United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, FRIDAY, SEPTEMBER 23, 2011 No. 143

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. DOLD).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 23, 2011.

I hereby appoint the Honorable ROBERT J. DOLD to act as Speaker pro tempore on this day.

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

PRAYER

Reverend Dr. Charley Hames, Jr., Beebee Memorial Cathedral, Oakland, California, offered the following prayer:

Eternal and gracious God, we call on Your Name by Your mercy as one nation under Your divine counsel. Dear Lord, I lift up to You today these men and women who have been weighted with the vicissitudes of life by the virtue of the office that they have been called to serve for such a time as this.

We ask You, Lord, to equip and empower these, Your leaders, by Your Spirit to faithfully carry out the duty to the office in which affects our daily lives. Remind them of their divine purpose to bring hope where there has been disappointment, to give peace where there is chaos, and leadership that promotes unity.

Guide their minds to make decisions that embody the good of all of our citizens and pilot their hands to give voice to the voiceless. This is our prayer in Your awesome Name. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. LEE) come forward and lead the House in the Pledge of Allegiance.

Ms. LEE of California led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND DR. CHARLEY HAMES, JR.

The SPEAKER pro tempore. Without objection, the gentlewoman from California (Ms. LEE) is recognized for 1 minute.

There was no objection.

Ms. LEE of California. Mr. Speaker, I am so pleased to welcome Reverend Dr. Charley Hames to the House floor after delivering today's very powerful opening prayer.

Dr. Hames is an absolutely brilliant pastor at the historic BeeBee Memorial Cathedral in Oakland, California. Under his leadership, BeeBee Memorial Cathedral has grown from approximately 80 members to over 1,400 members, making it one of the Bay Area's fastest growing churches. His ministries touch the lives of many throughout the community.

In addition to his 19 years in the ministry, Dr. Hames served as the chair of the board of the Empowerment Community Development Corporation, a nonprofit organization that fosters community involvement with local government.

Reverend Dr. Hames is the proud recipient of the 2011 CME-Ninth Episcopal District Pastor of the Year, is an active member and chaplain of the 100 Black Men of the Bay Area, Inc., and a director for the Oakland African American Chamber of Commerce Board. He is married to his wife, Felicia S. Brooks-Hames, and is the proud father of three children.

I thank Pastor Hames for his wise counsel, for his spiritual leadership and for his commitment to making this a better world for all God's children.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five further requests for 1-minute speeches on each side of the aisle.

HONORING ROGER SCHLICKEISEN, DEFENDER OF WILDLIFE

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

Mr. BLUMENAUER. Mr. Speaker, last night Roger Schlickeisen was honored for his 20 years' leadership as president of Defenders of Wildlife, where he became a key pillar of the American environmental movement.

The successful reintroduction of the gray wolf into the American West was an example of his tenacity, skill and his vision. Whether Roger was fighting to protect our environmental laws from assault or using them for their intended purposes, he showed how even in difficult times, people would respond to protect what they cherish. That is how he built Defenders of Wildlife into such a formidable political and policy force, increasing its membership 1,500 percent to almost 1 million people.

Whether taking his phone call, an office visit, or exploring the Arctic wildlife refuge with Roger, his passion was clear to me. Roger provided leadership that matters, which speaks volumes today and will far into the future. Thank you, Roger.

Printed on recycled paper.

PRESIDENT OBAMA MUST STAND UP FOR ISRAEL

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

Mr. HULTGREN. Mr. Speaker, this week, President Obama went to New York to address the United Nations General Assembly. He did so, remarkably for an American leader, from a position of weakness.

As the Palestinian Authority began to campaign to upgrade its status at the U.N., this administration wavered and vacillated and did nothing for too long. This was a failure of leadership and leaves us, our Israeli allies, and the ever tense Middle East at an uncertain crossroads.

The President might have been able to rescue the situation with a forceful speech laying down a clear marker of America's support for Israel. Instead, he falsely blamed Israel for the stalemated peace process.

I have always believed that our relationship with Israel is unique in world history and critical to both countries. Those beliefs were reinforced when I had the opportunity to visit Israel and meet with Prime Minister Netanyahu in May.

President Obama must stand up, not only for Israel and the Israeli people, but also for a commitment to the peace process and the rule of law.

AMERICAN JOBS ACT

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

Mr. BACA. Mr. Speaker, the American people are hurting. They need our help now. It's time for Congress to step up to the plate and live up to our responsibilities. Let's do what is right for the American people.

The American Jobs Act contains bipartisan policies that both Republicans and Democrats have supported in the past. Economists across the Nation agree it will create jobs and give our economy an immediate boost. If we do pass the American Jobs Act, in my home State of California, over 700,000 businesses will receive a payroll tax cut, $3.9 billion in the infrastructure investment will create over 50,000 new jobs, and over 37,000 teachers and first responders will be saved from layoffs.

This debate is not about political winners and losers. It's about the struggle of everyday Americans. The next election is 14 months away. Let's come together and pass this bipartisan agenda.

□ 0910

TRIBUTE TO DR. R.C. GOODMAN, SR.

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

Mr. WOMACK. Mr. Speaker, it is my honor today to send birthday greetings to a member of America's Greatest Generation, Dr. R.C. Goodman, Sr., of Fort Smith, Arkansas.

This American patriot mobilized with the Arkansas National Guard at the beginning of World War II, earning two Purple Hearts and the Combat Infantryman's Badge. And his life was forever changed by the events of May 8, 1945. You see, Dr. Goodman was in charge of a train car full of Belgian POWs just rescued from a German camp. The train wrecked, and Dr. Goodman was one of the few survivors. He later shared with his children the terrific sense of helplessness watching so many die that day, and he made a commitment to becoming a physician so that he would always be able to help in the presence of human suffering.

Dr. Goodman, thank you for your service to your country and to your fellow man. And on the occasion of your 91st birthday, America sends its best wishes.

NATIONAL CHILDHOOD OBESITY AWARENESS MONTH

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

Mr. CARNEY. Mr. Speaker, I rise today to recognize September as National Childhood Obesity Awareness Month.

When I served as Delaware's Lieutenant Governor, I spent a lot of my time helping children in our State understand the importance of making healthy lifestyle choices. I started a program called the Lieutenant Governor's Challenge that helped thousands of Delaware students make regular physical activity part of their daily lives.

One of my partners in these initiatives was Nemours, a foundation that operates A.I. DuPont Hospital, a world-class facility for children in Wilmington, Delaware. Nemours works with schools, childcare centers, and community organizations to help children make healthy food and lifestyle choices and to stay physically active. If we can help children make healthy decisions at an early age, those habits will stay with them for a lifetime, and we will save money on the country's health care bill as a result.

Mr. Speaker, we should follow the lead of organizations like Nemours for the healthy messages they bring to our children in places where they live, learn, and play.

WHERE ARE THE JOBS?

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

Mr. HARRIS. Mr. President, where are the jobs? You spent nearly $1 trillion on a stimulus bill that failed. Now you want to spend another $450 billion on another stimulus bill. This is simply repeating the same action and expecting a different outcome.

Solyndra is an example of the waste and failure of your stimulus bill. This company in the solar industry is a crony of your administration. Solyndra's backers were friends of your Presidential campaign, and the company received friendly treatment from your administration. Solyndra was supposed to create green jobs, but now more than a thousand are laid off. They got a $535 million taxpayer-subsidized loan, but they are now bankrupt and their officers are taking the Fifth Amendment.

We must help the American economy create jobs by freeing job creators from regulations that stifle growth, expand production of competitive and affordable energy, stop threatening job creators with higher taxes, and stop wasting taxpayers' money.

Mr. Speaker, no more Solyndras.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

PRESIDENT'S JOBS PLAN

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

Mr. WELCH. We have two problems in this economy: One is, we have a long-term deficit that requires long-term solutions. Second, we have an immediate crisis of high unemployment. We have 23 million Americans who are out of work full time or out of work part time, people looking for full-time work that don't have it—23 million Americans. Why can't we focus on policies that are going to put people back to work? The President's jobs plan will help us to do that.

What does it do? We start to invest in infrastructure. It is disgraceful that the roads and bridges of this country, that the water and sewer systems in your town and mine are ancient and antiquated. They need repair. They need rebuilding. That is not just money thrown out the door. That's investing in our future where generations are going to benefit from it.

Part of the solution is rebuilding our schools. Who among us has not been to a school in our neighborhood or our district that is in desperate need of repair? And we have folks in the construction industry who aren't building houses because of the housing crisis but can be rebuilding these schools and can be retrofitting our homes.

We have to focus on putting people back to work.

TRAIN ACT

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

Mr. POMPEO. Mr. Speaker, this morning I rise in support of the TRAIN

Act, H.R. 2401. This bill provides a commonsense approach that addresses a series of EPA regulations that will cost jobs and cripple our Nation's economy.

TRAIN requires a commission simply to study the cumulative impact of EPA's regulations, but it would also delay two incredibly expensive regulations—the Utility MACT rule and the Cross-State Air Pollution Rule. The impact of these two EPA regulations on Kansas would be enormous.

The Sunflower Electric Cooperative has been trying to build an 895-megawatt coal plant in Holcomb, Kansas, for years. Holcomb 2 will increase our Nation's energy supply, utilizing environmental controls to reduce air missions. It's a win-win that is good for jobs for Kansas, good for the economy, and good for the environment.

But now this project is in serious jeopardy because of these EPA rules. The Kansas Attorney General has now stepped in, filing a lawsuit in the D.C. Court of Appeals trying to slow down and stop this rule because it will be physically impossible for Kansas utilities to comply with these rules.

The problems in Kansas are the same problems all Americans face because of EPA's refusal to consider the real economic costs of these regulations. Passing the TRAIN Act saves jobs. Let's do it.

THE GREATEST CHALLENGE

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

Ms. HANABUSA. Mr. Speaker, let's talk about things that we can agree on.

We can agree that the greatest challenge that faces all of us today is to stop the erosion of public confidence. We can also agree that public confidence is critical because that's what is really going to kick-start our economy. We can also agree that when you talk to the people in our various districts, what are they most concerned about? They're concerned about jobs. Because what do jobs represent? They represent the security that they need to provide for the most important part of their life, their families.

We can also agree that if there is a plan out there that can add to GDP 2 percent, add at least 2 million jobs, cut unemployment by 1 percent, that that's a plan we should consider. We can also agree that we want to put teachers, firefighters, and first responders back to work, and that we want to build infrastructure so we can be the greatest country that we've always been. And we can also agree that we want tax cuts for employees and employers.

So what's the problem, Mr. Speaker? Is the problem that this is the President's plan? That shouldn't be the problem. Let's get it together and let's work for the people of this great Nation.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2401.

The SPEAKER pro tempore (Mr. WOMACK). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 406 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2401.

□ 0920

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes, with Mr. DOLD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, September 22, 2011, all time for general debate pursuant to House Resolution 406 had expired.

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

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

H.R. 2401

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 ''Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011''.

SEC. 2. COMMITTEE FOR THE CUMULATIVE ANALYSIS OF REGULATIONS THAT IMPACT ENERGY AND MANUFACTURING IN THE UNITED STATES.

(a) ESTABLISHMENT.—The President shall establish a committee to be known as the Committee for the Cumulative Analysis of Regulations that Impact Energy and Manufacturing in the United States (in this Act referred to as the ''Committee'') to analyze and report on the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, in accordance with sections 3 and 4.

(b) MEMBERS.—The Committee shall be composed of the following officials (or their designees):

(1) The Secretary of Agriculture, acting through the Chief Economist.

(2) The Secretary of Commerce, acting through the Chief Economist and the Under Secretary for International Trade.

(3) The Secretary of Labor, acting through the Commissioner of the Bureau of Labor Statistics.

