Myerscough to serve in the Central District. They are serving on the bench now.

And with Sara Darrow on the bench as well, the Central District will finally be operating at full strength. That is good news for the people who live in the 46 Illinois counties that make up the Central District.

Sara Darrow has a distinguished record, including her service as a prosecutor both at the State and Federal level.

She currently serves as an assistant U.S. attorney in the Illinois Central District, where she has worked since 2003. She works out of the Rock Island branch of the U.S. Attorney’s Office.

She has investigated and prosecuted hundreds of defendants for various Federal crimes including gang offenses, terrorism, bank robbery, money laundering, and fraud. She has also written and argued numerous appeals.
Since 2007, Ms. Darrow has served as the violent crimes chief for the U.S. Attorney’s Office. She has also served as the office’s project safe neighborhoods coordinator.

Before becoming a Federal prosecutor, Ms. Darrow worked in private practice in Rock Island, and she also worked as a prosecutor in the Henry County State’s Attorney’s Office.

She served as an assistant State’s attorney in Henry County from 1999 to 2000, and as a special student State’s attorney from 2000 to 2003.

While serving at the State’s Attorney’s Office she prosecuted a wide range of State felony cases. She also was responsible for supervising staff attorneys and managing the office’s caseload.

Ms. Darrow enjoys an excellent reputation among the legal community in the Central District. She will serve the people of Illinois well in her new capacity as a Federal judge.

In addition to her impressive professional accomplishments, Sara Darrow is an impressive person with a wonderful family.

She is a graduate of Marquette University School of Law.

While a college student at Marquette, she interned in Washington, DC, for Senator Carl Levin. It was on Capitol Hill where Sara met and began dating her husband and Clarence, who was then working for Congressman Lane Evans.

Sara and Clarence are now blessed to be the proud parents of six children: Connor, age 14; Lilia, 13; Augie, 12; Anna Grace, 10; Ella, 8; and Danny, 5.

And Sara Darrow also has an impressive record of service in the community of Rock Island, IL. She truly is a credit to this community.

In short, Ms. Darrow has the experience, qualifications and temperament to be a Federal judge.

I enthusiastically support her nomination and urge my colleagues to do the same.

NOMINATION OF GARY LOCKE
Mr. ROCKEFELLER. Mr. President, it is my great pleasure to congratulate and pay tribute to Gary Locke, who has been the Secretary of Commerce since March 2009 and was recently confirmed by the Senate to be the U.S. Ambassador to China. Secretary Locke has been a truly outstanding public servant and I hope that he continues his service to our country in China. His service truly makes our country a better place.

As Secretary of Commerce, Gary Locke has been an aggressive leader at the Department of Commerce, and has earned a reputation as a strong manager and an innovator.

Among his many successes at Commerce, he has helped innovators by pushing the Patent and Trademark Office to streamline the process to get a patent.

Secretary Locke worked with the Economic Development Administration to streamline its approval process.

The EDA is a crucial program, which makes business-development grants to distressed communities. Programs such as EDA help ordinary Americans and small businesses and will help move the economy forward. I appreciate Secretary Locke’s commitment to programs such as EDA and helping these communities.

In this time of fiscal austerity, he brought the 2010 census in 25 percent under budget, saving taxpayers $1.9 billion. He led an organization that still got the job done that we need to get a true picture of the makeup of our Nation.

I also appreciate his hard work to meet the Obama administration’s goal to double exports within 5 years. Currently, only 1 percent of American companies export, and Secretary Locke understands the crucial need for expanded U.S. exports as part of our economic recovery.

I know we will look back and say that Secretary Locke’s time at the Department of Commerce was the beginning of America’s return to prominence as an export nation. As he said, “It is almost like [we’re] building the foundation of a house or an office tower. All the foundation work takes a long, long time. You don’t really see it. It is all happening below the street level. . . . After that, then things really begin to take off!”

Thank you, again, Gary, now Ambassador Locke. You are a true public servant, and I have the highest compliments I can convey. I wish you luck as you continue to serve this great Nation in your new post.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE
David Bruce Shear, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Socialist Republic of Vietnam.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Jennifer A. Di Toro, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Yvonne M. Williams, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

STATE JUSTICE INSTITUTE
David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 10, 2013.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT
Barbara Jeanne Ellis, of Colorado, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2016.

Deborah Downing Goodman, of Oklahoma, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2014.

Cynthia Chavez Lamar, of New Mexico, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2016.

NATIONAL SCIENCE FOUNDATION
Aaron Paul Dworkin, of Michigan, to be a Member of the National Council on the Arts for a term expiring May 10, 2016.

Eric S. Edelman, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

DEPARTMENT OF JUSTICE
Clayton D. Johnson, of Oklahoma, to be United States Marshal for the Northern District of Oklahoma for the term of four years.

DEPARTMENT OF STATE
Derek S. Mitchell, of Connecticut, to be Special Representative and Coordinator for International Negotiations, to be an Alternate Representative of the United States of America to the Socialist Republic of Vietnam.

Jeffrey DeLaurentis, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mongolia, and the Republic of Kiribati.

Jeffrey DeLaurentis, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be an Alternate Representative of the United States of America to the Republic of the Marshall Islands.

Paul D. Wolfers, of Washington, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Moldova, the Republic of Moldova, and the Republic of Tajikistan.

Frankie Annette Reed, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be an Alternate Representative of the United States of America to the Republic of the Fiji Islands.

William H. Moser, of North Carolina, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Fiji Islands.

Earl Anthony Wayne, of Maryland, a Career Member of the Senior Foreign Service, to be an Alternate Representative of the United States of America to the Republic of the Marshall Islands.

Arnold A. Chacon, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Alternate Representative of the United States of America to the Republic of the Marshall Islands.
The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be general**

Gen. William M. Fraser, III

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

**To be brigadier general**

Col. Donald P. Dunbar

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be lieutenant general**

Maj. Gen. Stephen L. Hoog

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be lieutenant general**

Lt. Gen. Janet C. Wolfenbarger

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

**To be major general**


The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

**To be major general**

Brig. Gen. Leonard A. Patrick

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

**To be major general**

Brigadier General Trulan A. Eyre

Brigadier General Mark R. Johnson

Brigadier General Bruce W. Prunk

Brigadier General Harold E. Reed

Brigadier General Roy E. Uptegraft, III

**To be brigadier general**

Colonel Patrick D. Aiello

Colonel Aaron J. Booker

Colonel Kevin W. Bradley

Colonel David T. Bucklew

Colonel Peter J. Byrne

Colonel Paul D. Cummings

Colonel Vyas Deshpande

Colonel Brian T. Dravis

Colonel Brent J. Feick

Colonel Mark K. Foreman

Colonel David R. Fountain

Colonel Timothy L. Frye

Colonel Paul D. Gruver

Colonel Michael A. Hudson

Colonel Salvatore J. Lombardi

Colonel Stephen E. Markovich

Colonel Richard L. Martin

Colonel Brian A. Miller

Colonel William W. Pond

Colonel Jonathan T. Wall

Colonel Jennifer L. Walter

**IN THE ARMY**

The following named officer for appointment as the Chairman of the Joint Chiefs of Staff and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601:

**To be general**

Gen. Martin E. Dempsey

The following named officer for appointment as the Chief of Staff, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3033:

**To be general**

Gen. Raymond T. Odierno

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be lieutenant general**


The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be lieutenant general**

Maj. Gen. Charles T. Cleveland

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be lieutenant general**

Lt. Gen. Michael Ferriter

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be major general**


The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be general**

Maj. Gen. David G. Perkins

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

**To be major general**

Brig. Gen. Ben E. Minusawa

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

**To be brigadier general**

Col. Brian R. Copes

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

**To be general**


The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

**To be major general**

Brigadier General David B. Enyeart

**To be brigadier general**

Colonel Randy A. Ajewel

Colonel Karen D. Gattis

Colonel Catherine F. Krogsnes

Colonel Blake C. Ortner

Colonel Timothy P. Williams

Colonel David E. Wilmot

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

**To be general**

To be brigadier general
Col. Kaffia Jones
IN THE NAVY
The following named officer for appointment as Chief of Naval Operations, United States Navy and appointment to the grade indicated was assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 503:

To be admiral
Adm. Jonathan W. Greenert
The following named officer for appointment as Chief of Naval Operations, United States Navy and appointment to the grade indicated was assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 514:

To be admiral
Adm. James A. Winnefeld, Jr.
The following named officer for appointment as Chief of Naval Personnel, United States Navy, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 514:

To be vice admiral
Vice Adm. Scott R. Van Buskirk
The following named officer for appointment as Vice Chief of Naval Operations, United States Navy and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 503:

To be vice admiral
Vice Adm. Mark E. Ferguson, III
The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be rear admiral
Rear Adm. Scott H. Swift
The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be rear admiral (lower half)
Capt. Luke M. McCollum

NOMINATIONS PLACED ON THE SECRETARY'S DESK
IN THE AIR FORCE
PN497 AIR FORCE nominations (79) beginning LAUREN F. AASE, and ending DEBRA S. ZINSMUEYER, which nominations were received by the Senate and appeared in the Congressional Record of March 24, 2011.

PN767 AIR FORCE nomination of Mary P. Hart-Gallagher, which was received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN788 AIR FORCE nomination of Raymond S. Collins, which was received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN790 AIR FORCE nominations (50) beginning WADE B. ADAIR, and ending ELILIO J. VENEGAS, JR., which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN791 AIR FORCE nominations (4) beginning JOHNNATHAN M. COMPTON, and ending BENJAMIN J. MITCHELL, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

IN THE ARMY
PN719 ARMY nomination of Thomas B. Murphree, which was received by the Senate and appeared in the Congressional Record of June 22, 2011.

PN720 ARMY nominations (3) beginning PEDRO T. RAGA, and ending MATTHEW H. VINNING, which nominations were received by the Senate and appeared in the Congressional Record of June 22, 2011.

PN765 ARMY nominations (2) beginning Nicholas M. Cruz Garcia, and ending Joseph P. Lynn, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN766 ARMY nomination of Luigia G. Santiago, which was received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN767 ARMY nominations (4) beginning TROY W. ROGUE and CARLOS E. QUEZADA, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN768 ARMY nominations (6) beginning JAMES L. ADAMS, JR., and ending ROBERT M. THELEN, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN769 ARMY nominations (36) beginning MATTHEW B. AHN, and ending GREGORY S. THOOGMARTIN, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN793 ARMY nomination of Cindy B Katz, which was received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN794 ARMY nomination of Wiley C. Thompson, which was received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN795 ARMY nomination of Marshall S. Humes, which was received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN796 ARMY nomination of Cyrus A. Tripplett, which was received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN797 ARMY nominations (2) beginning COLLEEN F. FACUA, and ending CULERN T. CHUN, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN798 ARMY nominations (2) beginning BRAD M. EVANS, and ending JAY S. KOST, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN799 ARMY nominations (2) beginning MATTHEW J. BAKER, and ending JAMES L. HENDERSON, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN800 ARMY nominations (6) beginning JOSEPH B. BUSNOW, and ending PAULA S. OLIVIERI, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN801 ARMY nominations (55) beginning CHANCE R. BILLY, and ending TRACY E. WALTERS, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN802 ARMY nomination of David H. BURNHAM, and ending RANDALL S. VERDE, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN803 ARMY nominations (326) beginning MICHAEL A. ADAMS, and ending PAULA S. OLIVIERI, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN804 ARMY nominations (562) beginning GREGORY R. ADAMS and ending GREG C. .SMITH, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN805 ARMY nominations (347) beginning ALISSA R. ACKLEY, and ending D003185, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN806 ARMY nominations (284) beginning THOMAS H. AARSEN, and ending D010899, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

IN THE FOREIGN SERVICE
PN421 FOREIGN SERVICE nominations (275) beginning Ross Ellis Hogan, and ending Willem H. Brakel, which nominations were received by the Senate and appeared in the Congressional Record of April 8, 2011.

PN756 FOREIGN SERVICE nominations (169) beginning Timothy C. Cannon, and ending Mark Jeffrey Hipp, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

IN THE MARINE CORPS
PN369 MARINE CORPS nomination of Carrol J. Connelly, which was received by the Senate and appeared in the Congressional Record of March 30, 2011.

PN370 MARINE CORPS nomination of Samuel H. Carrasco, which was received by the Senate and appeared in the Congressional Record of March 30, 2011.

IN THE NAVY
PN721 NAVY nomination of Troy D. Carr, which was received by the Senate and appeared in the Congressional Record of June 22, 2011.

PN722 NAVY nominations (32) beginning DAWN C. ALLEN, and ending JENNIFER L. TIEZT, which nominations were received by the Senate and appeared in the Congressional Record of June 22, 2011.

PN770 NAVY nominations (3) beginning JAMES S. BROWN, and ending HARRIET J. WALTON, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN771 NAVY nominations (98) beginning CHRISTOPHER A. ALFONZO, and ending SARA B. ZIMMER, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN772 NAVY nominations (23) beginning RAUL L. BARRIENTOS, and ending HAROLD S. ZALD, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN773 NAVY nominations (67) beginning DAVID L. AGEE, and ending LAURA L. V. WEGEMANN, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN774 NAVY nominations (4) beginning ROBERT P. ANSELM, and ending PAUL A. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN775 NAVY nominations (29) beginning RANDY E. ASHMAN, and ending TAMMY L. WEINZATL, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN776 NAVY nominations (45) beginning DEANGELO ASHBY, and ending LAGENA K. JACOBS, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.
PN77 NAVY nominations (20) beginning DENNIS K. ANDREWS, and ending BRIAN K. WATTE, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN78 NAVY nominations (26) beginning ROBERTO M. ALVARADO, and ending JOSEPH W. YATES, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN807 NAVY nomination of Mathew R. Lose, which was received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN808 NAVY nomination of Michael J. O’Dell, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN809 NAVY nomination of Lawrence Brandon Jr., which was received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN810 NAVY nominations (2) beginning Robert A. Slaughter, and ending Robert Thomas, which nominations were received by the Senate and appeared in the Congressional Record of July 11, 2011.

PN811 NAVY nominations (5) beginning ANTHONY DIAZ, and ending JANE E. MCNEELY, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN812 NAVY nominations (3) beginning CAROL J. GAREY, and ending DANIEL G. NICEST, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN813 NAVY nominations (21) beginning PAIGE H. ADAMS, and ending ANDREW F. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN814 NAVY nominations (17) beginning JEREMIAH E. CHAPLIN, and ending PAMELA A. TELLADO, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN815 NAVY nominations (21) beginning PAIGE H. ADAMS, and ending ANDREW F. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN816 NAVY nominations (17) beginning ROBERT S. BAIR, and ending PATRICIA R. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN817 NAVY nominations (58) beginning KIRKLAND M. ANDERSON, and ending MARTHA A. WITITOSCH, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN818 NAVY nominations (202) beginning CHERYL R. AMESTILLMAN, and ending JON E. ZATLOKOWICZ, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN819 NAVY nominations (42) beginning MYLENE R. ARVIZO, and ending ASHLEY S. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN820 NAVY nominations (24) beginning ARCHIE L. BARBER, and ending ZAVEAN V. WARE, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN821 NAVY nominations (4) beginning AMELIA F. DUDLEY, and ending BRANDON D. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN822 NAVY nominations (18) beginning RICHFIELD F. AGULLANA, and ending CHIEH YANG, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN823 NAVY nominations (4) beginning CHARITY C. HARDISON, and ending STEPHANIE B. MURDOCK, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

APPOINTMENT AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

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

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Tuesday, August 2, through Tuesday, September 6, the majority leader and Senator ROCKEFELLER be authorized to sign dated, so-called bills and resolutions.

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

ORDERS FOR FRIDAY, AUGUST 5 THROUGH TUESDAY, SEPTEMBER 6, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess and convene for pro forma sessions only, with no business conducted on the following dates and times, and that following each pro forma session, the Senate recess until the following pro forma session:

Friday, August 5, at 10 a.m.; Tuesday, August 9, at 11 a.m.; Friday, August 12, 12 p.m.; Tuesday, August 16, 11 a.m.; Friday, August 19, at 10 a.m.; Tuesday, August 23, 2:30 p.m.; Friday, August 26, at 11:15 a.m.; Tuesday, August 30, at 10 a.m.; Friday, September 2, at 10 a.m.; and that the Senate adjourn on Friday, September 2, until 2 p.m.; Tuesday, September 6, that following the prayer and pledge, the Journal of proceedings be approved to date; the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; further, that following any leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that following morning business, the Senate proceed to executive session, under the previous order.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be at 5:30 p.m. on Tuesday, September 6. The first vote will be on the confirmation of Bernice Bouie Donald to be a U.S. Circuit Judge for the Sixth Circuit, and the second vote will be a cloture vote on the motion to proceed to H.R. 1249, the patent reform bill.
CONGRESSIONAL RECORD—SENATE

RECESS UNTIL 10 A.M. FRIDAY,
AUGUST 5, 2011

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 6:43 p.m., recessed until Friday, August 5, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

ADALBERTO JOSE ISIDOR, OF FLORIDA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT, VICE SUSAN R. BLACK, RETIRED.

MIRANDA D. JOHNSON, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE ROGER L. F. ROTH, RETIRED.

DEPARTMENT OF JUSTICE

DAVID B. BARLOW, OF UTAH, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF UTAH FOR THE TERM OF FOUR YEARS, VICE BRETT L. TOLMAN, TERM EXPIRED.

DEPARTMENT OF HOMELAND SECURITY

ERIN MITCHELL, JR., OF CALIFORNIA, TO BE ADMINISTRATOR OF THE UNITED STATES FIRE ADMINISTRATION, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE KELVIN JAMIES COCHRAN, RESIGNED.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

IRVIN CHARLES MCCULLOUGH III, OF MARYLAND, TO BE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (DESIGNATION).

DEPARTMENT OF DEFENSE

AHRON B. CARTER, OF MASSACHUSETTS, TO BE DEPUTY SECRETARY OF DEFENSE, VICE WILLIAM J. LYNCH III, DESIGNATE.

DEPARTMENT OF ENERGY

GREGORY HERBERT HUGHES, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY, VICE SCOTT BLAKE RAHIES, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ALISON B. SOLONON

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203 AND 12212:

To be brigadier general

COL. GARY W. KEFFER

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203 AND 12212:

To be colonel

LARRY W. DOTSON

MARK G. ELAM

TROY D. GALLOWAY

MARY K. JONES

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DERIDRA K. TOMBOLBONE

DAMIAN K. WADDELL

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JACK M. MARKUSFELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMED FORCES UNDER TITLE 10, U.S.C., SECTION 12203:

To be major

STEPHEN B. TAYLOR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

HAL D. BAIRD

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN N. DISVERBEAUX

DISCHARGED NOMINATION

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nomination by unanimous consent and the nomination was held at desk:

JAMES COCHRAN, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 2, 2011:

DEPARTMENT OF STATE

DAVID BRUCE SHEAR, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE, AND A MEMBER OF THE BOARD OF TRUSTEES OF THE NATIONAL SCIENCE FOUNDATION, FOR A TERM OF TWO YEARS.

THE JUDICIARY

SARA LYNN DABROW, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS, VICE GREGORY S. ADAMS, RETIRED.

KALETH M. WILLIAMS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE BRIAN T. DIXON, RESIGNED.

YVONNE M. WILLIAMS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA, VICE J. DAVID RICHARDS, RETIRED.

SUPREME COURT OF THE DISTRICT OF COLUMBIA

JENNIFER A. TURKSON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA, VICE CATHERINE M. MCMORRIS, RETIRED.

STATE JUSTICE INSTITUTE

DAVID V. BREWER, OF OREGON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM OF TWO YEARS.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

BARBARA JEANNE ELLIS, OF COLORADO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT, VICE J. RUSSELL MCBRIDE, RETIRED.

CYNTHIA CHAVEZ LAMAR, OF MEXICO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT, VICE JEAN M. LATINO, RETIRED.

NATIONAL SCIENCE FOUNDATION

DAI ANEVUI, OF COLORADO, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, BOARD OF TRUSTEES, VICE KATHLEEN M. NEUMANN, RETIRED.
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 611:

**To be brigadier general**

COL. BRIAN E. COPES

The following named officer for appointment in the reserve of the army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 6220 and 12212.

**To be major general**

BRIG. GEN. CHERYL L. ADAMS, JR.

The following named officer for appointment in the united states army to the grade indicated under title 10, U.S.C. sections 12208 and 12212.

**To be general**

LT. GEN. CHARLES H. JACOBY, JR.

The following army national guard of the united states officer for appointment in the reserve of the army to the grade indicated under title 10, U.S.C. sections 12208 and 12211.

**To be brigadier general**

COL. FRED W. ALLEN

The following army national guard of the united states officers for appointment in the reserve of the army to the grade indicated under title 10, U.S.C. sections 12208 and 12211.

**To be general**

LT. GEN. DAMON E. BROWN

The following army national guard of the united states officer for appointment in the reserve of the army to the grade indicated under title 10, U.S.C. sections 12208 and 12211.

**To be major general**

BRIG. GEN. RICK T. HANDLEY

The following army national guard of the united states officer for appointment in the reserve of the army to the grade indicated under title 10, U.S.C. sections 12208 and 12211.

**To be general**

LT. GEN. TRACY J. ROSS

The following army national guard of the united states officer for appointment in the reserve of the army to the grade indicated under title 10, U.S.C. sections 12208 and 12211.

**To be major general**

BRIG. GEN. JAMES J. KRAINER

The following army national guard of the united states officer for appointment in the reserve of the army to the grade indicated under title 10, U.S.C. sections 12208 and 12211.

**To be general**

LT. GEN. JAMES A. WINNEFELD, JR.

The following army national guard of the united states officer for appointment as chief of naval operations, united states navy and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5033.

**To be admiral**

ADM. JONATHAN W. GREENNENT

The following named officer for appointment as vice chairman of the joint chiefs of staff and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5034.

**To be vice admiral**

VADM. SCOTT R. VAN BUSKIRK

The following named officer for appointment as vice chief of naval operations, united states navy and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5035.

**To be admiral**

VADM. MARK E. FERGUSON III

The following named officer for appointment in the united states navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601.

**To be vice admiral**

VADM. HARRY B. HARRIS, JR.

The following named officer for appointment in the united states navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601.

**To be vice admiral**

VADM. MICHAEL A. LIEFVER

The following named officer for appointment in the united states navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601.

**To be rear admiral (lower half)**

CAPT. LUKE M. MCGUINNESS

In the air force

Air force nominations beginning with lauren f. aash and ending with derrick r. simson, which nominations were received by the senate and appeared in the congressional record on may 4, 2011.

Air force nomination of raymond s. collins, to lieutenant colonel.

Air force nominations beginning with waade b. and ending with wyatt a. which nominations were received by the senate and appeared in the congressional record on july 20, 2011.

Air force nominations beginning with jonathane m. compton and ending with benjamin j. mitchell, which nominations were received by the senate and appeared in the congressional record on july 20, 2011.

In the army

Army nominations beginning with thomas t. burr, to be colonel.

Army nominations beginning with pedro t. raga and ending with mohammad a. zamir, which nominations were received by the senate and appeared in the congressional record on july 11, 2011.

Army nominations beginning with nicholas m. cruzgarcia and ending with joseph f. lyman, which nominations were received by the senate and appeared in the congressional record on july 11, 2011.

Army nominations beginning with matthew r. bohn and ending with jessica v. mahegan, which nominations were received by the senate and appeared in the congressional record on july 11, 2011.
AMY NOMINATION OF CINDY B. KATZ, TO BE COLONEL.