(4) The Secretary of Energy, acting through the Administrator of the Energy Information Administration.

(5) The Secretary of the Treasury, acting through the Deputy Assistant Secretary for Environment and Energy of the Department of the Treasury.

(6) The Administrator of the Environmental Protection Agency.

(7) The Chairman of the Council of Economic Advisors.

(8) The Chairman of the Federal Energy Regulatory Commission.

(9) The Administrator of the Office of Information and Regulatory Affairs.

(10) The Chief Counsel for Advocacy of the Small Business Administration.

(11) The Chairman of the United States International Trade Commission, acting through the Office of Economics.

(c) CHAIR.—The Secretary of Commerce shall serve as Chair of the Committee. In carrying out the functions of the Chair, the Secretary of Commerce shall consult with the members serving on the Committee pursuant to paragraphs (5) and (11) of subsection (b).

(d) CONSULTATION.—In conducting analyses under section 3 and preparing reports under section 4, the Committee shall consult with, and consider pertinent reports issued by, the Electric Reliability Organization certified under section 215(c) of the Federal Power Act (16 U.S.C. 824o(c)).

(e) TERMINATION.—The Committee shall terminate 60 days after submitting its final report pursuant to section 4(c).

SEC. 3. ANALYSES.

(a) SCOPE.—The Committee shall conduct analyses, for each of the calendar years 2016, 2020, and 2030, of the following:

(1) The cumulative impact of covered rules that are promulgated as final regulations on or before January 1, 2012, in combination with covered actions.

(2) The cumulative impact of all covered rules (including covered rules that have not been promulgated as final regulations on or before January 1, 2012), in combination with covered actions.

(3) The incremental impact of each covered rule not promulgated as a final regulation on or before January 1, 2012, relative to an analytic baseline representing the results of the analysis conducted under paragraph (1).

(b) CONTENTS.—The Committee shall include in each analysis conducted under this section the following:

(1) Estimates of the impacts of the covered rules and covered actions with regard to—

(A) the global economic competitiveness of the United States, particularly with respect to energy intensive and trade sensitive industries;

(B) other cumulative costs and cumulative benefits, including evaluation through a general equilibrium model approach;

(C) any resulting change in national, State, and regional electricity prices;

(D) any resulting change in national, State, and regional fuel prices;

(E) the impact on national, State, and regional employment during the 5-year period beginning on the date of enactment of this Act, and also in the long term, including secondary impacts associated with increased energy prices and facility closures; and

(F) the reliability and adequacy of bulk power supply in the United States.

(2) Discussion of key uncertainties and assumptions associated with each estimate.

(3) A sensitivity analysis.

(4) Discussion, and where feasible an assessment, of the cumulative impact of the covered rules and covered actions on—

(A) consumers;

(B) small businesses;

(C) regional economies;

(D) State, local, and tribal governments;

(E) local and industry-specific labor markets; and

(F) agriculture,

as well as key uncertainties associated with each topic.

(c) METHODS.—In conducting analyses under this section, the Committee shall use the best available methods, consistent with guidance from the Office of Information and Regulatory Affairs and the Office of Management and Budget Circular A–4.

(d) DATA.—In conducting analyses under this section, the Committee—

(1) shall use the best data that are available to the public or supplied to the Committee by its members, including the most recent such data appropriate for this analysis representing air quality, facility emissions, and installed controls; and

(2) is not required to create data or to use data that are not readily accessible.

(e) COVERED RULES.—In this section, the term ''covered rule'' means the following:

(1) The following published rules (including any successor or substantially similar rule):

(A) ''Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone'', published at 75 Fed. Reg. 45210 (August 2, 2010).

(B) ''National Ambient Air Quality Standards for Ozone'', published at 75 Fed. Reg. 2938 (January 19, 2010).

(C) ''National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters'', published at 76 Fed. Reg. 15608 (March 21, 2011).

(D) ''National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers'', published at 76 Fed. Reg. 15554 (March 21, 2011).

(E) ''National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units'', signed by Administrator Lisa P. Jackson on March 16, 2011.

(F) ''Hazardous and Solid Waste Management System; Identification and Listing of Special Wastes; Disposal of Coal Combustion Residuals From Electric Utilities'', published at 75 Fed. Reg. 35127 (June 21, 2010).

(G) ''Primary National Ambient Air Quality Standard for Sulfur Dioxide'', published at 75 Fed. Reg. 35520 (June 22, 2010).

(H) ''Primary National Ambient Air Quality Standards for Nitrogen Dioxide'', published at 75 Fed. Reg. 6474 (February 9, 2010).

(2) The following additional rules or guidelines promulgated on or after January 1, 2009:

(A) Any rule or guideline promulgated under section 111(b) or 111(d) of the Clean Air Act (42 U.S.C. 7411(b), 7411(d)) to address climate change.

(B) Any rule or guideline promulgated by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency under or as the result of section 169A or 169B of the Clean Air Act (42 U.S.C. 7491, 7492).

(C) Any rule establishing or modifying a national ambient air quality standard under section 109 of the Clean Air Act (42 U.S.C. 7409).

(f) COVERED ACTIONS.—In this section, the term ''covered action'' means any action on or after January 1, 2009, by the Administrator of the Environmental Protection Agency, a State, a local government, or a permitting agency as a result of the application of part C of title I (relating to prevention of significant deterioration of air quality) or title V (relating to permitting) of the Clean Air Act (42 U.S.C. 7401 et seq.), if such application occurs with respect to an air pollutant that is identified as a greenhouse gas in ''Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act'', published at 74 Fed. Reg. 66496 (December 15, 2009).

SEC. 4. REPORTS; PUBLIC COMMENT.

(a) PRELIMINARY REPORT.—Not later than January 31, 2012, the Committee shall make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a preliminary report containing the results of the analyses conducted under section 3.

(b) PUBLIC COMMENT PERIOD.—The Committee shall accept public comments regarding the preliminary report submitted under subsection (a) for a period of 90 days after such submission.

(c) FINAL REPORT.—Not later than August 1, 2012, the Committee shall submit to Congress a final report containing the analyses conducted under section 3, including any revisions to such analyses made as a result of public comments, and a response to such comments.

SEC. 5. REGULATORY DEFERRAL OF CERTAIN RULES.

(a) NO FINAL ACTION.—The Administrator of the Environmental Protection Agency shall not take final action with respect to the rule listed in subparagraph (E) of section 3(e)(1) (relating to national emission standards and standards of performance for certain electric generating units) until a date (to be determined by the Administrator) that is at least 6 months after the day on which the Committee submits the final report under section 4(c).

(b) RULES FINALIZED PRIOR TO ENACTMENT.—Notwithstanding the final action taken with respect to the rule listed in subparagraph (A) of section 3(e)(1) (relating to Federal implementation plans to reduce interstate transport of fine particulate matter and ozone) and final action (if any) taken with respect to the rule listed in subparagraph (E) of section 3(e)(1) prior to the date of the enactment of this Act—

(1) such final action shall not be or become, as applicable, effective until a date (to be determined by the Administrator) that is at least 6 months after the day on which the Committee submits the final report under section 4(c); and

(2) the date for compliance with any standard or requirement in either such finalized rule, and any date for further regulatory action triggered by either such finalized rule, shall be delayed by a period equal to the period—

(A) beginning on the date of the publication of the final action for the respective finalized rule; and

(B) ending on the date on which such final action becomes effective pursuant to paragraph (1).

(c) APPLICABILITY OF CLEAN AIR INTERSTATE RULE DURING INTERIM PERIOD.—Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall continue to implement the Clean Air Interstate Rule and the rule establishing Federal Implementation Plans for the Clean Air Interstate Rule as promulgated and modified by the Administrator of the Environmental Protection Agency (70 Fed. Reg. 25162 (May 12, 2005), 71 Fed. Reg. 25288 (April 28, 2006), 71 Fed. Reg. 25328 (April 28, 2006), 72 Fed. Reg. 59190 (Oct. 19, 2007), 72 Fed. Reg. 62338 (Nov. 2, 2007), 74 Fed. Reg. 56721 (Nov. 3, 2009)) until the date on which final action with respect to the rule listed in subparagraph (A) of section 3(e)(1) becomes effective pursuant to subsection (b)(1).

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There are authorized to be appropriated to carry out this Act for fiscal year 2012—

(1) $3,000,000 to the Department of Commerce, of which not more than $2,000,000 shall be for carrying out section 3; and

(2) $500,000 to the Environmental Protection Agency.

(b) OFFSET.—Effective October 1, 2011, section 797(a) of the Energy Policy Act of 2005, as amended by section 2(e) of the Diesel Reduction Act of 2010 (Public Law 111–364), is amended—

(1) by striking ''2012'' and inserting ''2013''; and

(2) by inserting ''$46,000,000 for fiscal year 2012 and'' after ''to carry out this subtitle''.

The Acting CHAIR. No amendment to the committee amendment is in order except those printed in House Report 112–213. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WELCH

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–213.

Mr. WELCH. I seek to offer the amendment of Mr. RUSH of Illinois as his designee.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 2(b)(3), insert ''and the Deputy Secretary of Labor'' before the period.

In section 2(b)(4), insert ''and the Deputy Secretary of Energy'' before the period.

At the end of section 2(b), add the following:

(12) The Chair of the Council on Environmental Quality.

(13) The Secretary of the Interior.

(14) The Secretary of Health and Human Services.

(15) The Director of the Centers for Disease Control and Prevention.

(16) The Director of the National Institute of Environmental Health Sciences.

Amend section 2(c) to read as follows:

(c) CHAIR.—The Secretary of Commerce and the Chair of the Council on Environmental Quality shall serve as co-chairs of the Committee. In carrying out the functions of the Chair, the co-chairs shall consult with the members of the Committee.

In section 2(d), insert ''stakeholders and relevant experts, including'' after ''reports issued by,''.

In section 3(b)(1), insert after subparagraph (D) the following (and redesignate accordingly):

(E) any resulting change in the incidences of asthma and asthma attacks and other pulmonary disease;

(F) any resulting change in the occurrence of birth and developmental defects;

(G) any resulting change in the occurrence of premature mortality;

(H) any resulting change in the occurrence of other adverse health effects;

(I) the effect on clean energy jobs;

(J) the effect on clean energy companies, including companies that export clean energy technology;

(K) the effect on regional air quality, including any resulting change in the impairment of visibility, due to reduced pollution;

(L) the effect on the water quality of lakes and streams;

(M) any resulting change in the number of work days missed;

(N) any resulting change in the number of school days missed;

(O) any resulting change in the use of emergency medical services;

In section 3(b)(4), insert after subparagraph (D) the following (and redesignate accordingly):

(E) vulnerable subpopulations, including the elderly, pregnant women, and populations with pulmonary disease;

(F) the environment, including impacts on global climate change;

(G) development of infants and children;

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Chairman, this amendment makes needed changes to the economic analysis mandated by the underlying bill; but fundamentally this bill, itself, we believe, is an assault on the Clean Air Act, not really a bill that requires a study.

The legislation began in committee as a bill to require a new study on the economic impacts of EPA rules to cut air pollution. At that point, the bill simply required a burdensome and redundant study of EPA rules and did not affect any of the rules it proposed to examine.

It changed in committee. The Republican members amended it to indefinitely delay implementation of two very key rules to reduce power plant pollution, the Cross-State Air Pollution Rule and the Mercury and Air Toxics Rule.

Now Mr. WHITFIELD has proposed amending the bill to further eliminate those rules altogether and prevent EPA from being able to clean up power plants in the future. Mr. LATTA has offered an amendment to force EPA to listen to polluters' accountants rather than scientists when setting air quality standards. This bill is now a direct attack on the heart of the Clean Air Act. That act has saved thousands of lives.

The bill still contains a study on the economic impact of EPA rules, although I'm not sure why it would do that. The Rush amendment, Mr. Chairman, would make the study required by this legislation a little less biased and a little more useful.

The bill creates a new government bureaucracy to conduct a complicated study of EPA rules. It's not necessary. In addition, the bill ensures that the final study will be unbalanced and inherently biased. It's one thing to take a hard look at regulations. It's another thing to cook the outcome of that examination.

The Rush amendment ensures that the committee will look at both the costs and the benefits of EPA rules.

The bill's supporters originally presented this bill as a means to gather more facts on key EPA rules. As amended by the Republicans, it's increasingly clear that the facts really don't matter.

I support the Rush amendment, but I remain staunchly opposed to final passage of the bill.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I rise in opposition to this amendment for a number of reasons. First of all, the TRAIN Act, the underlying bill that we're talking about here, applies to 14 regulations of EPA. It does not delay in any way any of those regulations, except for two, and that's referred to as the Utility MACT and the Cross-State Air Transport Rule. And even on those two acts, it only delays the Cross-State Transport Rule by 3 years, and it delays the Utility MACT by 1 year.

The whole purpose of the TRAIN Act is simply to look more closely at the cumulative impact on jobs, on electricity prices, on American competitiveness in the global marketplace. EPA has done a very thorough job on most of these regulations in calculating benefits, but they had not looked closely in all of them on cost. Under the TRAIN Act, we're simply asking this independent government agency to look at all costs and all benefits.

Another reason that I would speak in opposition to this amendment, one of the things that it requires this independent body to do is to examine the effect on green energy companies. Now, there's nothing in the TRAIN Act that's selecting one industry to give some favorable treatment to, and that's particularly what this amendment does.

I might add, on green energy, the green energy industry has received increases of 153 percent of subsidies. Subsidies have increased 153 percent for green energy. So I don't think that they should be receiving some special benefit from this Rush amendment; and that's why I would oppose it, and I would ask all Members to oppose it.

I reserve the balance of my time.

Mr. WELCH. How much time do I have?

The Acting CHAIR. The gentleman from Vermont has 2½ minutes.

Mr. WELCH. Thank you.

I want to talk a little bit about the Clean Air Act, Mr. Chair. We have power plants that are coal-burning and emit toxins into the air. That's not in dispute. But the attack on any kind of regulation says that if there's any expense associated with providing health and safety to the people downwind of the polluting emitting power plants, they're on their own. They've got to breathe that air, and it's their problem.

Now, I live in Vermont; and the coal-burning plants, the air all comes and falls in Vermont. The Clean Air Act has had tremendous success in actually cleaning up some of these power plants.

Now, of course there's some expense associated with burning clean; but there's also, as you know, Mr. Chair, an enormous cost associated with burning dirty. It may be cheaper for the power plant owner, and it might even be cheaper for the electricity users of that power plant; but the costs associated with the health, the safety, the environmental impacts are simply off-loaded by the polluter on to the innocent members of society who are downwind of the mercury-spewing polluting plants.

So, sure, we can have some debate about what should be the proper expense. But should we really have a debate that it is illegitimate for the Federal Government to take actions, regulatory and legislative, that protect the health and safety of innocent people?

The law of physics has air-carrying pollutants going in the direction that nature sends it, and that means everybody downwind gets affected. It's really astonishing that in the legitimate effort to ask legitimate questions about whether a regulation is serving a useful purpose, whether the regulation achieves the intended goal, whether there's a way to achieve that goal at less expense, those are all fair questions. But to abolish the regulations altogether, to suggest that everybody who will be affected by mercury pollution has no remedy and cannot look to the Federal Government to provide them with some protection for their health, for the health of their children, that's extreme, and it's unacceptable, and it's expensive.

I yield back the balance of my time.

Mr. WHITFIELD. May I ask how much time I have remaining?

The Acting CHAIR. The gentleman from Kentucky has 3 minutes.

Mr. WHITFIELD. Well, I would say first to the distinguished gentleman that while we're delaying this Cross-State Air Transport Rule, we have in effect today the CAIR Act, which has been in effect since 2005. The EPA itself has said that this act that is currently controlling the cross-wind interstate movements will reduce sulfur dioxide and NO_X emissions by 57 and 63 percent respectively. That regulation is still going to be in effect.

I would also remind everyone that EPA, when they implemented the CAIR Act, pointed out that it would have $100 billion in health benefits each year, preventing 17,000 premature deaths, 22,000 nonfatal heart attacks, 12,300 hospital admissions, 1.7 million lost workdays, 500,000 lost school days, and it goes on to all of the benefits.

□ 0930

Simply because a court invalidated the CAIR Act because EPA was looking at a regional program rather than at a State-by-State program does not mean that this is not an effective regulation that's in existence today. Even many environmental groups actually supported EPA in opposing the effort to invalidate the CAIR Act. EPA made strong arguments that the CAIR Act was adequate.

So all we're doing is trying to delay this cross-State rule. As I said, even respected independent analyses have indicated that these two rules—the Utility MACT and the Cross-State Air Transport Rule—will have a net effect of a loss of 1.4 million jobs and will increase electric utility bills by 23 percent.

Now, at a time when our economy is so weak and when we're trying to create jobs, we simply wanted to look at it more closely and give EPA a little bit more time. That's all that we're trying to do with our act, and that's why we're very much opposed to the Rush amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

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

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

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

AMENDMENT NO. 2 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–213.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 22, strike ''; and'' and insert a semicolon.

Page 6, line 24, strike the period and insert ''; and''.

Page 6, after line 24, insert the following new subparagraph:

(G) the effect on clean energy jobs and clean energy companies, including companies that export clean energy technology.

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chairman, I rise to offer a simple and straightforward amendment to H.R. 2401.

My amendment will help make sure that the reports required by H.R. 2401 are fair—not skewed to support the majority's favorite talking points. It's critical that the reports look at the beneficial consequences of environmental protection, including the fact that good environmental policies create jobs in the clean energy sector.

I reject the argument that the majority is making here today. Contrary to what we've heard members of the majority say over and over during today's debate, policies that protect our environment also create jobs. They create good family-wage jobs.

Before I came to Congress, I spent my career as a clean energy engineer. I helped design windmills that overlooked my congressional district in California, and I've seen hundreds of jobs created in the clean energy sector; but to my great distress, I also watched many of those jobs get shipped overseas to places like Germany because our country did not have the right policies in place to support that industry.

I am committed to creating jobs and seeing more goods produced right here in America, a goal I am confident that every Member of this Chamber shares. The clean energy industry is poised to lead the way but only if we make the right decisions. Policies that promote a clean, healthy environment create new incentives for investments in clean energy, creating thousands of jobs, supporting new industries, promoting exports, and benefiting public health.

My amendment simply ensures that we include the job-creating effects of environmental policies on the clean energy sector in the reports provided by this bill. I am confident that a fair, unbiased assessment of environmental rules will show that they also create good, family-wage, clean energy jobs. I hope the majority will accept this amendment.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. While I have great respect for the gentleman from California, I would remind everyone that, in his 2008 convention speech, Barack Obama promised to create 5 million green energy jobs, and those jobs have not been created.

I would also point out that renewable energy subsidies increased by 186 percent over the last 3 years: from $5.1 billion to $14.7 billion. The wind industry, for example, received a tenfold increase: from $476 million to $4.986 billion. Solar subsidies increased by more than a factor of 6: from $179 million to $1.134 billion.

Then we noted that, over at the Department of Energy, there are loan guarantee programs. As this article in The New York Times stated, they gave an example of one company that had received $300 million to create green technology jobs. They ended up creating 150 jobs at a cost of $2 million per job. Now, coal, nuclear, and natural gas still provide about 95, 96 percent of the electricity produced in America; but the reason we oppose this amendment is that it also gives special treatment to green energy. As illustrated by the increase in renewable subsidies available to them, I think it's quite obvious that government programs favor green energy right now.

Our position is, with the three basics—coal, nuclear, and natural gas—providing the base load to create the industrial growth of this country by providing low-cost electricity, we do not need this amendment to instruct this independent body to look at specifically the impact on green energy exporting companies. So, for that reason, I would oppose the amendment.

I reserve the balance of my time.

Mr. MCNERNEY. Mr. Chairman, I don't dispute the facts of my good friend from Kentucky. Basically what I'm asking is that we make sure that these jobs are counted, that they're not ignored or looked over, which is what I'm afraid will happen.

At this point, I would like to yield 2 minutes to my colleague from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I thank the gentleman for yielding.

I want to emphasize what my friend from California just said. What the amendment does is to make sure that you add to the analysis the impact on clean energy jobs and clean energy companies. Why wouldn't you want to make sure explicitly that that is a part of the analysis?

I invite you to come to Portland, Oregon, where it is, I think, the wind energy capital. It's making a lot of difference in our community and across America. Wind energy, for instance, is the fastest growing in terms of installed capacity, and costs are going down. It is an area that makes a difference to the economy. What my colleague from California is urging is to make sure that it's a part of the study.

It is unfortunate that we're to this point this morning anyway. We started this odyssey in 1990 with the Clean Air Act. After 8 years of study at EPA, the conclusion was this is a real problem, and the Clinton administration and the EPA started the rulemaking process. The Bush administration drug its feet until 2005 with an inadequate response that was thrown out by the courts. Finally now, after 21 years, we're starting to move forward with something that wouldn't take effect until 2015. In the meantime, there would be many jobs that would be available in construction and in clean technology.

At least, at least, at least I hope you're not successful in stretching this out even further to delay the action; but at a minimum, you would think that you would want to have a full picture. Look at the people, like in my community, who are producing product and making it available for export.

Support this amendment.

Mr. MCNERNEY. Mr. Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from California has 45 seconds remaining.

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

□ 0940

Mr. WHITFIELD. Does the gentleman from California have the right to close?

The Acting CHAIR. The gentleman from Kentucky has the right to close.

Mr. WHITFIELD. Does the gentleman from California have anything else to say on the amendment?

Mr. MCNERNEY. Thank you.

Basically I just want to emphasize I have actually experienced job creation in the green energy sector. I have seen hundreds if not thousands of jobs created. I want to make sure we count those jobs. I don't want this to be a whitewash or anything like that. It's important that this analysis be open

and that it be fair and balanced, and that's all that we are asking on this side.

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

Mr. WHITFIELD. I would say to the gentleman, we all recognize the importance of green energy, but there isn't one of these regulations that we are looking to for an analysis that has any negative impact on green energy. In fact, every one of these regulations will help green energy.

And, as I said, the government's philosophy right now is to do everything possible for green energy, more subsidies, a study going on all of the time on the impact on the jobs. For that reason, we do not feel that this amendment is necessary and would ask the Members to oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

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

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

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

AMENDMENT NO. 3 OFFERED BY MS. MOORE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–213.

Ms. MOORE. Mr. Chair, I offer an amendment that is at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 10, insert the following new subparagraphs (and redesignate accordingly):

(E) low-income communities;

(F) public health;

The Acting CHAIR. Pursuant to House Resolution 406, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. I do thank you, Mr. Chair.

My amendment would simply ensure the low-income communities and the public health generally of all Americans are considered in the bill's section on studies about the impact of this regulation.

I offer this amendment, Mr. Chair, in hopes that we might have an honest debate, a debate that is inclusive of those most affected by the very policies that my colleagues are attempting to tie up and, in two cases, outright prevent.

Let me be frank with you, Mr. Chair. I was born in 1951, and I grew up gasping for breath most of my life. I grew up in an industrial city, a manufacturing city in Milwaukee, Wisconsin, and I had my first asthma attack shoveling coal into a furnace and then gasping for breath because of the smog that was generated from manufacturing. Thank God for the 1990 Clean Air Act amendments.