AMY NOMINATION OF WILEY C. THOMPSON, JR., TO BE COLONEL.

AMY NOMINATION OF MARSHALL S. HUMES, TO BE LIEUTENANT COLONEL.

AMY NOMINATION OF CYRUS A. THURGEON, TO BE MAJOR.

AMY NOMINATIONS BEGINNING WITH COLLEEN F. BLAILES AND ENDING WITH CURTIS T. CHUN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH BRAD M. EVANS AND ENDING WITH JAY S. KOST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH MATTHEW J. BAKER AND ENDING WITH ROSS ELLIS HAGAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH JOSEPH B. BUSHKO AND ENDING WITH PAULA S. OLIVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH CHARLES PAUL T. ANONUIVO AND ENDING WITH TRACY R. WALTERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH DAVID H. BURNHAM AND ENDING WITH RANDALL S. VERDE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH MICHAEL A. ADAMS AND ENDING WITH PAMELA A. TELLADO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH GREGORY R. ABER AND ENDING WITH ZAVEAN V. WARE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH ALESHA R. ACKLEY AND ENDING WITH DEAN KOCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH THOMAS H. AARSEN AND ENDING WITH DEBORAH A. P. HERSMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMINATIONS BEGINNING WITH ROBBY S. BAKER AND ENDING WITH HAROLD S. ZALD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AMY NOMINATIONS BEGINNING WITH DEANGELO ASHER AND ENDING WITH CHRISTINA J. WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF CARROLL J. CONNELLEY, TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATION OF TRACY R. WALTERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH ROBBY S. BAKER AND ENDING WITH ZAVEAN V. WARE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH ROBERT F. BARR AND ENDING WITH CURTIS T. CHUN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH ROBERT P. ANSELM AND ENDING WITH PAUL A. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH RANDY K. ASHMAN AND ENDING WITH TAYLOR L. WENZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH DEANEGEO ASHER AND ENDING WITH JACQUIN K. G. YARBROUGH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH DENNIS R. ANDREWS AND ENDING WITH BRIAN K. WAITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH ROBERTO M. ALVARADO AND ENDING WITH JEREMIAH E. K. YATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH RICHFIELD F. AGULLANA AND ENDING WITH CHIEH YANG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NAVY NOMINATIONS BEGINNING WITH CHARITY C. HARDISON AND ENDING WITH STEPHANIE B. MURDOCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ROSS ELLIS HAGAN AND ENDING WITH WILLEM H. BRASKEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH TIMOTHY C. CANNON AND ENDING WITH MARK JEFFREY FLY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

NATIONAL TRANSPORTATION SAFETY BOARD

DEBORAH A. P. HERSMAN OF VIRGINIA, TO BE CHAIRMAN OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM OF TWO YEARS.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on August 2, 2011 withdrawing from further Senate consideration the following nomination:

LEON RODRIGUEZ OF MARYLAND, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR, VICE PAUL D. RYAN, WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2011.
HON. HOWARD P. "BUCK" McKEON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. McKEON. Mr. Speaker, I rise today to pay tribute to General James E. Cartwright, who is retiring this week after forty years of accomplished and distinguished military service. Throughout his career as a senior officer, General Cartwright has provided invaluable testimony and advice to this body, and in particular to the Armed Services Committee. From U.S. operations in Afghanistan, to missile defenses in Europe, to Department of Defense efficiencies—General Cartwright has provided expert military advice on a wide range of defense and national security issues. I think I speak for all of my colleagues on the Armed Services Committee when I say that his depth of knowledge, outstanding leadership and professionalism, and deep respect and consideration for all of our men and women in uniform will be greatly missed.

General James “Hoss” Cartwright was born and raised in Rockford, Illinois, where he showed an early affinity for the military as a member of the Junior ROTC. After graduating from the University of Iowa in 1971, he was commissioned as a second lieutenant in the United States Marine Corps. During his career as a Marine aviator, General Cartwright served as a Flight Officer in the F-4 and as a pilot in the F-4, OA-4 and F-18. In 1983, he was named outstanding Carrier Aviator by the Association of Naval Aviation. His flying career culminated with command of the First Marine Aircraft Wing in Okinawa, Japan from 2000 to 2002.

After a brief assignment as the Director for Force Structure, Resources, and Assessment (J-8) on the Joint Staff, in 2004 then-Lieutenant General Cartwright was selected for promotion to full General and became the first Marine Corps officer to lead United States Strategic Command. As Commander, General Cartwright led STRATCOM through a period of transition as the military adapted and evolved to confront an increasingly dynamic strategic environment. General Cartwright led development and implementation of strategies to integrate the military’s approaches to cyber, space, nuclear proliferation, and missile defense and reorganized STRATCOM to increase interagency cooperation.

Over the last four years, General Cartwright has served as the eighth Vice Chairman of the Joint Chiefs of Staff. Through my roles as Ranking Member and now Chairman of the Armed Services Committee I have had the pleasure of working directly with General Cartwright during this time. He has faithfully executed his oath of office and constitutional duties and provided the President and Congress with honest, direct, and sound advice. He is a model Vice Chairman and a model Marine, and will leave a lasting legacy on our Armed Forces.

He is also a tremendous advocate for soldiers, sailors, airmen, and marines. General Cartwright’s efforts to expedite procurement and deployment of the Mine Resistant Ambush Protected (MRAP) vehicle saved countless lives. He has leveraged his knowledge of technology and Department of Defense resourcing processes to streamline acquisition and deliver a variety of desperately needed new capabilities to the troops in the field. Most important of all, however, General Cartwright is a steadfast champion of our wounded warriors, our troops who have given their lives in service to their country, and their families.

For forty years General Cartwright has performed his job professionally, honestly, and with great dedication. We will miss his leadership and vision, and wish him all the best as he takes off the uniform for the last time.

A TRIBUTE TO ARCHIE WARNER
HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mr. Archie Warner for his professionalism as a public servant for the United States Postal Service and for his contribution to the Brooklyn community.

Mr. Warner has been promoted throughout the Postal system in a relatively quick manner during his 38 year tenure. Mr. Warner’s long and successful career began with an appointment in the United States Postal Service as a Distribution Machine Operator. He was then promoted to Supervisor of Mail, and then another later position as a supervisor.

During his time at the USPS, Mr. Warner was promoted several times in the Customer Services sector. He was promoted to Manager of Customer Services EAS 18, followed by another promotion to a higher level Manager, EAS 21, and finally promoted in 2000 to Manager, Customer Services Operations or Area Manager for the North. This area encompasses Cadman Plaza Station, Pratt Station, Metropolitan Station, Williamsburg Station, Brownsville Station, Bushwick Station, Greenpoint Station, Red Hook Station, Shirley Chisholm Station, Wyckoff Heights Station and the Collection Unit.

Throughout his loyal career with the USPS, Mr. Warner is most proud of when he became the manager of Brownsville. For Mr. Warner working as the manager of Brownsville he was able to see firsthand how the station changed for the better, and in turn improved the community. Mr. Warner has enjoyed working with the United States Postal Service and views his contribution as a direct service to community businesses and citizens.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Archie Warner.

ON THE ACTIONS OF THE KOSOVO GOVERNMENT AND BORDER PATROL
HON. GARY C. PETERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. PETERS. Mr. Speaker, I rise today to address the recent violence in Kosovo and applaud the actions of the Border Patrol of the Kosovar government. As a sovereign, independent state, Kosovo deserves the right to protect its citizens and patrol its border. I strongly support Kosova for maintaining control over its border with Serbia. Since Kosovo declared her independence in 2008, Serbia has consistently discriminated against Kosovars and prevented the region from accepting her legitimacy.

Recently, Kosovo authorities banned goods coming in from Serbia with the intention of countering their northern neighbor’s rejection of Kosovo’s statehood and Serbia’s boycott of Kosovo’s produce. It is vital that the Kosovar government re-establish territorial integrity within its borders. With increased uncertainty on her country’s northern border, Kosovar special police units launched an operation to gain complete control over the border crossing with Serbia to prevent the continued flow of illegal goods from Serbia. In order for Kosovo to continue to join the developed world, it is necessary for them to have authority over their own economy. I also rise to express my gratitude for NATO peacekeepers that have arrived to maintain peace along the border.

I am proud to represent a large and vibrant community of Kosovar Americans in southeast Michigan. Many of my constituents have relatives along the Kosovo/Serbia border and I know that they are deeply concerned about the security of their loved ones and the prospects for Kosovo remaining an independent nation. Recognized by nearly 80 nations across the globe, Kosovo deserves to be a player on the world stage and I stand with their freedom-loving people who thirst for true independence.

ERIN NISSEN TRIBUTE
HON. SCOTT R. TIPTON
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor Erin Nissen, this year’s 42nd Annual Ag and Tech Awards 2011 Outstanding Ag Student of the Year. Ms. Nissen was one of 200 students who attended this year’s event, but only one of two students honored with the award.

The Outstanding Ag Student of the Year award is considered one of the more prestigious agriculture awards, but it sits only in the shadows of Ms. Nissen’s other accomplishments. As a student at Northern Juniors College (NJC), Ms. Nissen was a member of the United States Marine Corps. During her 38 year tenure. Mr. Warner was promoted several times in the Customer Services sector. He was promoted to Manager of Customer Services EAS 18, followed by another promotion to a higher level Manager, EAS 21, and finally promoted in 2000 to Manager, Customer Services Operations or Area Manager for the North. This area encompasses Cadman Plaza Station, Pratt Station, Metropolitan Station, Williamsburg Station, Brownsville Station, Bushwick Station, Greenpoint Station, Red Hook Station, Shirley Chisholm Station, Wyckoff Heights Station and the Collection Unit.

Throughout his loyal career with the USPS, Mr. Warner is most proud of when he became the manager of Brownsville. For Mr. Warner working as the manager of Brownsville he was able to see firsthand how the station changed for the better, and in turn improved the community. Mr. Warner has enjoyed working with the United States Postal Service and views his contribution as a direct service to community businesses and citizens.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Archie Warner.
of the honor’s association, Phi Theta Kappa. In addition, she served as the president of the Farm Bureau Chapter, president of the Plainsmen Shooters Club, and was a member of the Post-Secondary Agriculture Students at NJC.

In her community, Ms. Nissen volunteered at the Logan County Literacy Coalition, and was also awarded with the Rising Star distinction among community college students in Colorado. Ms. Nissen recently graduated from NJC with an associate’s degree in general studies. In the fall, she plans to major in agricultural business at Texas Tech University.

Mr. Speaker, it is an honor to recognize Erin Nissen. She demands excellence in every area of her life, which has helped her to win one of the most prestigious agriculture awards in the nation—an award well deserved.

A TRIBUTE TO MR. JAMES AURORA

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mr. James Aurora for his exceptional service to his community and the youth. James Aurora is a third generation of owners of the now famous Sonny's Collision Specialists in Brooklyn, New York. This renowned business has been serving the community for 60 years and has gained a distinct reputation for quality customer service.

Mr. Aurora has built an operation that employs 25 professionals that offer clients guaranteed personal attention. In the years that Mr. Aurora has been operating Sonny’s Collision Specialists he has never known any unsatisfied customers. Every customer of Sonny’s has only experienced top notch service in the most expeditious manner.

Jimmy Aurora knows the importance of giving. Sonny’s is not only a staple in the community for their expertise in auto body collision services, but they are famous for their giving spirit. Mr. Aurora on a yearly basis has sponsored cricket teams, baseball leagues, and boys clubs, along with donating thousands of dollars towards Autism awareness and The American Cancer Society. He has not only provided a necessary service to his community but he has found the means to give more to those in dire need.

Mr. Aurora lives by the company’s motto: “Perfection is not an accident.” Jimmy proudly represents his heritage and family legacy by ensuring that Sonny’s Collision Specialists continues to be a leader and trendsetter in auto body collision work.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Mr. James Aurora.
to implement the Administrative Dispute Resolution Act of 1990, which resulted in savings estimated to be many millions of dollars. The President of the American Arbitration Association asserted that ACUS’s encouragement of ADR saved “millions of dollars that would otherwise be fretted away in litigation costs.”