We have seen tremendous health benefits over the years, thanks to the work of the Environmental Protection Agency, and not only the bureaucracy, but the courts that have made sure the deadlines are enforced and not simply thrown to the curb. According to a recent EPA study, we have substantial and hard scientific proof that protecting our Nation's air quality from hazardous pollutants is a very substantial benefit.

In 2010, the reductions in fine particle and ozone pollution from the 1990 Clean Air Act amendments prevented more than 160,000 cases of premature mortality, 130,000 heart attacks, 13 million lost workdays, and 1.7 million asthma attacks.

We do know that the Clean Air Act regulations by the EPA especially helped low-income communities who are often impacted by environmental injustices and other vulnerable populations.

A recent 2-year-old study by the University of Massachusetts and the University of Southern Carolina analyzed 300 different metropolitan areas and ranked them based on how pollution affects low-income and minority communities.

This study cited that air pollution is unevenly distributed within States as well as between them. A growing body of research has demonstrated that people of color and low-income communities often face the greatest environmental hazards. And the area that I represent in the metro Milwaukee area came in in the top 10 cities in both cases.

I just would like to add my own personal experience to the body of this research.

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

Mr. WHITFIELD. I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I would like to remind everyone once again that the TRAIN Act is applied to 14 regulations coming out of EPA, and it's seldom that Congress intervenes in these regulations. But there are so many of these, and the cost of jobs and the cost of buying the equipment and the lack of achievability of many of them to meet the criteria is the reason we want to do this study. I would remind everyone we do not delay in any way any of these regulations except two of them.

I would say to the gentlewoman from Wisconsin that I agree with her. Many of the communities that would most suffer high energy prices and unemployment as a result of the EPA regulations are those communities that rely on affordable, reliable, coal-fired energy to light their homes and run their businesses. These communities are the least able to afford increased unemployment, increased energy prices, and the illness that results from unemployment and being unable to afford fuel.

And I might say that when EPA does their analysis, they never look at the effect of the health of the children of the people working in the coal mines and the utility plants who lose their jobs, and there is an impact on it.

But I think this is a good amendment that would help the analysis, and I would like to tell the lady from Wisconsin we would be happy to accept this amendment.

Ms. MOORE. I'm sorry. You would be happy to accept it, you say?

Mr. WHITFIELD. Yes, ma'am.

Ms. MOORE. Well, I do thank the gentleman for accepting this amendment.

I do repeat that the two parts that this bill had formally included prior to your accepting my amendment would have made it impossible for a State that wanted clear air—they would find themselves hopeless because it would basically eviscerate their ability to prevent pollution from crossing the border. So I do appreciate the gentleman accepting my amendment.

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

Mr. WHITFIELD. I would just like to remind the gentlelady that the CAIR Act is still in effect. As I read earlier, all the benefits are there that the EPA said would be there, and it's significantly reduced NO_X emissions, SO_X emissions. We're not doing anything to change that existing law.

Thank you for making the amendment. As I said, we feel like it will really help on this study.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

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

Ms. MOORE. Mr. Chair, I demand a recorded vote.

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

□ 0950

AMENDMENT NO. 4 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–213.

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 15, insert the following new paragraph:

(5) Estimates of the impacts of delaying the covered rules and covered actions on the incidence of birth and developmental defects and infant mortality.

The Acting CHAIR. Pursuant to House Resolution 406, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Thank you, Mr. Chairman, and I yield myself such time as I may consume.

You know, it's clear that the goal of the TRAIN Act is not simply to study EPA standards. The goal of the majority is to block the efforts of EPA to cut mercury and other toxic pollution from dirty power plants. That's dangerous and it's misguided.

The research is clear, unless EPA enforces these standards, there will be more premature deaths, more heart and asthma attacks, more hospital and emergency room visits.

Up until recently, I thought I was safe from this pollution. I don't live next door to a power plant; I live near the coast of the Pacific Ocean. But I learned that you don't need to live near a dirty power plant to be exposed to its harmful effects. I received test results this summer showing that I have an unsafe level of mercury in my body. And I'm not alone. Tens of millions of American women of child-bearing age, and their children, are at risk from mercury and other toxins that are released into our air each and every year. Every year, hundreds of thousands of babies are exposed to mercury.

Mercury exposure can cause learning disabilities, developmental delays, and other developmental problems. We owe it to our children to clean up toxic mercury pollution, and that's why I'm offering this amendment.

The amendment would simply require that this committee designate the analysis of the true costs of including health effects in blocking EPA's lifesaving clean air safeguards. These costs are clear to mothers and grandmothers across the Nation—brain damage, developmental problems, infant deaths. Support my amendment.

I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. All of us certainly are concerned about impacts on children. One of the problems that we have with this amendment is that when you try to determine specifically what causes a birth defect, for example, there are lots of different reasons. Folic acid is a B vitamin. Taking folic acid supplements before getting pregnant and in early pregnancy lowers the risk of having a baby with serious birth defects. Drinking alcohol increases the likelihood of serious birth defects. Smoking. Women who are obese when they get pregnant are at higher risk of having a baby with serious birth defects. Poor control of diabetes in pregnant women increases the chance of having a birth defect. So there's lots of different reasons, and it's difficult to set out a causal reason.

I would say to the gentlelady from California who we know is genuinely concerned about these health issues and has distinguished her career by raising them frequently, the EPA did extensive analysis of the health benefits of all of these rules with the exception of greenhouse gas. They didn't do any study on anything there. So we have a lot of information about the health benefits.

As far as the mercury issue, I would say to the gentlelady that the Utility MACT, EPA itself said that this would reduce mercury by such a small amount that it would represent only 0.004 percent of the total claimed benefits of the rule, and the remaining 99.996 percent would be due to particulate matter reduction.

And I would also remind the gentlelady that the Department of Energy and other groups have indicated that 99 percent of mercury deposits in the U.S. do not come from utility companies, but they originate from nature and foreign industrial sources in which the wind brings them to the U.S.

We believe that there's adequate information on health benefits. Furthermore, the TRAIN Act does ask the independent body to look at benefits—it can be health, whatever—and cost. For that reason, we would oppose the gentlelady's amendment.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Chairman, I would say to the gentleman, power plants are the biggest industrial source of mercury pollution in the United States, and I believe that the remarks of the chairman of the Energy Committee underscore the very reason that we should have the studies of the health effects included in the study that is requested by the TRAIN Act.

I am pleased to yield 1 minute to my colleague from Oregon (Mr. BLUMENAUER), a champion of livable cities, to speak on this topic.

Mr. BLUMENAUER. I appreciate the gentlelady's courtesy, and I appreciate your offering this amendment. My friends on the other side of the aisle can't have it both ways. There has been a lot of study. For heaven's sake, EPA has already estimated cost of compliance, less than $1 billion, and the savings to Americans from lives saved, health care costs avoided and days of work and school not missed between $120 billion and $280 billion. This is a part of the study effort that has been going on for 20 years.

We had hoped that on the 25th anniversary of the Clean Air Act in 2015 we would probably have full compliance. Yet we are quibbling here about things that EPA has been unable to monetize like a birth defect—but for Heaven's sake, it's serious—in addition to the hundreds of billions that they can monetize.

It is, I think, unfortunate that if this approach is approved, it will enable the Chinese to get ahead of us again. Remember, I put in the RECORD last night the front page of the Chinese Daily where they are moving ahead to reduce emissions. They are willing to incur the costs because of the health benefits, but it's not enough for my friends on the other side of the aisle to go ahead after 25 years.

I thank the gentlelady.

Mr. WHITFIELD. Does the gentlelady from California have any time left?

Mrs. CAPPS. May I ask how much time is left?

The Acting CHAIR. The gentleman from Kentucky has 2½ minutes. The gentlewoman from California has 1 minute.

Mr. WHITFIELD. I don't have any other speakers, so I reserve the balance of my time to close.

Mrs. CAPPS. I am happy to yield my 1 minute to my colleague from Florida, DEBBIE WASSERMAN SCHULTZ, a mother of three young children.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I rise in strong support of the amendment offered by my friend and colleague, Congresswoman LOIS CAPPS, and in opposition to the underlying bill—the majority's latest assault on clean air and public health. I'd like to thank Congresswoman CAPPS and all of my colleagues who've spoken in opposition to this bill, which puts the health of all Americans—especially our children—at great risk.

This amendment simply requires recognition of the very real health consequences of air pollution. For example, curbing mercury pollution will protect children and mothers from toxins that damage a developing brain.

With this amendment, the required report must assess the effect on birth and developmental defects and infant mortality rates caused by the delay in better clean air standards. What's wrong with that? Who could be opposed to that?

For such a small additional effort, this assessment would provide crucial information affecting the health of all American families.

As a mother of three young children, whose health is among my absolute greatest concerns, I urge my colleagues who are parents and grandparents to take a moment and consider the impacts of this bad bill.

Delaying EPA's Mercury and Air Toxics Standards will have serious consequences on their children and grandchildren. Remember that we are their first line of defense in this world.

I urge my colleagues to join me in supporting this good amendment and opposing the underlying bill.

Mr. WHITFIELD. I would remind everyone just once again that we're talking about 14 regulations. We're not delaying 12 of them in any way. We're asking for further analysis of two of them. For that reason, I would oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

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

Mrs. CAPPS. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 5 OFFERED BY MR. KINZINGER OF ILLINOIS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–213.

Mr. KINZINGER of Illinois. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 3(e)(2), add the following:

(D) Any rule addressing fuels under title II of the Clean Air Act (42 U.S.C. 7521 et seq.) as described in the Unified Agenda of Federal Regulatory and Deregulatory Actions under Regulatory Identification Number 2060-AQ86, or any substantially similar rule, including any rule under section 211(v) of the Clean Air Act (42 U.S.C. 7545(v)).

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from Illinois (Mr. KINZINGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

□ 1000

Mr. KINZINGER of Illinois. I want to thank my colleague from Texas (Mr. GONZALEZ) for coauthoring this amendment with me to H.R. 2401, the TRAIN Act. It's an important bipartisan amendment that hits directly on what Americans, particularly my constituents in Illinois, are facing every day, the high cost of gasoline.

Later this year, it's expected that the EPA will promulgate rules on gasoline refiners mandating that they offer sulfur levels and vapor pressure by 70 percent. This would be even further below the already low levels mandated in 2004.

In 2004, the EPA's tier 2 rules lowered sulfur and gasoline by 90 percent. The impacts of these new rules could force refineries in the U.S. to slash their gasoline production by up to 14 percent, leaving the United States even more dependent on foreign sources of oil.

Our amendment would require the EPA just to study the economic costs of these new fuel requirements. Before delivering what could be a devastating blow to the customer and to our economy, the EPA should first provide data to show lowering the sulfur content will actually achieve cost-effective, real emissions reductions in air quality and health and welfare benefits.

Americans are fed up with the volatility in the gasoline markets. While we may not be able to control the price of oil on the global market, we can control the cost of regulations on our fuel. Every dollar that's taken out of the taxpayer pocket due to new regulation is a dollar that's not going to refuel the American economy.

We need commonsense regulations, and we need to know the impacts of regulations on families and businesses before they go into effect.

This amendment is a commonsense approach to ensure Americans are getting the cause-worthy benefits that we need out of regulations. I urge my colleagues to support the amendment.

At this time it is my honor to yield 2 minutes to my distinguished colleague from Texas (Mr. GONZALEZ), coauthor of the amendment.

Mr. GONZALEZ. Mr. Chairman, first of all, I extend my thanks to my colleague from Illinois for joining me in cosponsoring what I believe is a very important amendment.

We offered this amendment because we have concerns with EPA's intent to proceed with a tier 3 rulemaking which would establish new fuel specification standards without justifying it with the sufficient data that has already been called to be conducted under a study in a previous bill.