Accordingly, the elimination of ACUS in 1995 was described by several observers as being “penny-wise, pound foolish.” Even after its demise in 1995, Congress continued to assign ACUS various responsibilities apparently unaware of the Conference’s termination. Finally, after a 15-year hiatus, ACUS was reauthorized and appropriated funding.

Currently, President Obama nominated Paul R. Verkuil to serve as chair of ACUS in November 2009 and he was confirmed by the Senate in March 2010. The ACUS formally resumed operations in April 2010.

Then since its recent Reauthorization the ACUS has started to do what it does best figuring out ways to decrease expenses and increase efficiency. Current cost-saving projects underway at ACUS include the following:

A study on the use of video hearings in administrative agencies and how they can generate “significant savings;” a study on rulemaking that focuses on the legal and logistical issues presented by transitioning from a paper-based system to an electronic system for handling rulemaking comments, an examination into how international regulatory cooperation could be improved and lead to trade harmonization.

Over the course of its existence, ACUS has promulgated approximately 200 recommendations to improve the administrative process, many of which were implemented, which, in turn, helped save taxpayers many millions of dollars. ACUS is an invaluable instrument established by us that has resulted in significant improvements to federal administrative law.

ROBERT POLLARD TRIBUTE
HON. SCOTT R. TIPTON
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. TIPTON. Mr. Speaker, it is a great honor to rise in tribute of Dr. Robert Pollard, for being recognized in “Great Stories on Halls in Walls,” a program that he founded.

The Great Stories on Halls in Walls project is a great way to appreciate and share the lives and stories of the alumni, faculty, staff and friends of Adams State College. Funds raised from the donations for these dedications are given to the Adams State College Foundation to provide active leadership, direction and expertise in college fund-raising efforts.

The first member in his family to attend college, Pollard attended Adams State and returned to Alamosa after serving in the U.S. Army in the Colorado National Guard Unit. Mr. Pollard later received his doctorate degree from Stanford University.

Mr. Speaker, Dr. Robert Pollard is a man who should be recognized for his outstanding and generous character, which is worthy of praise and admiration.

A TRIBUTE TO MR. HARVEY LAWRENCE
HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Harvey Lawrence and his exceptional service to the public health of his community and his ongoing public service career.

Mr. Lawrence began his career by attaining a Master of Science degree in Management Science and Policy Analysis from Harriman college and SUNY Stony Brook. He is also a graduate of the Johnson & Johnson/UCLA Health Care Executive Certificate Program.

Mr. Lawrence has been serving in the capacity of President and CEO of the Brownsville Multi-Service Family Health Center since January 2009. Before his ascent to President, Mr. Lawrence served as the Corporation’s Executive Vice President and COO. Working with the Brownsville Family Health Center since 1994, Mr. Lawrence has been responsible for most of the new initiatives and expansions the corporation has taken on.

Using his vast experience in public finance and non-profit development, Mr. Lawrence has been able to accelerate the growth of this corporation and provide more services to the public. Mr. Lawrence began his public service career as Management Trainee at the Port Authority of New York/New Jersey and quickly gained experience in NYC’s Office of Economic Development.

Mr. Lawrence is a former non-profit developer for affordable housing and vice president in the investment banking, public finance and real estate divisions of the former Manufacturers Hanover Trust Bank. Using his knowledge, Mr. Lawrence maintains his position as the executive director of the city’s industrial commercial incentive board and senior finance/development director at the NYC Public Development Corporation.

Mr. Lawrence is a man of exceptional character and one that has been humbled through his ability to serve those with greater needs. Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Mr. Harvey Lawrence.

IN HONOR OF THE WOMEN’S CIVIC IMPROVEMENT CLUB
HON. DORIS O. MATSUI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the Women’s Civic Improvement Club, WCIC, as they celebrate their 75th anniversary. It is my pleasure to recognize the Women’s Civic Improvement Club. The Club was created to provide housing for African American women that had moved to Sacramento to work at the McClellan Air Force Base. At the time, racial segregation and the financial devastation of the Great Depression made finding a safe home next to impossible for many women. In 1945, the Club’s Board of Directors signed incorporation papers and the name was changed, making it the WCIC that we know of today. Throughout all of the changes our nation has faced since 1936, the WCIC has remained strong and relevant to those of us in Sacramento.

Over the course of the last 75 years, the WCIC has evolved into an organization that helps people from low-income and disadvantaged families. The Club has expanded to include several new programs, helping individuals of all ages grow through community involvement. Their congregate meal program provides food and recreational activities for senior citizens, allows members of the program to get a healthy meal, and provides opportunities to socialize and be involved in the community. Moreover, the Playmate Head Start Program provides quality childcare to its members and has maintained an excellent focus on healthy child development.

Mr. Speaker, I am honored to pay tribute to the Women’s Civic Improvement Club on their 75th anniversary, and to their outstanding commitment to improve our community. I ask my colleagues to join with me in congratulating them on their 75 years of success.

PROCLAMATION
HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, Whereas, forty one years ago a virtuous woman of God accepted her calling to serve in the Fulton Atlanta Community Action Authority in Atlanta, Georgia; and

Whereas, Mrs. Sarah Fitten began her career with a heart for the people and today retires as a long-time Assistant Director who has touched the lives of many; and

Whereas, this phenomenal woman has shared her time and talents, giving the citizens of our District a friend to help those in need, a fearless leader and a servant to all who wants to insure that the system works for everyone; and

Whereas, Mrs. Sarah Fitten is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Sarah Fitten on her retirement from the Fulton Atlanta Community Action Authority and to wish her well in her new endeavors; now therefore, I, HENRY C. “HANK” JOHN- SON, Jr. do hereby proclaim July 30, 2011 as Mrs. Sarah Fitten Day in the 4th Congressional District.

Proclaimed, this 30th day of July, 2011.
This bill fails on its own terms, which are allegedly about fiscal accountability. The debt has three main drivers:

The first is the recession. If we want to reduce the debt, we have to stimulate the economy, which is hobbled by a jobless recovery. America has 14 million people out of work. We have over $3 trillion of infrastructure which must be replaced or rebuilt. We should be investing in America, rebuilding America, stimulating the American economy, priming the pump of our economy instead of capping our economic well. Our GDP is lagging. This bill cuts nearly $3 trillion in government spending, which is one of our main tools for fighting the recession. So much for the recovery. So much for putting America back to work.

The second reason for the size of the debt is the Bush tax cuts. This bill fails to end the Bush tax cuts for the rich, which added a trillion dollars to the deficit. Not only are the wealthy not paying a fair share of the taxes but their privileged position is locked in, to the detriment to the rest of the society. This single action makes clear that this bill is a vehicle for the rich to get richer and the poor to get poorer.

That working Americans are being offered a tax holiday is one of the cruel ironies of this bill in that the tax holiday adds more to the deficit on one hand, while requiring cuts to pay for it on the other. Those very cuts will undermine the social and economic position of those whom the tax holiday is alleged to help.

The third reason for the size of the debt is the wars. This bill fails to realize savings from ending the wars. Instead it continues the wars in Afghanistan and Iraq at current funding levels for at least another 10 years. According to the Congressional Budget Office, CBO, "The caps would not apply to spending for the wars in Afghanistan and Iraq and for similar activities (sometimes referred to as overseas contingency operations)." If this bill required a slow drawdown of troops as the Reid bill did, it would save at least $1.2 trillion.

It is inexplicable that we are creating more space for war and less space for jobs, housing, education, caring for our elderly, home heating assistance and a wide range of activities of any government which truly cares for its people.

A policy of no limits for war and hard limits on domestic spending, coupled with hundreds of billions of dollars in tax cuts for the rich, disproportionately affects the poor and middle class. Wall Street has swelled with bailouts, multiple editions of largesse through quantitative easing, skyrocketing executive pay and bonuses, and freedom to gamble the public’s money through hedge funds. Main Street has suffered massive loss of retirement savings, housing security, access to affordable health care, real wages and benefits, full employment and massive loss of small businesses. The wealth of America is being accelerated to the top and this bill pushes that acceleration.

This bill is a direct assault on representative government. The House of Representatives and the Senate consist of 435 and 100 Members, respectively. With the creation of a super-committee, the Congress has been reduced to a czardom where 7 of 12 members are given the power to determine the course of America’s economy, with handcuffs of K Street lobbyists already poised to swoop in to protect their narrow interests against $1 trillion in deficit reduction measures.

The Congressional committee and subcommittee process, with its membership composed of individuals with expertise in specific areas, is designed to encourage thorough consideration of measures which affect the lives of hundreds of millions of Americans. This process of work leads to the conclusion that is the intent of the founding Fathers when they established the House of Representatives specifically to avoid such a dangerous concentration of power. The super-committee is poised to cut Medicare, Medicaid and Social Security while limiting accountability.

We could have avoided this hostage-taking if the President chose to apply his expertise in Constitutional law to invoke the 14th Amendment of the Constitution to raise the debt ceiling. Instead, we are taking America from the New Deal of 1932 to the Raw Deal of 2011. We should be focusing on strengthening Social Security, Medicare and Medicaid and creating jobs. The Democratic Party is running away from its traditional role of protecting the poor, the elderly, and the working class. To whom do these groups now turn?
Providing Greater Authority and Discretion to Consumer Product Safety Commission

SPEECH OF
HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, August 1, 2011

Mr. KUCINICH. Mr. Speaker, I rise in opposition to H.R. 2715, a bill which places profits ahead of public health; especially the health of children. Though some flexibility in the Consumer Product Safety Improvement Act’s implementation is warranted, this bill goes too far.

According to the Centers for Disease Control and Prevention, CDC, and the Environmental Protection Agency, EPA, there is no safe level of exposure to lead. Even the most minute exposures, including so-called “trace” amounts, have enduring health effects. Lead has many of the same chemical properties as calcium, which is why the body takes it up and deposits in the brain and in bone. However, once lead enters the brain, it doesn’t leave. Commonly seen health effects of lead exposure include delays in neurological and psychological development, learning disabilities, hyperactivity, lower IQ, hearing loss, reduced attention span, and extremely aggressive behavior. A growing body of research links criminal activity to exposure to lead, which stands to reason given this list of effects.

This bill provides industry with several exemptions from the law and enhances its ability to self-regulate, an approach that has already proven to fail to protect public health. First, the bill exempts all products from the lead standards contained in the Consumer Product Safety Improvement Act except children’s products. Though children are disproportionately susceptible to lead exposure, it is a disproven myth that adults are not susceptible. Adults suffer many of the same effects which are harder to detect because there are no programs to test blood lead levels, BLL, in adults. This bill sets forth a series of harmless-sounding criteria to be used to grant specific exemptions that facilitate exposure to lead. If a company decides it wants to manufacture a product that can only be made with dangerous amounts of lead, that is now perfectly acceptable. In exchange, that company would need to show that the product is unlikely to be eaten, even though most lead exposure actually occurs through habitual hand-to-mouth activity after hand-to-mouth contact with the vast array of consumer products that contain lead. That company would also need to show that blood lead levels—of children only—would not be affected. That is not a difficult hurdle since blood only remains in the body for about two weeks before it is expelled or taken up into the brain or bone, where it is nearly impossible to detect.

This bill also gives manufacturers the ability to initiate a petition to exempt their products, without any way to prevent the well-worn tactic of applying for so many exemptions, and submitting so much information, much of which is meaningless, that the agency is effectively paralyzed with work. Worse, the bill allows the CPSC to make decisions about exemptions based solely on information submitted by the manufacturer. It is an inherent conflict of interest to turn over the burden of proof of harm to the company that stands to profit handsomely if no harm is proven. Citizens, advocates, and the CPSC do not have the resources to be able to generate enough information against exemptions to match the volume of applications and information the manufacturers will put out. Chemical companies have been using this tactic for decades to push toxic chemicals through the approval process.