In 2007, Congress included a provision in the Energy Independence and Security Act of 2007 that directed EPA to study and implement fuel changes to negate any detrimental air quality impact resulting from the renewable fuel standard. EPA has not conducted this required study.

I am concerned that EPA may be moving too quickly with tier 3 regulations. EPA should complete the study first and provide for adequate comment and feedback from stakeholders before proceeding with the proposed rule. Any proposed changes to gasoline sulfur content and vapor pressure should be backed by sound data. These reductions must be justified because they have real costs. I have concerns about the effects these new regulations could have on refiners. These costs could result in decreased gasoline supplies and possible refinery closures, both of which could undermine our Nation's energy security.

Our amendment simply adds any proposed tier 3 rulemaking to the list of regulations where EPA must conduct additional analyses, as outlined in TRAIN. This additional study will ensure that all of the costs and impacts are known before EPA proceeds with its proposal.

I hope my colleagues in the House can support this straightforward amendment. It simply calls on an agency to simply do that which it was directed to do years ago before proceeding and not to basically proceed before you have the vital information on which to base some very important regulations.

Mr. KINZINGER of Illinois. Mr. Chairman, I reserve the balance of my time.

Mr. RUSH. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. RUSH. Thank you.

Even if this amendment passes to improve the study of EPA rules, that will not address the underlying problems with this bill. Proponents of this bill imply that it simply requires EPA to study the cumulative impact of EPA rules. That is false. What began as a bill to study EPA rules has morphed into a bill to actually block the EPA rules. In fact, the bill blocks and indefinitely delays two of the most important air pollution rules in decades.

First, the bill blocks EPA from finalizing a proposed rule to cut toxic air pollution from power plants, which are the most egregious and the largest source of toxic mercury pollution in our Nation. Mercury is dangerous in small amounts, and mercury can damage the developing brains of infants and children.

The proposed rule would prevent more than 90 percent of the mercury in coal from being emitted into the air. The rule also would reduce fine particle emissions by more than a quarter, producing tremendous widespread health benefits.

For each year this bill delays the Mercury and Air Toxics Standards rule, it will allow up to an additional 17,000 premature deaths, 120,000 cases of asthma, and 850,000 days when people miss work due to illness.

But that's not all. The bill also blocks the EPA from implementing the Cross-State Air Pollution Rule to require 27 States to reduce power plant emissions that pollute the air in downwind States.

Each year of delay in implementing this rule will produce up to an additional 35,000 premature deaths, 400,000 cases of asthma, and 1.8 million days when people will miss work or school due to illness.

The benefits of these rules far exceed the costs. For the Cross-State Air Pollution Rule alone, the pollution reductions will yield annual health benefits that outweigh the rule's costs by up to 350 to 1.

The bill still creates a new government bureaucracy to produce a study of EPA rules, but this study is just a Trojan horse to disguise the true intent of this legislation: to block and delay two important EPA rules to protect public health from air pollution.

The bill that emerged from committee already is a horrible, terrible bill. But it promises to get even worse, significantly worse, as my Republican colleagues amend this horrible and horrendous bill before us.

Mr. WHITFIELD himself has offered amendments that completely nullify the two power plant rules and force EPA to start all the way back to the beginning, to start from scratch—but with new limits on what the agency can do to reduce pollution. According to the EPA administrator, these changes could prevent the EPA from ever reissuing these same rules, deny them far into the future from ever reissuing these same rules.

Mr. LATTA has offered an amendment that strikes at the heart of the Clean Air Act by requiring the EPA to prioritize cost over public health when setting national air quality standards. These standards form the foundation of why we have been able to clean up air pollution, and Mr. LATTA wants to throw it out the window.

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

Mr. RUSH. I urge my colleagues to oppose this bill.

Mr. KINZINGER of Illinois. Mr. Chairman, can I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 1 minute.

Mr. KINZINGER of Illinois. I yield the balance of my time to my good friend from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. I thank my colleague from Illinois for yielding to me.

The EPA is currently developing a tier 3 rulemaking that would further reduce sulfur levels in gasoline to an average of 10 parts per million, a 70 percent change from today's already low standards, while reducing the gasoline volatility.

□ 1010

The EPA is expected to issue a proposed rule by the end of this year. The problem we have is that in the Energy Independence and Security Act of 2007, section 209 required the EPA to conduct a study 18 months after the enactment to determine whether the renewable fuels required by the section would adversely impact air quality and not later than 3 years after that enactment. The problem is EPA has not finished that study we require them to conduct even before these new regulations. Now they're moving forward with a rule with a half-baked study, and that's why I support this amendment to the TRAIN Act, Mr. Chairman. This is not a delay amendment. This is just to make sure we don't get the cart in front of the horse, and we need to have that study finished before the EPA moves forward with that sulfur criteria.

That's why I support my colleague from Illinois' and my colleague from Texas' amendment, and I encourage my colleagues to support it.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. KINZINGER).

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

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

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

The Committee will rise informally.

The SPEAKER pro tempore (Mr. KINZINGER of Illinois) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title.

H.R. 2883. An act 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.

The SPEAKER pro tempore. The Committee will resume its sitting.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

The Committee resumed its sitting.

AMENDMENT NO. 6 OFFERED BY MR. DENT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–213.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, after line 20, insert the following:

(I) ''National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants'', published at 75 Fed. Reg. 54970 (September 9, 2010).

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Thank you, Mr. Chairman.

This amendment simply adds the National Emission Standards for Hazardous Air Pollutants, NESHAP or Cement MACT, to the covered rules within H.R. 2401. Reasonable efforts to limit the emissions of hazardous pollutants by cement manufacturing facilities are most certainly appropriate, but EPA has failed to craft effective and efficient regulations.

These NESHAP standards will be very, very difficult and extremely costly for domestic cement manufacturers to meet, severely jeopardizing the ability of an essential American basic industry to remain competitive with foreign importers. Including NESHAP and H.R. 2401 will allow the loss of American jobs and the weakening of domestic manufacturers' global competitiveness to become key considerations during the completion of the rulemaking process.

We must understand the impacts of these rules on jobs and our manufacturing competitiveness. Here now are some simple, basic facts about the American cement industry, and I represent the largest cement-producing district in America. I'm cochair of the Cement Caucus along with cosponsor MIKE ROSS of Arkansas. This industry employs about 13,000 Americans. Four thousand of those jobs have been lost since 2008. There are 97 cement plants in America producing today, and there's a presence in nearly every State as well, I might add. Cement is an absolutely essential basic industry in American manufacturing. It plays a major role in the development of our Nation's infrastructure.

I think we need to better understand some of this background, too, regarding these NESHAP rules.

NESHAP, of course, amends EPA's maximum achievable control technology, or MACT, and performance standards for cement kilns. And this is utilizing an unrealistic pollutant-by-pollutant approach for application of MACT. MACT requirements are designed to direct industries toward the pollution control technology used by the best performers in a certain industry sector. It cobbles together a range of different performance characteristics applicable to different pollutants without determining if it is feasible or even possible for any one kiln to comply with all of these standards.

The truth is there is not a single cement manufacturing plant in America that can comply with all of these standards simultaneously. The chemical composition, too, of key cement inputs, such as limestone, vary from region to region. Consequently, NESHAP will have disproportionate impacts on different manufacturing locations across the country simply based on the type of limestone being used in the process of manufacturing cement.

We should talk, too, about the impacts on the domestic cement industry: $2.2 billion worth of compliance costs, and that's an EPA estimate; $3.4 billion in compliance costs, and that's the industry estimate. So there's a lot of cost here. We're in the billions.

There are numerous plants. There are estimates that from 12 to 18 of these plants across the country may be idle or permanently shut down. And these are massive facilities with tremendous capital investment. And we believe that the national price for Portland cement may increase by 5.4 percent. Domestic production will fall by 11 percent. Thousands of high-quality jobs could or would be lost.

One major domestic cement producer has already publicly announced that, due to other regulatory uncertainties of this NESHAP and other pending regulations, it is halting construction of a new state-of-the-art cement kiln, suspending over $350 million in new investment and the creation of over 1,500 construction jobs.

With respect to global emissions, what will this mean? The reduction of domestic production of cement will naturally lead to an increase in our Nation's reliance on foreign cement. And I can assure you those foreign producers are not going to be complying with the NESHAP rules. So this is going to shift overseas production and will likely increase global greenhouse emissions in two ways:

First, transporting cement to the U.S. from international markets will require tremendous amounts of fossil fuels, substantially increasing the amount of carbon emitted per unit of cement used; and

Second, foreign suppliers will be manufacturing in countries with little or no environmental protections.

So it's critically important that EPA produce realistic and achievable regulations. Including NESHAP in H.R. 2401 will help EPA take into account the economic impact of its flawed regulations, and a more thorough economic analysis will lead to a better final rule.

Finally, I wanted to say one thing. The Federal stimulus law is actually helping to finance the construction of a cement importation terminal in Staten Island, New York City, designed to displace many cement workers in my district and all across the northeastern United States, using Federal money to create a handful of jobs while displacing many in basic industry and manufacturing. That's got to stop.

Pass this amendment, and then pass the underlying bill.

I reserve the balance of my time.

The Acting CHAIR. The time of the gentleman from Pennsylvania has expired.

Mr. RUSH. I claim time in opposition for purposes of debate.

The ACTING Chair. The gentleman from Illinois is recognized for 5 minutes.

Mr. RUSH. Thank you.

Many organizations are on record opposing the TRAIN Act or opposing efforts to block rules to reduce pollution from the country's dirtiest power plants.

Numerous public health groups, including the American Lung Association, the American Public Health Association, the American Thoracic Society, Physicians for Social Responsibility, and Asthma and Allergy Foundation of America all sent a letter to Congress expressing their support for full implementation of the Clean Air Act and opposing ''all efforts to weaken, delay, or block progress toward the continuing implementation of this vital law.''

The American Public Health Association stated that it opposes the TRAIN Act because it is ''ill-conceived legislation that would prevent EPA from protecting the public's health from dangerous and deadly air pollution.''

The National Association of Clean Air Agencies opposes this bill as well. NACAA sent a letter expressing its concern that the TRAIN Act would ''create regulatory delays that could lead to thousands of premature deaths, remove important regulatory tools upon which States and localities depend, impose additional costs on government as well as small businesses, create regulatory uncertainty, cause job losses and defund an important and cost-effective air pollution control program.''

□ 1020

Groups representing millions of individual Americans who believe in protecting our environment strongly oppose this bill and other efforts to weaken clean air protections. These groups include the League of Conservative Voters, the Sierra Club, National Resources Defense Council, Environment America, the National Audubon Society, the Environmental Defense Fund, and the Union of Concerned Scientists. They stated in a letter to Congress that ''sacrificing tens of thousands of American lives will not create more jobs. Poisoning the air our children and our families breathe will not stimulate the economy.''

Three hundred sportsmen's organizations representing our Nation's hunters, anglers, and the businesses that depend on our wildlife and natural resources support the EPA's effort to cut mercury pollution, and I quote them with these words. They said: ''Strongly oppose any effort to weaken the Clean Air Act.''

The Evangelical Environment Network has been running radio ads expressing their opposition to efforts to block the Mercury and Air Toxics rule. Mercury can damage the developing brain of fetuses and children, causing learning disabilities and neurological problems. The president of this group stated: ''We believe that mercury offers a significant potential for hindering our children from developing a pure and wonderful life.''

The Obama administration strongly opposes the TRAIN Act. The administration plans to veto this legislation if it ever reaches the President's desk, as the bill would undermine decades of progress in cleaning up the Nation's air quality by—and this is a quote from the Obama administration—''blocking EPA's ability to move forward with two long-overdue Clean Air Act rules.''

Americans don't support weakening the Clean Air Act or blocking efforts to reduce dangerous air pollution from power plants. The widespread opposition to the TRAIN Act makes that perfectly clear.

Mr. Chairman, I urge my colleagues to oppose this horrendous bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. DENT).

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

Mr. RUSH. I demand a recorded vote.

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

AMENDMENT NO. 7 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–213.

Mr. HASTINGS of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, after line 12, insert the following new subsection (and redesignate accordingly):

(f) EXCLUSION FROM REVIEW.—Notwithstanding subsection (e), the Committee may not include in the analyses conducted under section 3 consideration of any rule or guideline promulgated in compliance with Executive Order 12866 (58 Fed. Reg. 51735, relating to regulatory planning and review) or the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

Beginning on page 11, line 17, strike section 5 (and redesignate accordingly).

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, H.R. 2401 is a toxic bill that attempts to dismantle any government regulation to protect our Nation's public health and environment.

To set the stage for my brief remarks, let me cite to the American public Executive Order 12866, which says: ''Each agency shall assess both the costs and the benefits of the intended regulation, and recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its cause.''

Now, we've been operating under that particular provision for a substantial period of time. And quite frankly, Congress' decisions with reference to the Clean Air Act, signed by President Richard Nixon in 1970, came about as a result of continuing arguments from industry that cleaning up air pollution was too expensive or not feasible.

This bill forbids the Environmental Protection Agency from finalizing both the Mercury and Air Toxics Standards rule and, importantly, the Cross-State Air Pollution rule requiring coal-fired power plants without modern pollution controls to install controls, to reduce emissions of mercury and other toxic air pollutants, fine particulates, and the pollutants that cause smog and acid rain.

In the Rules Committee, I spoke about being in Lavigny in Poland and watching the pollution that was destroying the Black Forest in another country, in Germany. We've had that take place in our States, where one State is offering emissions that come down on another State's population, and therefore the Cross-State Air Pollution rule said that coal-fired plants should install modern pollution controls. And guess what? Sixty percent of them, including one of the largest producers of electricity in this country—Exelon in Illinois—do favor these same rules that are being sought to be delayed. And they favor them for the reason that, among other things, it has produced jobs and it has cured the problems that have been pointed out by

the American Lung Association and countless other organizations that favor the Clean Air Act and are opposed to delaying further two particularly important measures that would allow for pollution to continue to be cleaned up.

Port Everglades in Florida, right outside my constituency, for all of the years that I have lived there—and that nears 50—this coal-powered plant has been producing emissions. Over the course of time, they have reduced those emissions. And Florida Power & Light recently indicated that they're going to do everything that they can to meet the emissions standards rather than sit up and try and oppose them because they recognize, one, that they do have all of the juice—if you can call electricity that.

And in the final analysis, those of us that benefit from it are going to wind up paying more. But to pay more to make sure that children don't have asthma and to make sure that people don't have lung pollution and to make sure that lakes don't go dead from mercury or that fish don't have in them more mercury than they rightly should for food consumption, then I'm willing to pay more; and I believe most Americans are as well in order that we will have clean air.

I ask for support of my amendment.

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

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

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I have great admiration for the gentleman from Florida, who is always eloquent in his remarks.

□ 1030

He started off his support of his amendment by saying that we are trying to dismantle any regulation. I would like to remind everyone, once again, that this bill applies to 14 EPA regulations and we do not delay in any way 12 of them. And on the other two, we delay one of them, both of them, 6 months after the final report is due.

Now, he had mentioned that Exelon supported the new EPA regulations. Exelon is a company that we all admire and respect, but it's a nuclear energy company, so there's nothing in these regulations that has any impact on them, as far as I know. But all of these regulations are trying to drive the coal industry out of business, that still provides 50 percent of all the electricity in America.

Now, in the TRAIN Act, we simply ask this independent government agency, composed of Obama administration appointees, to examine the cumulative impact of all of these rules, because EPA has never been quite this aggressive. And I might add that the two rules that we asked to delay for further analysis, an independent research group said that the annualized cost would be almost $18 billion that utilities would have to spend to buy equipment that may not be able to even then achieve the standards because the technology is not available.

The issue is not about mercury. The utilities do a great job of cleaning up mercury. EPA itself said that its Utility MACT would only benefit—the benefit of the Utility MACT would be only .004 percent attributable to mercury because 99 percent of mercury in America comes from nature and from outside other countries that the trade winds bring in to our country. So utilities don't object to the mercury part of this.

But they're now adding hydrogen fluoride and hydrogen chloride, of which there is no technology available to achieve the standard that EPA is setting.

So because of the cost, because of the unique vulnerability of our economy today, 12 of these regulations we don't delay at all. We just say, let's study the cumulative impact, which the President asked for in his Executive order that he issued recently. He said we need to look at the cumulative impact. That's what we're trying to do.

This amendment would basically say, you don't look at the cumulative impact, you just take the existing studies that have been made. I would also say that EPA didn't even do any study on the greenhouse gas, which we're only trying to analyze the full cost of that.

For those reasons, I would respectfully oppose the gentleman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

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

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 8 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–213.

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, after line 24, insert the following:

(g) ADDITIONAL ANALYSES.—The Committee shall conduct or commission studies to identify pollution control policies that should be adopted and implemented by the United States to provide domestic job growth and ensure that the Nation is internationally competitive in the $5 trillion global energy industry for clean energy technology development and manufacturing.

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. Mr. Chairman, Deutsche Bank, the biggest bank in Europe, recently issued a report on global clean energy investment opportunities in which it stated, ''Countries with more TLC, transparency, longevity, and certainty, in their climate policy frameworks will attract more investment and build new clean industries, technologies, and jobs faster than their policy-lagging counterparts.''

The TRAIN Act is one more step in the wrong direction by the same Republican House which has held over 110 anti-environmental votes. This unprecedented assault on the environment has devastating consequences for our economy. As the Deutsche Bank report said, ''Germany and China have emerged as global leaders in low carbon technologies and investment. The net effect is that while Congress stumbles, the U.S. stands to fall behind.''

This investor report, from Europe's largest bank, identified several policy failures that are impeding job growth here at home. First, Congress has not established a carbon reduction target, or required polluters to pay for the cost of greenhouse gas pollution. Congress does not have a national renewable standard or even an energy efficient standard. The Deutsche Bank report notes that the lack of these regulations and incentives has actually forced investors to make investments elsewhere, including in China and other countries, rather than here at home in America. As a result, we have lost solar and other advanced technology market share to our competitors.

My simple amendment to the TRAIN Act establishes a simple process to identify ''policies that should be adopted and implemented by the United States to provide domestic job growth, and to ensure that our Nation is internationally competitive in the $5 trillion global energy industry for clean energy technology, development, and manufacturing.'' Business leaders have urged Congress to adopt both a regulatory framework and a system of incentives to spur clean energy job creation. In addition to the regulation the Deutsche Bank identified as supporting investment, American entrepreneurs have called on Congress to expand public financing for clean energy.

This month members of the American Energy Innovation Council visited Capitol Hill to express their strong support for just that concept. This group included venture capitalist John Doerr, former Lockheed Martin CEO Norm Augustine, and Bill Gates of Microsoft. The American Energy Innovation Council recently issued a report which stated, ''As business leaders, we feel that America's current energy system is deficient in ways that cause serious harm to our economy, our national security, and our environment.

To correct these deficiencies, we must make a serious commitment to modernizing our energy system with cleaner and more efficient technologies.''

This Republican House is an anchor that's dragging down the American economy. It's continued obsession with austerity and opposition to any economic recovery programs, including clean energy, mean that America falls behind while China surges ahead. We cannot afford to let China and Germany dominate industries such as clean technology.

My simple amendment will establish a process to start restoring American leadership in this important sector for economic growth. Rather than repealing commonsense public health standards, we ought to be focused on measures like my amendment, which support high-tech job growth.

I ask my colleagues to vote for this amendment, and I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. While I have great regard for the gentleman from Virginia, I must rise to oppose this amendment.

In his 2008 convention speech, Barack Obama promised to create 5 million green energy jobs. An article in The New York Times headlines, ''Where the Jobs Aren't,'' talks about all the government money that's being spent to subsidize green energy today. They gave an example of one government program that provided $300 million to a company. They created 150 jobs at what turned out to be a cost of $2 million for every job.

□ 1040

The reason that solar and wind are not taking off is they are too expensive and too inefficient. Having said that, I recognize that they have a part in our economy and that they have a part in producing electricity, but they can never be the base load. That cannot be attained. We cannot provide enough electricity without coal, nuclear, and natural gas.

Now, this amendment gives special attention to the green energy field. I would remind everyone, once again, that renewable energy subsidies increased over the last 3 years by 186 percent: from $5 billion to $14 billion. Renewables saw, by far, the largest increase in Federal benefits. Wind alone received a tenfold increase in subsidies: from $476 million to almost $5 billion. Solar increased by a factor of 6: from $179 million to $1.2 billion.

Mr. CONNOLLY of Virginia. Will the gentleman yield for a question?

Mr. WHITFIELD. Let me just finish this one sentence.

So these strategies can't work without government support. I don't object to government supporting them, but they do not need to get even more special privileges from this amendment.

I would be happy to yield to the gentleman.

Mr. CONNOLLY of Virginia. I thank the gentleman for yielding.

I would inquire as to what would be the comparable number for oil and gas and coal in the United States. You talk about the growth trend; but in absolute numbers, is it not true that actually the fossil fuels industry gets $70 billion a year?

Mr. WHITFIELD. The direct expenditure for coal was $42 million last year, and for wind it was $3.556 billion.

I will tell you that oil and gas and coal are willing to give up all of their subsidies if green energy wants to give up their subsidies, because they're getting a lot more than anyone else.

At this point, I reserve the balance of my time.

Mr. CONNOLLY of Virginia. I would inquire of the Chair how much time is left on this side.

The Acting CHAIR. The gentleman from Virginia has 1 minute remaining.

Mr. CONNOLLY of Virginia. To conclude on this matter, I have enormous respect for my colleague on the other side; but to oppose a simple study to require that we look at the benefits of clean energy technology, I find that very troubling. That resistance, sadly, is going to impede American growth and competitiveness and is actually going to cost us jobs.

There is no question that in the coal industry, in particular, we've kind of reached a plateau. In fact, in Kentucky, we've lost a lot of jobs relative to, say, 30 years ago; whereas, as my colleague from Massachusetts pointed out last night, in wind energy, just in the last 4 years, we're up to 80,000 jobs. It's a fast-growing, lucrative part of our economy. It's clean, and it actually concretely helps create jobs.

That's a worthwhile thing to study if not to invest in, and I regret the fact that the manager on the other side finds even a study something to be resisted.

I yield back the balance of my time.

Mr. WHITFIELD. Once again, I oppose the amendment.

Green energy is getting every benefit possible from this administration—money, studies, and in every other way. It will never be able to meet the base load of our electricity needs. Therefore, unless we can continue to have low-cost electricity, we're not going to compete in the global marketplace, and we're going to continue to lose jobs. The EPA is making direct attacks against an industry. For that reason, I respectfully oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

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

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 9 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–213.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 11, line 10, strike ''90'' and insert ''120''.

The Acting CHAIR. Pursuant to House Resolution 406, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I rise today to support my amendment. I call my amendment ''Can We All Get Along?'' It is an amendment simply to ask that all of those who are impacted by this proposed legislation have an expanded time to be able to present their views.

It is a ''can we all get along?''-type amendment because it is important to note again that those of us who come from different States, whether it's Illinois or Texas, recognize that the Environmental Protection Agency and the Clean Air Act were formulated under a bipartisan Congress and were signed, as my colleague reminded us, by President Richard Nixon. Republicans and Democrats voted for the Clean Air Act and for the Environmental Protection Agency's jurisdiction.