The bill also contains blanket exemptions for narrow interests like off-road vehicles, bicycles, books, and magazines, even though the products are meant for children and most Americans would be surprised to learn that they contain lead at all. There is a balance to be struck between unnecessarily burdensome regulations and protection of public health. This bill fails to strike that balance.

MEMBERS CALL FOR COMMUTATION OF POLLARD SENTENCE

HON. BARNEY FRANK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, yesterday, August 1, I spoke on the floor to renew a request that I made along with 38 of my colleagues that the President commute the long prison sentence of Jonathan Pollard. None of us condone Mr. Pollard’s espionage, and we do not ask that he be pardoned for his crime. We do believe that he has already served a much longer sentence than is close to that served for any comparable offense, and we believe it’s come into question for an individual and the interests of strengthening American-Israeli ties in a way that can contribute to important decisions being made that can advance the peace process call for his commutation.

Mr. Speaker, I ask that the text of the letter and the list of signatories be included in today’s RECORD.

CONGRESS OF THE UNITED STATES,
Washington, DC, November 18, 2010.

PRESDIENT BARACK OBAMA,
The White House,
1600 Pennsylvania Avenue, Washington, DC.

Dear Mr. President,
We write to urge you to use your constitutional power to extend clemency to Jonathan Pollard, thereby releasing him from prison after the time he has already served. Mr. Pollard committed serious crimes and he has expressed remorse. Such an exercise of the clemency power would not in any way imply doubt about his guilt, nor cast any aspersions on the process by which he was convicted. Those who have such views are of course entitled to continue to have them, but the clemency grant has nothing to do with that.

We believe that there has been a great dis- parity from the standpoint of justice between the amount of time Mr. Pollard has served and the time that has been served—or not served at all—by many others who were found guilty of similar activity on behalf of nations that, like Israel, are not adversarial to us. It is indisputable in our view that the nearly twenty-five years that Mr. Pollard has served stands as a sufficient time from the standpoint of either punishment or de- terrence.

In summary, we see clemency for Mr. Pol- lard as an act of compassion justified by the way others have been treated by our justice system. We urge you to use the clemency power in this case.

Sincerely,

A TRIBUTE TO DR. MARK GLADSTEIN

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mr. Mark Gladstein for his ongo- ing efforts to serve his community by providing advanced health care options.

Dr. Mark Gladstein is a founder and a medical director of Brooklyn’s leading pain management facility, Pain Institute of New York.
CONGRESSIONAL RECORD — Extensions of Remarks
August 2, 2011

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H.R. 1933—To amend the Immigration and Nationality Act to modify the requirements for admission of nonimmigrant nurses in health professional shortage areas. A number of hospitals with unique circumstances experience a great difficulty in attracting American nurses. Hospitals serving mostly poor patients have special difficulties. Some hospitals in rural areas do also. For example: St. Bernard Hospital and Health Care Center is located on the South side of Chicago in the Englewood Community. It is the only remaining hospital in an area with a census in excess of 100,000 and the patient base is almost entirely poverty care or charity care. St. Bernard almost closed its doors in 1992, primarily because of its inability to attract health care professionals, most importantly as multiple teaching awards.

Mr. Speaker, I urge my colleagues to join me in recognizing the many accomplishments of Dr. Mark Gladstein.

PROCLAMATION

HON. SHEILA JACKSON LEE OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 2011

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H.R. 1933—To amend the Immigration and Nationality Act to modify the requirements for admission of nonimmigrant nurses in health professional shortage areas. A number of hospitals with unique circumstances experience a great difficulty in attracting American nurses. Hospitals serving mostly poor patients have special difficulties. Some hospitals in rural areas do also. For example: St. Bernard Hospital and Health Care Center is located on the South side of Chicago in the Englewood Community. It is the only remaining hospital in an area with a census in excess of 100,000 and the patient base is almost entirely poverty care or charity care. St. Bernard almost closed its doors in 1992, primarily because of its inability to attract health care professionals, most importantly as multiple teaching awards.

Mr. Speaker, I urge my colleagues to join me in recognizing the many accomplishments of Dr. Mark Gladstein.

NON-IMMIGRANT NURSES VISA REAUTHORIZATION

SPEECH OF

HON. SHEILA JACKSON LEE OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 2011

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H.R. 1933—To amend the Immigration and Nationality Act to modify the requirements for admission of nonimmigrant nurses in health professional shortage areas. A number of hospitals with unique circumstances experience a great difficulty in attracting American nurses. Hospitals serving mostly poor patients have special difficulties. Some hospitals in rural areas do also. For example: St. Bernard Hospital and Health Care Center is located on the South side of Chicago in the Englewood Community. It is the only remaining hospital in an area with a census in excess of 100,000 and the patient base is almost entirely poverty care or charity care. St. Bernard almost closed its doors in 1992, primarily because of its inability to attract health care professionals, most importantly as multiple teaching awards.

Mr. Speaker, I urge my colleagues to join me in recognizing the many accomplishments of Dr. Mark Gladstein.

PROCLAMATION

HON. HENRY C. “HANK” JOHNSON, JR. OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, Whereas, Jim Gullett, Sr., was born in Camden, Alabama between 1850 and 1852 in slavery, his life has blessed us with descendants who have helped to shape our nation; and

Whereas, the Gullett Family has produced many well respected citizens and their matriarchs and patriarchs of the family are pillars of strength not only for their families, but for our nation as well; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to have many members of the Gullett family, including Mrs. Adrienne Clark one of our most beloved citizens in our District who resides in Lithonia, Georgia; and

Whereas, family is one of the most honored and cherished institutions in the world, we take pride in knowing that families such as the Gullett family have set aside this time to fellowship with each other, honor one another and to pass along history to each other by meeting at this year’s family reunion in Lithonia, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Gullett family in our District;

Now therefore, I, HENRY C. “HANK” JOHNSON, Jr. do hereby proclaim Friday, July 15, 2011 as Gullett Family Reunion Day in the 4th Congressional District.

Proclaimed, this 15th day of July, 2011.

IN REMEMBRANCE OF MR. RONALD BERNSTEIN

HON. DENNIS J. KUCINICH OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mr. Ronald Bernstein, a devoted husband, father, grandfather, and former Councilman for Valley View, Ohio. Mr. Bernstein was born in Cleveland, Ohio before his family relocated to Texarkana. He graduated from Cuyahoga Heights High School in 1954 and served in the United States Army soon after.

After completing his service with the Army, Mr. Bernstein sold Oldsmobiles, Fords, and Chrysler for various auto dealers—which led to the introduction to Joanne Kenley, who he would later marry. He and Joanne raised three sons and have eight grandsons and a granddaughter.

At the age of thirty-three, Mr. Bernstein was elected to Valley View’s City Council, where he served for twenty-four years. While serving as a Councilman Mr. Bernstein helped develop the Cuyahoga Valley National Park. He also worked hard to reduce polluted runoff from Garfield Heights. Councilman Thomas Perk remembered Mr. Bernstein as “a fighter for the people.”

Mr. Speaker and colleagues, please join me in the remembrance of Mr. Ronald Bernstein, who as Councilman was instrumental in improving the City of Valley View and always stood on the side of those he represented.
A TRIBUTE TO MR. OLEG SMURGIN

HON. EDOLPHUS TOWNS
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mr. Oleg Smurigin for his continued contribution to the health care initiatives of his community.

Mr. Smurigin was born to a middle class Jewish family to Yury and Bella Smurigin on April 7, 1966, in Kiev, Ukraine. He attended school in Kiev from 1973 until 1983, when he was recruited to the army for 2 years. Mr. Smurigin served as a Sergeant in the army from 1985 until 1987 under Special Forces by the border of China, Khabarovsk City. Once Mr. Smurigin was discharged in 1987, he attended the University of Kiev, where he graduated with a Bachelor's Degree in the Arts in 1991.

In 1992, Mr. Smurigin and his family decided to relocate to the United States as refugees. He supported his family working at Victory Memorial Hospital in Brooklyn, New York as a full time regular security guard. With more experience, Mr. Smurigin was promoted to shift supervisor and eventually to Director of Security in 2006. Spending over 10 years at Victory Memorial Hospital, he was awarded Victory Memorial Hospital 10-Year Award of Excellence.

When the Victory Memorial Hospital closed its doors in 2009, Mr. Smurigin headed to the PAIN Institute as a Business Manager.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Mr. Oleg Smurigin.

OPPOSITION TO THE HOUSE INTERIOR APPROPRIATIONS BILL AND UNDERLYING CUTS TO NATIONAL ENDOWMENTS FOR THE ARTS AND THE HUMANITIES

HON. DORIS O. MATSUI
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Ms. MATSUI. Mr. Speaker, I rise today in opposition to the underlying bill, and specifically the cuts it makes to the National Endowment for the Arts and the National Endowment for the Humanities. These entities provide support, resources and education that inspire, cultivate and foster creativity across the nation.

Investing in the arts is an investment in our future, an investment in our cultural heritage as a nation, and an investment in our economy.

In my district of Sacramento, California, there are currently 1,600 arts-related businesses that employ almost 6,000 people. These businesses play an important role in sustaining the economic vitality of the Sacramento region.

Similarly, the non-profit arts sector is an important part of our nation’s economy and the National Endowment for the Arts is uniquely positioned to fund programs and activities that preserve, jobs are impacted by the decline in philanthropic support as a result of the financial collapse. The non-profit arts sector generates $166 billion annually and supports almost six million full-time jobs across the country.

The NEA has a 40 year proven history of investment throughout our nation, an investment that stimulates local economies, creates livable communities, and supports tourism. In fact, cultural tourism alone contributes $122 billion annually to our country.

Just this past spring, the NEA, the Sacramento Metropolitan Arts Commission and I co-hosted a grants workshop in Sacramento providing local organizations, artists, and galleries with the information they need to apply for and win federal grants. Over 100 people attended.

I have seen firsthand the impact of NEA grants in my district. For example, in May, the NEA generously provided $20,000 to the Sacramento Philharmonic Orchestra for their educational outreach programs.

Similarly, for close to 50 years the NEH has been providing grants and opportunities for lifelong learning. In the last four years alone, the National Endowment for the Humanities has invested $48.5 million in California institutions to preserve our heritage. Yet the bill before us today cuts each of these already underfunded agencies without any regard to the effect that will have on our nation’s students, museums, artists, or culture as a whole.

Both the NEA and the NEH support organizations on the local level and allow them to take their programs to the next level. In fact, for every federal dollar invested in the arts, local agencies are able to leverage seven dollars in private donations. The federal government provides the seed money and the artists, curators, and historians make it grow.

Mr. Speaker, there are a number of potential amendments to make additional cuts to these agencies, and I urge my colleagues to oppose those efforts and oppose this legislation.

DICKS AMENDMENT TO H.R. 2854, THE FISCAL YEAR (FY) 2012 INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT

HON. DENNIS J. KUCINICH
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Mr. KUCINICH. Mr. Speaker, I rise in support of the amendment offered by Representative DICKS, THOMPSON, FITZPATRICK, and HANABUSA to H.R. 2584, the Fiscal Year (FY) 2012 Interior, Environment, and Related Agencies Appropriations Act.

This amendment would reverse the damaging and short-sighted policy. It would allow the FWS to protect any of the over 260 ‘Candidate species,’ species that the FWS has already determined warrant additional protection, and to upgrade the status of these species to endangered.

This amendment would reverse this dangerous and short-sighted policy. It would allow the FWS to protect any of the over 260 ‘Candidate species,’ species that the FWS has already determined warrant additional protection, and to upgrade the status of these species to endangered.

This amendment is not only vital for wildlife, but also for us. Many of these species play keystone roles in highly complex ecological systems on which we depend for clean water, clean air, arable soil, and healthy food. Biodiversity is a resource that can be tapped into; the complexities of organisms, only some of which have even been identified, can help us find cures for cancer and other diseases. A recent study by Dr. Felicia Keesing concluded that losses in biodiversity tend to increase the rate at which diseases are transmitted.

Willingly allowing endangered species to go extinct is irresponsible and imposes limitations on our nation’s ability to progress. Species loss is forever. I urge my colleagues to support this important amendment.

STATEMENT REGARDING THE ONGOING VIOLENCE IN SYRIA

HON. GARY C. PETERS
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Mr. PETERS. Mr. Speaker, I rise today to express my deep concern regarding the loss of life in Syria. In Hama, the site of massive anti-regime protests, dozens of innocent citizens chanting for freedom and democracy have been ruthlessly murdered by Syrian security forces under orders from the Syrian regime led by President Bashar Assad.

This heartless attack came on the eve before the Islamic Holy Month of Ramadan, which only makes this assault on the Syrian people all the more despicable. Assad has yet again failed to understand that the Syrian people are no longer afraid. Violence will only further convince the Syrian people that Assad is no longer their legitimate president.

Assad has ruled with an iron fist for too long. During this uprising, Assad has made fake reforms designed to give the world a false impression that he is a reformer. Reports of humane torture of innocent men, women, and children clearly show that the last thing he is interested in is reform. The Syrian people have spoken: they want the Assad regime to fall. I therefore reiterate my call for Assad to step down, before any more innocents are murdered.

A TRIBUTE TO HOWARD KAGAN

HON. EDOLPHUS TOWNS
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mr. Howard Kagan for his support and dedication to serving Brooklyn and its youth through public advocacy and educational programs.

Mr. Kagan was born in Brooklyn, NY, and was the fifth of five children. He graduated from Brooklyn College where he received his Bachelor of Arts Degree and later received his Master of Science Degree from Brooklyn College. For several years Mr. Kagan taught English and Math at the Middle School level and held certification in General Education and Special Education. Working in the education field, Mr. Kagan has held the responsibility of being a teacher, educator and special
education teacher for the New York City Board of Education for 20 years. He was also a Track Four Coordinator for Severely and Profoundly Handicapped children.

Following his tenure at the New York City Board of Education he went to Brooklyn Law School and received his J.D. degree in 1989. He has had a private practice since 1989 specializing in all forms of personal injury cases, including slip and falls, auto accidents, medical malpractice and general negligence. His private practice is an Accredited Business with the Better Business Bureau since 2008 and has an A+ rating. Mr. Kagan has been actively practicing law for 22 years and has hosted an internship program for college and law students. Furthermore, Mr. Kagan advises law students and recent law graduates on how to start their own practices and on the basics of Tort law.

As a lawyer Mr. Kagan was admitted to the New York State Bar in June of 1989, and is admitted to practice in New York State and New Jersey. Besides his love for people and children, Howard loves reading, stained glass, traveling, Jai alai and flying Cessna 150's.

Mr. Kagan has four children of his own; two sons who are attorney's and one who is currently studying at Columbia Dental school. He has also been happily married for 25 years.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and success of Mr. Howard Kagan.

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**PROCLAMATION**

**HON. HENRY C. "HANK" JOHNSON, JR.**

**OF GEORGIA**

**IN THE HOUSE OF REPRESENTATIVES**

*Tuesday, August 2, 2011*

Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, Reverend Dr. John H. Smith, Sr., has celebrated forty (40) years in pastoral leadership this year and has provided stellar leadership to his church; and

Whereas, Reverend Dr. John H. Smith, Sr., under the guidance of God has pioneered and sustained Welcome Friend Missionary Baptist Church as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has given hope to the hopeless and is a beacon of light to those in need; and

Whereas, Reverend Dr. Smith is a spiritual warrior, a man of compassion, a fearless leader and a servant to all, but most of all a visionary who has shared not only with his Church, but with our District and the nation his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Reverend Dr. John H. Smith, Sr. as he celebrates forty years in pastoral leadership;

Now therefore, I, HENRY C. "HANK" JOHNSON, Jr. do hereby proclaim July 24, 2011 as Reverend Dr. John H. Smith, Sr. Day in the 4th Congressional District.

Proclaimed, this 24th day of July, 2011.

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**BUDGET CONTROL ACT OF 2011**

**SPEECH OF**

**HON. DENNIS J. KUCINICH**

**OF OHIO**

**IN THE HOUSE OF REPRESENTATIVES**

*Thursday, July 28, 2011*

Mr. KUCINICH. Mr. Speaker, I have had and continue to have serious concerns about Senator Reid's revised bill. The cuts to discretionary spending will be adverse to the beneficiaries of programs designed to provide essential services the private sector will never provide and in some cases, should never perform. The cuts to defense funding, the single biggest source of government waste, are a good start but are small compared to those cuts to non-defense spending. I will work to ensure that we achieve defense cuts greater than the minimum required by this bill.

We are now three days away from reaching the effective debt ceiling, a landmark that would drastically accelerate the $400 billion of damage to our economy already caused by the mere threat of reaching the ceiling.

This bill raises the debt ceiling, while not prescribing cuts to Social Security, Medicare, and Medicaid. It prevents further instances of the debt ceiling (which has been raised 74 times since 1962 and 10 times since 2001) from being held hostage. It cuts funding from the account that fuels the wars that dramatically increased our debt.

In the past, I voted against three of the main drivers of our debt: the war in Iraq, the Bush tax cuts and Medicare Part D. I believe in fiscal responsibility. I do not believe America should go into default in order to bail out the wealthy. It is time to prevent fake crises, and get on with rebuilding the U.S. economy.

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**BUDGET CONTROL ACT OF 2011**

**SPEECH OF**

**HON. HENRY A. WAXMAN**

**OF CALIFORNIA**

**IN THE HOUSE OF REPRESENTATIVES**

*Monday, August 1, 2011*

Mr. WAXMAN. Mr. Speaker, I am opposed to the debt ceiling and deficit reduction legislation and will vote against the bill. Raising the debt ceiling should be a legislative act that allows us to meet the obligations our country has already incurred. But this legal formality has been taken hostage by the Republican Party and tied to dangerous and extraordinary demands regarding spending and taxes that affect everyone in our country.

As a result, we have a crisis that has been worsened by manufactured. Only last year has the economy been paralyzed. Millions of Americans have been frightened about whether Social Security checks and salaries for our armed forces will be paid, financial markets have been rattled, and America’s fiscal responsibility has been tarnished in the eyes of the world.

As a matter of economic policy, the spending cuts in this legislation will do harm to the economy and will curb our ability to stimulate job growth. Our economy is weak. The recovery is stalled. Our workers and households need action from Congress that helps promote growth and investment. With unemployment over 9 percent and growth at barely 1 percent, the last thing we need is for Washington to take the wind out of the sails of future growth. Cutting spending by over $2 trillion hurts the economy’s ability to move forward.

As a matter of equity, this package is not balanced. It is all spending cuts, cuts that are deeper because we are blocked by the Republicans’ refusal to consider revenues to be gained from asking the wealthy and fortunate to play their fair share. There is nothing to end egregious tax expenditures benefitting corporations or to ask our most profitable companies today, such as the oil industry to pay a little more; or to have the burden of deficit reduction shared, even a little bit, by the wealthiest among us. This is not right. It is not one-sided. And given the magnitude of the task before us to deal responsibly with our long term debt, it is not right.

As a matter of protecting and strengthening Medicare, Medicaid and Social Security, this legislation is also gravely deficient. There may be exceptions for these programs in the seques-
Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, In 2003, Ms. Kim Schofield founded the Lupus And Community Empowering Support organization better known as “LACES”; and

Whereas, LACES is an organization that continues to serve those who live with lupus and those affected by the chronic autoimmune disorder lupus, by empowering patients, bringing attention to the disease, and leading the way to find a cure through research; and

Whereas, today LACES sponsors its 3rd Annual Ride 4 Lupus Motorcycle ride to raise awareness and funds to assist individuals living with lupus; and

Whereas, this unique organization has given of themselves tirelessly and unconditionally to advocate for our citizens and their families who battle lupus; and

Whereas, LACES continues to serve our county, state and country by being the sword and shield for those who live with lupus, encouraging better treatments, funding research and educating people about the disease to help heal families and strengthen our resolve to find a cure; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize LACES for their outstanding service to our District;

Now Therefore, I, HENRY C. “HANK” JOHNSON, Jr. do hereby proclaim July 9, 2011 as “Lupus And Community Empowering Support Day” in the 4th Congressional District.

Proclaimed, this 9th day of July, 2011.

OPENING STATEMENT OF REP. DENNIS J. KUCINICH FOR SUB-COMMITTEE ON REGULATORY AFFAIRS, STIMULUS OVERSIGHT AND GOVERNMENT SPENDING HEARING UPON: ‘LIGHTS OUT: HOW EPA REGULATIONS THREATEN AFFORDABLE POWER AND JOB CREATION’

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. KUCINICH, Mr. Speaker, I submit the following. Good afternoon, and thank you to all the witnesses who are here today to testify about a critical issue facing America: protection of the clean air and clean water on which we depend every single day. Today, we will once again look at the critical role the Environmental Protection Agency plays in supporting these goals.

Air toxics from coal-fired power plants cause or contribute to devastating health problems, ranging from asthma attacks to premature death from cardiovascular disease, stroke and cancer. One air toxic, mercury, damages the developing brains of fetuses, infants and small children, robbing them of the opportunity to fully develop intellectually and physically. Coal burning emissions of sulfur oxides and nitrogen oxides help fuel our nation’s asthma problem and can increase heart attacks.

The burning of coal is also a major contributor to the environmental, national security, and economic crisis that is global climate change. The combustion of coal produces a tremendous amount of carbon dioxide, a greenhouse gas that contributes to increased trapping of heat in our atmosphere. In fact, coal accounts for roughly 20% of all greenhouse gas emissions. It would be difficult to underestimate the urgency of shutting down coal power plants immediately for this reason alone.

These health and environmental consequences from toxic pollution are why the Environmental Protection Agency is developing tougher safeguards to protect Americans. One proposed rule on Mercury and Air Toxics alone would be estimated to save as many as 17,000 lives every year by 2015 and prevent up to 120,000 cases of childhood asthma.

One of the witnesses here to testify today represents American Electric Power (AEP), which is headquartered in Columbus, Ohio. AEP is also one of our nation’s biggest polluters. Another one of Ohio’s polluters, FirstEnergy Corporation, which owns Lake Shore Plant in Cleveland in my own district, is identified as the nation’s sixth-most harmful plant for low-income communities and communities of color. Thanks in part to AEP and FirstEnergy, the State of Ohio has more coal-fired generating capacity than any other state in the nation. Ohio’s electric sector also has the ignomious honor of ranking FIRST in the amount of toxic air pollution it emitted in 2009, emitting more than 44.5 million pounds of harmful chemicals, which accounted for 65% of the state’s pollution and 12% of toxic pollution from U.S. power plants. Ohio also ranked THIRD among all states in mercury air pollution from power plants with about 3,980 pounds emitted in 2009, which accounted for 76% of the state’s mercury air pollution and 6% of U.S. electric sector pollution.

AEP has lobbied against the Environmental Protection Agency’s current efforts to regulate power plant pollution, and is pushing legislation to weaken and delay these regulations. I look forward to hearing from AEP today about how they can justify the regressive side effects that coal-fired power plants wreak upon us, as well as what steps they are taking to curb emissions of toxic air pollution in the United States.

While it is consistent with the history of big business to kick and scream about having to minimize the social and environmental harms they cause, we should NOT underestimate the entrepreneurial ability of America’s electric sector to invest, retrofit and construct clean energy generation, while maintaining system reliability. In fact, when we upgrade our nation’s electric generation infrastructure to comply with new regulations, their capital investments will help drive economic growth and create jobs. According to a study prepared by the Political Economy Research Institute at the University of Massachusetts, two of the proposed EPA Regulations—the Clean Air Transport Rule, and the new Mercury and Air Toxics Standards—could stimulate the creation of more than 1.4 million jobs over the next five years in the pollution controls, engineering, and construction fields.