It's important to note that there is not only a value in what the EPA does but that there are organizations, such as the American Lung Association, the American Thoracic Society, the Physicians for Social Responsibility, the American Public Health Association, and the Asthma and Allergy Foundation of America, which need their input and are concerned about this legislation.

So my concern as we move forward on the transparency and regulatory analysis of impact is how much time has been given for the public comment. My State, in fact, has been impacted for the lack thereof of public comment. I believe that there are civilians who are not businesses who should be protected and given the opportunity to have input.

For example, it's important to note that the Mercury and Air Toxics Standards rule, which I don't think my colleagues can in any way dissuade me from believing, has been the basis of preventing 17,000 premature deaths, 11,000 heart attacks, 120,000 cases of aggravated asthma, 12,000 hospital and emergency room visits, 11,000 cases of bronchitis, and 850,000 missed days.

The idea of putting a superlayer over the already existing regulatory

scheme, to me, sounds like we are adhering to the supercommittee concept, which many of us, by way of absolute necessity, voted on during the debt ceiling debate; but we realize that the responsibility of the purse strings is in the United States House of Representatives. Well, the law has given authority to the EPA and to the Clean Air Act as its authorizing aspect to be able to control and balance.

I believe we should create jobs; but the question becomes whether or not the TRAIN Act, in the format of adding another layer of review, actually does that—or does it create another level of bureaucracy that we neither want nor need? At a time when these regulations will both decrease health costs and can create thousands of jobs, why would my colleagues propose a bill that would only slow job growth?

It has been 260 days. I think we should, as I started out, get along, try to create jobs, recognize the value of the EPA, find a way to be able to resolve the present conflict on the Cross-State Air Pollution Rule but not eliminate the authority and the oversight of the Environmental Protection Agency.

What I would say to my colleagues is that the EPA has protected all of our constituents. Therefore, I think it's important to pass this amendment because it's about constituents. It's about constituents no matter what side of the aisle they're on. This is an amendment that moves the public comment from 90 days to 120 days. There may have been some who wanted to comment who cannot comment because they did not have the amount of time.

So I would ask my colleagues to support this ''can we all get along?'' amendment.

I reserve the balance of my time.

Mr. WHITFIELD. I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. First, I would like to say to the gentlelady from Texas, who does such a great job on all of these issues, that we do not intend in any way to remove any of the authority of the EPA to regulate the Cross-State Transport Rules. As a matter of fact, of the 14 rules that we're examining that EPA has issued, 12 of them we do not delay in any way. On the Air Transport Rule, we simply go back to the original Air Transport Rule of which EPA talked about all of the marvelous benefits. The EPA defended it in court. The environmental groups supported it: 67 and 53 percent reductions in SO_2 and NO_X emissions. That will remain in effect.

As far as the gentlelady's amendment, we would be happy to accept it, because I think it's a good amendment.

I yield back the balance of my time.

□ 1050

Ms. JACKSON LEE of Texas. Let me indicate to the gentleman first of all that I thank him for accepting the amendment, and I conclude my remarks by saying that my asking for a roll call vote is not in any way a reflection of my lack of acceptance, but I am just so gratified for this timeframe that I hope that the gentleman will encourage those to support the amendment.

Therefore, let me say to the gentleman—I finish on this note—there is some thought that we are putting in another regulatory scheme, but I think the important point from my perspective is that there was value when Richard Nixon signed the bill on how do we find a way to make this work so that we save lives and we create jobs.

I think my amendment provides the opportunity for that kind of input, and I thank the gentleman.

Mr. Chair, I rise today in support of my amendment #4 to H.R. 2401, ''The Transparency in Regulatory Analysis of Impacts on the Nation Act,'' which extends the public comment period from 90 days to 120 days.

The Transparency in Regulatory Analysis of Impacts on the Nation (TRAIN) Act establishes a committee to conduct studies and review the Environmental Protection Agency (EPA) regulations based upon the Mercury and Air Toxics Standard Rule (MATS) and the Cross State Air Pollution (CSAP) Rule promulgated. This committee is composed of Administration officials from different federal agencies and under H.R. 2401 will analyze the effect of the regulations on the economy, U.S. competitiveness in the global market, employment, and energy production and cost. In effect this is creating more regulations and more bureaucracy at time when Republicans are calling for all of us to tighten our belts. So now before us is a Super Committee for the Budget and again we are going to have a Super Committee for Clean Air. We already have an agency charged with protecting our air. The Environmental Protection Agency (EPA) has been up to the task for 40 years. According to the EPA, the pollution reductions required by the rule they have proposed will yield health benefits of $120 to $280 billion per year, which is 150 to 350 times the cost. I have always been a stalwart for a firm balance between the needs of the energy industry and our environment. But then there is just plain common sense. The TRAIN Act goes overboard. It is a extreme response that does not add value to ensuring Clean Air.

The argument proposed by some of my colleagues has been that this will cost jobs. Implementing regulations will create jobs. Old power plants and other utilities will have to hire workers in order to fulfill the requirements of the regulation. The EPA has determined that this will not be overly burdensome to the industry. We as a body must ensure that the regulations issued by the EPA will not destroy any industry but at the same token TRAIN is too extreme. It creates the very bureaucracy that we neither need nor want. At a time when these regulations will both decrease health costs and can create thousands of jobs, why would my colleagues propose a bill that will only slow job growth. It has been 260 days and the Republicans, who have been in the majority, have not presented a clear and consistent job growth package. Instead time and time again they have put forth measures to cut Medicare and social security at a time when so many of our constituents are dependent upon those resources to cover health costs and living expenses.

The TRAIN Act, which I could easily consider a bill like a steam train and it steams right through the power of the EPA to regulate clean air, requires that the committee publicly publish its initial findings and then provide the public with 90 days to comment. If this flawed bill is going to pass at least my amendment is an attempt to take into account the number of interested parties who may wish to give their input and extends the public comment period from 90 days to 120 days. I have offered this amendment to ensure that everyone who wishes to comment will have ample opportunity to do so.

My home state of Texas was not initially included in the Cross State Air Pollution Rule. When my state was added, there was no time provided for public input, a courtesy that was extended to the other 6 states included in the Cross State Air Pollution Rule. Stakeholders throughout Texas were afforded no opportunity to discuss the impact of including Texas at the last minute. Had there been opportunity for public comment, the EPA and stakeholders would have been able to work together towards a consensus.

The proposed regulations have different impacts on different stakeholders, and it is extremely important that everyone's point of view is considered. An open dialogue that encourages frank and productive communication can foster compromise.

As the Representative for Houston, the country's energy capital, I am committed to creating an environment in which the energy industry and regulating agencies can work together.

For more than 40 years the EPA has been charged with protecting our environment. There has been a consistent theme of chipping away at the ability of the EPA to protect our air. We have to consider the long term costs to public health if we fail to establish reasonable measures for clean air.

Outdoor air pollution is caused by small particles and ground level ozone that comes from car exhaust, smoke, road dust and factory emissions. Outdoor air quality is also affected by pollen from plants, crops and weeds. Particle pollution can be high any time of year and are higher near busy roads and where people burn wood.

When we inhale outdoor pollutants and pollen this can aggravate our lungs, and can lead us to developing the following conditions; chest pain, coughing, digestive problems, dizziness, fever, lethargy, sneezing, shortness of breath, throat irritation and watery eyes. Outdoor air pollution and pollen may also worsen chronic respiratory diseases, such as asthma. There are serious costs to our long term health. The EPA has promulgated rules and the public should be allowed to weigh in to determine if these rules are effective.

The purpose of having so many checks and balances within the EPA is to ensure that the needs of industries and the needs of our communities are addressed. Providing a time for individuals to support or oppose any regulations is a meaningful first step. This bill is a step in the wrong direction.

The EPA has spent years reviewing these standards before attempting to issue regulations. In terms of the Mercury and Air Toxics

Standard (MATS) Rule the new standard will significantly reduce mercury and toxic air pollution from power plants and electric utilities. The EPA estimates that for every year this rule is not implemented, mercury and toxic air pollution will have a serious impact on public health. Think for a moment about the lives that can be saved. We are talking about thousands of health complications and deaths. What more do we need to know. According to the EPA this rule would prevent the following: 17,000 premature deaths; 11,000 heart attacks; 120,000 cases of aggravated asthma; 12,000 hospital and emergency room visits; 11,000 cases of bronchitis; and 850,000 missed work days.

The second rule that is targeted by this bill is the Cross State Air Pollution (CSAP) Rule. As a Representative from the State of Texas, I have a few reservations about the rules implementation in my home state; however, the rule can be more fairly implemented.

This rule will significantly cut sulfur dioxide and nitrogen oxide emissions released into the atmosphere. The regulation impacts 27 states where power plant emissions cause poor air quality that affects neighboring states. It is important to know that the EPA designed this rule again by keeping the lives of our families, our children, our communities and the environment in mind. According to the EPA this rule when implemented will prevent up to 34,000 premature deaths, 15,000 heart attacks, and 400,000 cases of aggravated asthmas.

Sometimes we can get caught up in the numbers and forget the people behind each. If these rules are allowed to be implemented there are 51,000 more people who will be able to spend another day, week, month or year with their families. These are our friends and family members who with the implantation of these rules can enjoy another cup of coffee.

The prolonged or indefinite delay of these life saving regulations threaten the very air that Americans, our constituents, breathe. I cannot speak for my colleagues on the other side of the aisle, but I certainly do not want to repeal regulations that protect the 18th Congressional District's access to clean air.

The analysis required by this legislation is focused solely on the impact of EPA regulations on economic competitiveness, fuel prices, and employment without taking into consideration the public health benefits of the regulations. The Mercury and Air Toxics Standard Rule will significantly reduce mercury and toxic air pollution from power plants and electric utilities.

The Cross State Air Pollution Rule will significantly cut sulfur dioxide and nitrogen oxide emissions released into the atmosphere. The regulation impacts 27 states where power plant emissions cause poor air quality that affects neighboring states.

My amendment will not affect the intent of the bill; it merely ensures that should this ill conceived measure pass that there is plenty of time given for our constituents who live in states affected by mercury and toxic pollution and cross state air pollution to weigh in on the public health aspects of these regulations.

I have offered this amendment not only to benefit those who live in states that would be affected by these regulations, but also to ensure that the industry being regulated has ample time to provide their input. Throughout my tenure in Congress, I have worked tirelessly to foster better relationship between the energy industry and regulating agencies. With an open dialogue and productive communication, we can forge compromise that will protect the environment without harming economic growth, and the intent behind this amendment is to do just that.

As the Representative of the 18th Congressional District of Houston, Texas, I can attest to the importance of a healthy energy industry. My district is the energy hub of Texas and is recognized worldwide for its energy industry, particularly for oil and natural gas, as well as biomedical research and aeronautics. Renewable energy sources—wind and solar—are also growing economic bases in Houston.

I understand the economic impacts of regulation, but we must also act responsibly. We cannot ignore the public health risks associated with breathing polluted air, nor can we pretend that these emissions do not exacerbate global warming. Alternatively, we certainly do not want to hinder job creation and economic growth.

Lest we forget that since 1999, Houston has exchanged titles with Los Angeles for the poorest air quality in the Nation. The poor air quality is attributed to the amount of aerosols, particles of carbon and sulfates in the air. The carcinogens found in the air have been known to cause cancer, particularly in children. The EPA is the very agency charged with issuing regulations that would address this serious problem. This bill may very well jeopardize the air that we breathe, the water that we drink, our public lands, and our public health by deep funding cuts in priority initiatives.

The least that can be done is to extend the opportunity for the committee formed by this bill to hear the concerns of the public. I am sure this will certainly go a long way to encourage robust discussion on health, job creation and economic improvements without putting the environment or the American people at risk.