Congress passed the Clean Air Act and the Clean Water Act because the American public demanded it. The American people demanded it because they don’t like their children to inhale and drink and die from toxic compounds from which even the most diligent parent can’t protect her child. Nothing about the equation has changed, and we must allow the Environmental Protection Agency to continue to fulfill its mandate to protect our water and air. I look forward to hearing from the Environmental Protection Agency today about how it continues to fulfill this promise to America.
First, with all the conflict and frustration surrounding this vote, I’m reverting to basic principles. One of which is, “don’t negotiate with thugs.” It’s been long obvious that we have no partner with whom to negotiate; only a party that started as our comrades in government, then our enemies, who evolved into our opponents. They handed themselves our enemies and now demand that we be their enablers. I refuse to play.

Thugs are in the game to destroy, not build. They would destroy the government, and especially this presidency. They take hostages, and there is no way that would be their next targets. It will be endless. The president has given into all of their demands, and they remain insatiable. It’s time we starved the beast. Then . . .

They came to Washington they say committed not to do business as usual. Then they demanded that we protect every loophole, every billionaire and every greedy element in our society except those who need some help. They set-up something that is their fail safe. I call it the “Keervonian Commission” that will deliver the poison if in November, we don’t volunteer to do it ourselves.

We Democrats in the House were not at the table, and we wind up on the menu.

There are arguments that are valid and good for voting “aye.” But I didn’t come to this place to forget the homeless, the hapless and the hungry.

The most vulnerable in our society don’t watch their 401K plan, the Dow Jones Industrial Average or the futures market. Their future is getting through till tomorrow. They are more concerned with having a roof than they are the national debt ceiling. They need jobs, nutrition, education and encouragement. The time we’ve spent on this debate would indicate that we’ve bought into the trickledown theory.

Here’s what I know: the people I came here to help need real help. Their lives and future are really endangered. What happens to us people with portfolios, and Wall Street watchers is scary, but conjecture.

Sounds hokey, but I’m voting for what I came here to do.

HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, Bishop Miles and First Lady Helen Fowler are celebrating fifty (50) years in marriage today in Lithonia, Georgia; and

Whereas, on June 18, 1961 because of their union then, our community today has been blessed with a family that has enhanced our district, Bishop Fowler as Pastor of Big Miller Grove Missionary Baptist Church and Mrs. Fowler as First Lady, they both are instruments in our community that uplifts the spiritual, physical, economic and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God and this phenomenal and virtuous Proverbs 31 woman have given hope to the hopeless, fed the hungry and are beacons of light to those in need, they both have been blessed with their family, their church and the DeKalb County community; and

Whereas, Bishop and First Lady Fowler are distinguished citizens of our district, they are spiritual warriors, persons of compassion, fearless leaders who serve all, but most of all, visionaries who have shared not only with their family, but with our District their passion to improve the lives of others; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Bishop Miles and First Lady Fowler as they celebrate their 50th Anniversary, fifty (50) years in marital bliss; Now therefore, I, HENRY C. “HANK” JOHNSON, JR. do hereby proclaim June 18, 2011 as Bishop Miles and First Lady Helen Fowler Day in the 4th Congressional District. Proclaimed, this 18th day of June, 2011.

HON. RALPH M. HALL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 2, 2011

HON. RALPH M. HALL
OF TEXAS

Mr. HALL. Mr. Speaker, I rise today to honor a wonderful couple from Denison, Texas, and outstanding community leaders—Lacy and Dorothy Harber. I have known Lacy and Dorothy Harber for many years and they are beloved and respected for their outstanding philanthropic work, generous spirit, and many contributions to their community. Knowing people like Lacy and Dorothy—and gratitude for their close friendship—is a great part of the benefits I receive as a Member of Congress.

This year the Harbers were awarded the Ellis Island Medal of Honor, presented by the National Ethnic Coalition of Organizations. Each year, NECO honors “remarkable Americans who exemplify outstanding qualities in both their personal and professional lives, while continuing to preserve the richness of their particular heritage . . . creating a better world for all of us in the future by the work they do today.”

The Harbers are in good company, joining past winners of the Ellis Island Medal of Honor, including Presidents George H.W. Bush and Gerald Ford, Rosa Parks, and Bob Hope.

The couple’s desire to help others springs from Lacy’s humble beginnings. His father was a city bus driver and his mother cooked in a school lunch room. With four children in the family, Lacy, at the age of seven, began selling popcorn at baseball games.

From an early age, Lacy also suffered from severe scoliosis which, left untreated, would have likely prevented him from walking as an adult. At the time, the Texas Scottish Rite Hospital in Dallas was developing new treatments for physically challenged children without charging for service. The hospital provided treatment for Lacy for nine years, and when he reached high school he was able to take his back brace off and compete on the track team.

Lacy learned from an early age the value of hard work and the understanding of what it means to do without. Through hard work, Lacy has become one of America’s most successful entrepreneurs, and the couple has used their good fortune to improve the lives of those around them.

Lacy and Dorothy, who have been married over fifty years, wholly own the American Bank of Texas, but take no profits from the business. Rather, the couple go to charities and to those less fortunate. They have been known to pick up restaurant tabs for fellow patrons, hand out $100 bills, provide fishing and
boating trips for children with physical or mental challenges, and give multi-million dollar donations to charities. Among the recipients of their generous gifts are Tuxoma Medical Center, Wilson N. Jones Medical Center, and Abilene Christian University. Recently, the couple helped buy a wheelchair and seek assistance for a handicapped teacher.

The Harbers routinely deflect attention from themselves with an humble attitude, stating that they merely enjoy helping others, adopting a “live to give” philosophy as they choose to share their good fortune with others. Their selfless gift allocation to live a humble life in service to others. Mr. Speaker, I ask selfless giving is an inspiration to live a humbly and to share their good fortune with others. Their generous couple who represent the best values of philanthropy, Lacy and Dorothy Harber.

ON THE STATUS OF THE EGYPTIAN COPTIC COMMUNITY

HON. GARY C. PETERS
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Mr. PETERS. Mr. Speaker, I rise today to address the ongoing violence in Egypt being carried out against religious minorities. While the end of the Mubarak regime has brought about the promise for democratic reform, it has also given rise to instability and acts of violence against religious minorities. Coptic Christians have lived peacefully in this part of the world for millennia, but sadly in recent months Coptic churches and protesters have been targeted for violence.

I am grateful to the Commission on Security and Cooperation in Europe, also known as the Helsinki Commission, for holding a hearing recently on the plight of the Coptic people. I was concerned to learn of reports that young women and under-aged girls fear for their safety because of the threat of violence by Muslim extremists. As a member of the Religious Minorities in the Middle East Caucus, I strongly believe U.S. policymakers need to do more to raise awareness of this issue so that the innocent Christians of Egypt are no longer targeted for violence.

I am proud to represent a vibrant Coptic community in southeast Michigan and am privileged to consider the clergy of St. Mark’s Church in Troy, Michigan as my friends. Many of my constituents have relatives in Egypt and I know that they are deeply concerned about the security of their loved ones. I share their concerns—and the concerns of Copts across our nation—about the future of their community and the desire to preserve their right to continue to live peacefully in their ancestral homeland.

While we are hopeful for democratic change in Egypt, it is imperative that we continue support for religious minority communities such as the Copts and seek to preserve and allow for the continuity of their community. I ask my colleagues to join me in raising awareness for the plight of the Copts, demanding an end to extremist violence, ensuring that all Egyptian political voices have the values of freedom, equality, and tolerance, and encouraging a democratic Egypt to fully respect the rights of all its citizens.

HONORABLE DISTINCTION

HON. HENRY C. "HANK" JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, Whereas, our lives have been touched by the life of this one man who has given of himself in order for others to stand; and Whereas, Mr. Ladeadrick “Bob” Jackson’s work is present throughout Meadowcreek High School for all to see; being the Principal of Meadowcreek High School, Lilburn, Gwinnett County, Georgia from 2006 to 2011, he did much to aid in the achievements of the school; and Whereas, this giant of a man taught academics to young scholars, managed administrators, inspired elected officials, motivated the young and the old, as he accomplished so much during his time on this earth; and Whereas, this remarkable man gave of himself, his time, his talent and his life; he never asked for fame or fortune; he just wanted to uplift those in need, he just wanted to make a difference by educating others and building up a community; Mr. Jackson inspired others to do the same by witnessing him walk the walk and talk the talk; and Whereas, Mr. Jackson led by doing behind the scenes and on the front lines for many; Mr. Jackson was a husband, a father, an educator and a friend; he was our warrior, our patriarch, a man of great integrity who remained true to the uplifting of the community until his end; and Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to bestow an honorable distinction and recognition on Mr. Ladeadrick “Bob” Jackson for his leadership, friendship and service to all the citizens of Georgia and throughout the Nation; as a citizen of great worth and so noted distinction; Now therefore, I, HENRY C. “HANK” JOHN- son, Jr. do hereby attest to the 112th Cong ress that Mr. Ladeadrick “Bob” Jackson of Georgia is deemed worthy and deserving of this “Congressional Honor Distinction”; Mr. Ladeadrick “Bob” Jackson—U.S. Citizen of Distinction—in the 4th Congressional District of Georgia.

Proclaimed, this 29th day of July, 2011.

SUSPENDING IMMIGRATION STATUTORY PETITION AND INTERVIEW TIME REQUIREMENT FOR MEMBERS OF ARMED FORCES

SPEECH OF

HON. SHEILA JACKSON LEE
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 1, 2011

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H.R. 398, “To amend the Immigration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and for other purposes.” As a Senior member of the Judiciary Committee and a member of the Subcommittee on Immigration Policy and Enforcement, I am proud to support this legislation because in many ways the current immigration system is flawed, and in need of reform.

Furthermore, I want to commend my colleague, Rep. Zoe LOFGREN for her leadership on immigration issues, especially in her former role as Chairwoman of the Immigration Subcommittee. The debate surrounding how to mend our broken immigration system continues to be polarized, with many differing opinions about how to best address the issues authorized persons in our country. I would also like to commend Rep. LOFGREN for introducing this bill, H.R. 398, which addresses one of the many loopholes, oversights, and shortcomings in our current immigration system. This bill makes a simple change that helps our immigration process make more sense—it tolls time period to file a petition and appear for an interview to remove the conditional basis for permanent resident status while a petitioner is serving in active duty with the armed forces. It allows those men and women serving our country abroad to focus on protecting America and not worry about their spouse’s immigration status.

Under current law, when either a U.S. citizen or lawful U.S. Permanent Resident sponsors an alien spouse, the alien spouse is granted conditional permanent resident status. After two years, the alien spouse becomes a full permanent resident. The petition must be filed not later than the 90-day period before the second anniversary of the spouse’s becoming a conditional permanent resident, unless the alien establishes to the satisfaction of DHS good cause and extenuating circumstances for failure to file on time. Upon the filing of the petition, DHS interviews the spouses to ascertain whether there was any possible marriage fraud. The interview is conducted within 90 days of the submission of the petition, unless DHS waives the deadline for the interview or the requirement for the interview.

As you can see, the 90-day joint filing deadline and the interview that follows, which requires the participation of the U.S. citizen or permanent resident spouse who is serving overseas in active duty status with the Armed Forces would, without a doubt, place undue hardship on the active duty petitioner. It would clearly be a disruption to the U.S. military to have to facilitate a member of the Armed Forces deployed overseas filing a petition and traveling for a personal interview with DHS. While DHS can choose to delay this process in appropriate circumstances, a blanket tolling of the time periods while a spouse is serving abroad in the U.S. Armed Forces is appropriate.

H.R. 398 tolls the time periods of time to file the petition and have an interview for removal of condition during any period of time in which a spouse is a member of the Armed Forces of the United States and serving abroad in active-duty status. The spouses do retain the right to be able to file a petition within the normal time period and DHS retains the right to waive the interview requirement in appropriate circumstances.

Let’s help our military service member by giving them the peace of mind. The tolling of
dates would lift the burden on the petitioning military spouse serving abroad from (i) having to establish to the satisfaction of DHS, good cause and extenuating circumstances for failure to file on time and (ii) obtaining a waiver of the deadline for the interview. Lifting the burden on the petitioning military spouse will allow those men and women serving our country abroad to focus on protecting America, and not worry about their spouse's immigration status.

I urge all members to join me in supporting passage of this landmark legislation.
Daily Digest

HIGHLIGHTS

Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 365, Budget Control Act.

Senate

Chamber Action

Routine Proceedings, pages S5201–S5295

Measures Introduced: Forty-three bills and nine resolutions were introduced, as follows: S. 1467–1509, S.J. Res. 24, S. Res. 250–256, and S. Con. Res. 28.

Measures Report: Report to accompany S. 623, to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions. (S. Rept. No. 112–45)

S. 538, to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act, with an amendment. (S. Rept. No. 112–46)

Measures Passed:

Correcting Enrollment: Senate agreed to H. Con. Res. 70, correcting the enrollment of S. 365.

Hazardous Waste Electronic Manifest Establishment Act: Senate passed S. 710, to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

Conveyance of Real Property: Senate passed S. 1302, to authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy.

Campus Fire Safety Month: Committee on the Judiciary was discharged from further consideration of S. Res. 104, designating September 2011 as “Campus Fire Safety Month”, and the resolution was then agreed to.

National Airborne Day: Senate agreed to S. Res. 254, designating August 16, 2011, as “National Airborne Day”.

National Chess Day: Senate agreed to S. Res. 255, designating October 8, 2011, as “National Chess Day” to enhance awareness and encourage students and adults to engage in a game known to enhance critical thinking and problem-solving skills.

Measures Considered:

Leahy-Smith America Invents Act—Agreement: Senate began consideration of the motion to proceed to consideration of H.R. 1249, to amend title 35, United States Code, to provide for patent reform.

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Tuesday, August 2, 2011, a vote on cloture will occur following the disposition of the nomination of Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, on Tuesday, September 6, 2011.

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill, on Tuesday, September 6, 2011, following the disposition of the nomination of Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, and the resumption of Legislative Session, and Senate vote on the motion to invoke cloture on the motion to proceed to consideration of the bill.

House Messages:

Budget Control Act: By 74 yeas to 26 nays (Vote No. 123), Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 365, to make a technical amendment to the Education Sciences Reform Act of 2002, by the order of
the Senate of Monday, August 1, 2011, 60 Senators having voted in the affirmative.

Authority for Committees—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the Senate’s recess, committees be authorized to report legislative and executive matters on Tuesday, August 30, 2011, from 10 a.m. until 12 noon.

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Tuesday, August 2, through Tuesday, September 6, 2011, the Majority Leader and Senator Rockefeller be authorized to sign duly enrolled bills or joint resolutions.

Pro Forma—Agreement: A unanimous-consent agreement was reached providing that when the Senate completes its business on Tuesday, August 2, 2011, it recess and convene for pro forma sessions only with no business conducted on the following dates and times, and that following each pro forma session, Senate recess until the following pro forma session: Friday, August 5th at 10 a.m., Tuesday, August 9th at 11 a.m., Friday, August 12th at 12 p.m., Tuesday, August 16th at 11 a.m., Friday, August 19th at 10 a.m., Tuesday, August 23rd at 2:30 p.m., Friday, August 26th at 11:15 a.m., Tuesday, August 30th at 10 a.m., and Friday, September 2nd at 10 a.m.

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, certification that the debt subject to limit is within $100,000,000,000 of the limit in 31 U.S.C. 3101(b) and that further borrowing is required to meet existing commitments; which was referred to the Committee on Finance. (PM–17)

Donald Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 5 p.m., on Tuesday, September 6, 2011, Senate begin consideration of the nomination of Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit; that there be 30 minutes 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.

Nominations Confirmed: Senate confirmed the following nominations:

- 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.
- David Bruce Shear, of New York, to be Ambassador to the Socialist Republic of Vietnam.
- Aaron Paul Dworkin, of Michigan, to be a Member of the National Council on the Arts for a term expiring September 3, 2014.
- Nelva Gonzales Ramos, of Texas, to be United States District Judge for the Southern District of Texas.
- Jennifer A. Di Toro, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.
- Yvonne M. Williams, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.
- Clayton D. Johnson, of Oklahoma, to be United States Marshal for the Northern District of Oklahoma for the term of four years.
- David V. Brewer, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2013.
- Eric S. Edelman, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.
- Madelyn R. Creedon, of Indiana, to be an Assistant Secretary of Defense.
- Paul D. Wohlers, of Washington, to be Ambassador to the Republic of Macedonia.
- Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.
- Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.
- Alan F. Estevez, of the District of Columbia, to be an Assistant Secretary of Defense.
- William Carl Lineberger, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.
Barbara Jeanne Ells, of Colorado, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2016.

Deborah Downing Goodman, of Oklahoma, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2014.

Cynthia Chavez Lamar, of New Mexico, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2016.

Derek J. Mitchell, of Connecticut, to be Special Representative and Policy Coordinator for Burma, with the rank of Ambassador.

Jeffrey DeLaurentis, of New York, to be Alternate Representatives of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

Jeffrey DeLaurentis, of New York, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

William H. Moser, of North Carolina, to be Ambassador to the Republic of Moldova.

Frankie Annette Reed, of Maryland, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati.

David S. Adams, of the District of Columbia, to be an Assistant Secretary of State (Legislative Affairs).

Arnold A. Chacon, of Virginia, to be Ambassador to the Republic of Guatemala.

Earl Anthony Wayne, of Maryland, to be Ambassador to Mexico.

Deborah A. P. Hersman, of Virginia, to be Chairman of the National Transportation Safety Board for a term of two years. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Matthew G. Olsen, of Maryland, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

32 Air Force nominations in the rank of general.

62 Army nominations in the rank of general.

8 Navy nominations in the rank of admiral.


Nominations Received: Senate received the following nominations:

Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Miranda Dù, of Nevada, to be United States District Judge for the District of Nevada.

David B. Barlow, of Utah, to be United States Attorney for the District of Utah for the term of four years.

Catharine Friend Easterly, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Nancy Maria Ware, of the District of Columbia, to be Director of the Court Services and Offender Supervision Agency for the District of Columbia for a term of six years.


Irvin Charles McCullough III, of Maryland, to be Inspector General of the Intelligence Community, Office of the Director of National Intelligence.

Ashton B. Carter, of Massachusetts, to be Deputy Secretary of Defense.

Gregory Howard Woods, of New York, to be General Counsel of the Department of Energy.

5 Air Force nominations in the rank of general.

Routine lists in the Army, and Navy.

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Leon Rodriguez, of Maryland, to be Administrator of the Wage and Hour Division, Department of Labor, which was sent to the Senate on January 5, 2011.
Recess: Senate convened at 9:30 a.m. and recessed at 6:43 p.m., until 10 a.m. on Friday, August 5, 2011. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S5292.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the nominations of Mark P. Wetjen, of Nevada, to be a Commissioner of the Commodity Futures Trading Commission, and Brian T. Baenig, of the District of Columbia, to be an Assistant Secretary of Agriculture.

Committee on Armed Services: Committee ordered favorably reported the nominations of Madelyn R. Creedon, of Indiana, to be Assistant Secretary for Global Strategic Affairs, and Alan F. Estevez, of the District of Columbia, to be Assistant Secretary for Logistics and Materiel Readiness, both of the Department of Defense, and 2,698 nominations in the Army, Navy, Air Force, and Marine Corps.

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine housing finance reform, focusing on national mortgage servicing standards, after receiving testimony from Jack Hopkins, CorTrust Bank, Sioux Falls, South Dakota, on behalf of the Independent Community Bankers of America; Faith Schwartz, HOPE NOW Alliance, Washington, D.C.; Robert M. Couch, Bradley Arant Boult Cummings, Birmingham, Alabama; and Peter P. Swire, The Ohio State University Moritz College of Law, Columbus.

Committee on Environment and Public Works: Committee concluded a joint hearing with the Subcommittee on Clean Air and Nuclear Safety to examine a review of the Nuclear Regulatory Commission’s (NRC) near-term task force recommendations for enhancing reactor safety in the 21st century, after receiving testimony from Gregory B. Jaczko, Chairman, and Kristine L. Svinicki, George Apostolakis, William D. Magwood, IV, and William C. Ostendorff, each a Commissioner, all of the Nuclear Regulatory Commission.

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Francis Joseph Ricciardone, Jr., of Massachusetts, to be Ambassador to the Republic of Turkey, Norman L. Eisen, of the District of Columbia, to be Ambassador to the Czech Republic, who was introduced by Senator Lieberman, and Robert Stephen Ford, of Vermont, to be Ambassador to the Syrian Arab Republic, all of the Department of State, after the nominees testified and answered questions in their own behalf.

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine health reform and health insurance premiums, focusing on empowering states to serve consumers, after receiving testimony from Senator Feinstein; Steve Larsen, Deputy Administrator and Director, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services, Department of Health and Human Services; John E. Dicken, Director, Health Care, Government Accountability Office; Teresa Miller, Oregon Insurance Division, Salem; and Dan Withrow, CSS Distribution Group, Inc., Louisville, Kentucky, on behalf of the U.S. Chamber of Commerce.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 3 public bills, H.R. 2790–2792 were introduced.

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Wolf to act as Speaker pro tempore for today.
Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5891.

Senate Referrals: S. 1466 was held at the desk.

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:03 a.m.

Committee Meetings

HYDROCEPHALUS TREATMENT IN UGANDA

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing on Hydrocephalus Treatment in Uganda: Leading the Way to Help Children. Testimony was heard from public witnesses.

Joint Meetings

RUSSIAN AND U.S. FIGHT AGAINST ALCOHOLISM

Commission on Security and Cooperation in Europe: Commission received a briefing on Russian-United States cooperation in the fight against alcoholism, focusing on prospects for sharing experience, strength, and hope on treating alcoholism from Margaret Murray, Director, International Research Program, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health; and Eugene Zubkov, House of Hope on a Hill, and Heidi Brown, Kroll Associates, both of New York, New York.

Committee Meetings for Wednesday, August 3, 2011

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment, to hold hearings to examine the housing finance system, focusing on the to-be-announced market, 9:30 a.m., SD–538.

Subcommittee on Financial Institutions and Consumer Protection, to hold hearings to examine debt financing in the domestic financial sector, 2 p.m., SD–538.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1024, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, S. 1090, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, S. 1144, to amend the Soda Ash Royalty Reduction Act of 2006 to extend the reduced royalty rate for soda ash, S. 1149, to expand geothermal production, and S. 1344, to direct the Secretary of Agriculture to take immediate action to recover ecologically and economically from a catastrophic wildfire in the State of Arizona, 2:30 p.m., SD–366.

Committee on Foreign Relations: Subcommittee on African Affairs, to hold hearings to examine responding to drought and famine in the Horn of Africa, 10 a.m., SD–419.

House

No hearings are scheduled.

*** All previously scheduled hearings have been postponed.
Next Meeting of the SENATE
10 a.m., Friday, August 5

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Friday, August 5

Senate Chamber
Program for Friday: Senate will meet in a pro forma session.

House Chamber
Program for Friday: The House will meet in pro forma session at 10 a.m.

Extensions of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E1494
Frank, Barney, Mass., E1489
Hall, Ralph M., Tex., E1494
Jackson Lee, Sheila, Tex., E1486, E1490, E1495
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Waxman, Henry A., Calif., E1492

CONGRESSIONAL RECORD—DAILY DIGEST
August 2, 2011

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