I encourage my colleagues to support the Jackson Lee amendment in order to strike a balance between the EPA and the energy industry, forge compromise that will protect the environment without harming economic growth by extending the public comment period from 90 to 120 days. My amendment does not change the intent of the bill, it creates the opportunity for communication and consensus.

SEPTEMBER 21, 2011.

DEAR REPRESENTATIVE: On behalf of the undersigned public health and medical organizations, we write to state our strong opposition to any efforts under consideration by the U.S. House of Representatives that hinder the Environmental Protection Agency's (EPA's) ability to protect health through the implementation the Clean Air Act.

Majority Leader Eric Cantor's August 29, 2011 memo to House Republicans specifically called for passage of bills including H.R. 2401, which would indefinitely delay the EPA's proposal to reduce mercury and other toxics from power plants and would block implementation of the Cross-State Air Pollution Rule, a finalized rule that is expected to prevent the premature deaths of thousands of Americans each year and to make it easier for states downwind of pollution sources to achieve healthful air for their residents. The memo also signals plans with H.R. 2250 and H.R. 2861, which would delay EPA efforts to reduce mercury and other toxics from industrial facilities and cement plants. Further, it signals plans to thwart EPA's ability to propose a health standard for particulate matter, calling for passage of HR 1633, a bill that would block the completion of the review of the health effects associated with deadly soot or particulate matter and prevent EPA from even proposing a standard and receiving public comment on that standard.

We urge you to oppose this plan and ask that you, instead, support protecting public health. This Rep. Cantor-led effort would impact EPA's ability to implement the Clean Air Act: a law that protects public health and reduces health care costs for all by preventing thousands of adverse health outcomes, including: cancer, asthma attacks, strokes, emergency department visits, hospitalizations and premature deaths. A rigorous, peer reviewed analysis, The Benefits and Costs of the Clean Air Act from 1990 to 2020, conducted by EPA, found that the air quality improvements under the Clean Air Act will save $2 trillion by 2020 and prevent at least 230,000 deaths annually.

Additionally, the public supports EPA's efforts to implement and update the Clean Air Act. A recent bipartisan survey, which was conducted for the American Lung Association by the Republican firm Moore Information and Democratic polling firm Greenberg Quinlan Rosner Research indicate that those pushing riders or otherwise interfering with EPA are out of touch with voters. The survey shows that over seventy percent of voters do not want Congress to stop the EPA from setting stricter pollution limits and sixty-six percent of voters would prefer that EPA set pollution standards, not Congress.

We believe that in an ironic twist, the Majority Leader's memo lays out an agenda that will expose the public to levels of air pollution that can make them sick or kill them. This agenda will certainly drive up health costs for all as people continued to be exposed to life-threatening air pollution. We ask you to support full implementation of the Clean Air Act and oppose all efforts to weaken, delay or block progress toward the continued implementation of this vital law.

Sincerely,

AMERICAN LUNG ASSOCIATION.
AMERICAN THORACIC SOCIETY.
PHYSICIANS FOR SOCIAL RESPONSIBILITY.
AMERICAN PUBLIC HEALTH ASSOCIATION.
ASTHMA AND ALLERGY FOUNDATION OF AMERICA.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 10 OFFERED BY MR. WHITFIELD

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–213.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 5 and insert the following:

SEC. 5. ADDITIONAL PROVISIONS RELATING TO CERTAIN RULES.

(a) CROSS-STATE AIR POLLUTION RULE/TRANSPORT RULE.—

(1) EARLIER RULES.—The rule entitled ''Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals'', published at 76 Fed. Reg. 48208 (August 8, 2011), and any successor or substantially similar rule, shall be of no force or effect, and shall be treated as though such rule had never taken effect.

(2) CONTINUED APPLICABILITY OF CLEAN AIR INTERSTATE RULE.—In place of any rule described in paragraph (1), the Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') shall continue to implement the Clean Air Interstate Rule.

(3) ADDITIONAL RULEMAKINGS.—

(A) ISSUANCE OF NEW RULES.—The Administrator—

(i) shall not issue any proposed or final rule under section 110(a)(2)(D)(i)(I) or section 126 of the Clean Air Act (42 U.S.C. 7410(a)(2)(D)(i)(I), 7426) relating to national ambient air quality standards for ozone or particulate matter (including any modification of the Clean Air Interstate Rule) before the date that is 3 years after the date on which the Committee submits the final report under section 4(c); and

(ii) in issuing any rule described in clause (i), shall base the rule on actual monitored (and not modeled) data and shall, notwithstanding section 110(a)(2)(D)(i)(I), allow the trading of emissions allowances among entities covered by the rule irrespective of the States in which such entities are located.

(B) IMPLEMENTATION SCHEDULE.—In promulgating any final rule described in subparagraph (A)(i), the Administrator shall establish a date for State implementation of the standards established by such final rule that is not earlier than 3 years after the date of publication of such final rule.

(4) DEFINITION OF CLEAN AIR INTERSTATE RULE.—For purposes of this section, the term ''Clean Air Interstate Rule'' means the Clean Air Interstate Rule and the rule establishing Federal Implementation Plans for the Clean Air Interstate Rule as promulgated and modified by the Administrator (70 Fed. Reg. 25162 (May 12, 2005), 71 Fed. Reg. 25288 (April 28, 2006), 72 Fed Reg. 55657 (Oct. 1, 2007), 72 Fed. Reg. 59190 (Oct. 19, 2007), 72 Fed. Reg. 62338 (Nov. 2, 2007), 74 Fed. Reg. 56721 (Nov. 3, 2009)).

(b) STEAM GENERATING UNIT RULES.—

(1) EARLIER RULES.—The proposed rule entitled ''National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial- Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units'' published at 76 Fed. Reg. 24976 (May 3, 2011), and any final rule that is based on such proposed rule and is issued prior to the date of the enactment of this Act, shall be of no force and effect, and shall be treated as though such proposed or final rule had never been issued. In conducting analyses under section 3(a), the Committee shall analyze the rule described in section 3(e)(1)(E) (including any successor or substantially similar rule) as if the preceding sentence did not apply to such rule.

(2) PROMULGATION OF FINAL RULES.—In place of the rules described in paragraph (1), the Administrator shall—

(A) issue regulations establishing national emission standards for coal-and oil-fired electric utility steam generating units under section 112 of the Clean Air Act (42 U.S.C. 7412) with respect to each hazardous air pollutant for which the Administrator finds such regulations are appropriate and necessary pursuant to subsection (n)(1)(A) of such section;

(B) issue regulations establishing standards of performance for fossil-fuel-fired electric utility, industrial-commercial-institutional, and small industrial-commercial-institutional steam generating units under section 111 of the Clean Air Act (42 U.S.C. 111); and

(C) issue the final regulations required by subparagraphs (A) and (B)—

(i) after issuing proposed regulations under such subparagraphs;

(ii) after consideration of the final report submitted under section 4(c); and

(iii) not earlier than the date that is 12 months after the date on which the Committee submits such report to the Congress, or such later date as may be determined by the Administrator.

(3) COMPLIANCE PROVISIONS.—

(A) ESTABLISHMENT OF COMPLIANCE DATES.—In promulgating the regulations under paragraph (2), the Administrator—

(i) shall establish a date for compliance with the standards and requirements under such regulations that is not earlier than 5 years after the effective date of the regulations; and

(ii) in establishing a date for such compliance, shall take into consideration—

(I) the costs of achieving emissions reductions;

(II) any non-air quality health and environmental impact and energy requirements of the standards and requirements;

(III) the feasibility of implementing the standards and requirements, including the time needed to—

(aa) obtain necessary permit approvals; and

(bb) procure, install, and test control equipment;

(IV) the availability of equipment, suppliers, and labor, given the requirements of the regulations and other proposed or finalized regulations; and

(V) potential net employment impacts.

(B) NEW SOURCES.—With respect to the regulations promulgated pursuant to paragraph (2)—

(i) the date on which the Administrator proposes a regulation pursuant to paragraph (2)(A) establishing an emission standard under section 112 of the Clean Air Act (42 U.S.C. 7412) shall be treated as the date on which the Administrator first proposes such a regulation for purposes of applying the definition of a new source under section 112(a)(4) of such Act (42 U.S.C. 7412(a)(4));

(ii) the date on which the Administrator proposes a regulation pursuant to paragraph (2)(B) establishing a standard of performance under section 111 of the Clean Air Act (42 U.S.C. 7411) shall be treated as the date on which the Administrator proposes such a regulation for purposes of applying the definition of a new source under section 111(a)(2) of such Act (42 U.S.C. 7411(a)(2));

(iii) for purposes of any emission standard or limitation applicable to electric utility steam generating units, the term ''new source'' means a stationary source for which a preconstruction permit or other preconstruction approval required under the Clean Air Act (42 U.S.C. 7401 et seq.) has been issued after the effective date of such emissions standard or limitation; and

(iv) for purposes of clause (iii), the date of issuance of a preconstruction permit or other preconstruction approval is deemed to be the date on which such permit or approval is issued to the applicant irrespective of any administrative or judicial review occurring after such date.

(C) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to restrict or otherwise affect the provisions of paragraphs (3)(B) and (4) of section 112(i) of the Clean Air Act (42 U.S.C. 7412(i)).

(4) OTHER PROVISIONS.—

(A) ESTABLISHMENT OF STANDARDS ACHIEVABLE IN PRACTICE.—The regulations promulgated pursuant to paragraph (2)(A) of this section shall apply section 112(d)(3) of the Clean Air Act (42 U.S.C. 7412(d)(3)) in accordance with the following:

(i) NEW SOURCES.—With respect to new sources:

(I) The Administrator shall identify the best controlled similar source for each source category or subcategory.

(II) The best controlled similar source for a category or subcategory shall be the single source that is determined by the Administrator to be the best controlled, in the aggregate, for all of the hazardous air pollutants for which the Administrator intends to issue standards for such source category or subcategory, under actual operating conditions, taking into account the variability in actual source performance, source design, fuels, controls, ability to measure pollutant emissions, and operating conditions.

(ii) EXISTING SOURCES.—With respect to existing sources:

(I) The Administrator shall identify one group of sources that constitutes the best performing 12 percent of existing sources for each source category or subcategory.

(II) The group constituting the best performing 12 percent of existing sources for a category or subcategory shall be the single group that is determined by the Administrator to be the best performing, in the aggregate, for all of the hazardous air pollutants for which the Administrator intends to issue standards for such source category or subcategory, under actual operating conditions, taking into account the variability in actual source performance, source design, fuels, controls, ability to measure pollutant emissions, and operating conditions.

(B) REGULATORY ALTERNATIVES.—For the regulations promulgated pursuant to paragraph (2) of this section, from among the range of regulatory alternatives authorized under the Clean Air Act (42 U.S.C. 7401 et seq.), including work practice standards under section 112(h) of such Act (42 U.S.C. 7412(h)), the Administrator shall impose the least burdensome, consistent with the purposes of such Act and Executive Order 13563 published at 76 Fed. Reg. 3821 (January 21, 2011).

Strike subparagraph (A) of section 3(e)(1) and insert the following:

(A) The Clean Air Interstate Rule (as defined in section 5(a)(4)).

Strike subparagraph (B) of section 3(e)(1) and insert the following:

(E) ''National Ambient Air Quality Standards for Ozone'', published at 73 Fed. Reg. 16436 (March 27, 2008).

On page 13, line 17, in the matter before paragraph (1) in section 6(a), strike ''for fiscal year 2012''.

On page 13, line 18, in section 6(a)(1), insert ''for fiscal year 2012,'' before ''$3,000,000''.

Strike paragraph (2) in section 6(a) and insert the following:

(2) to the Environmental Protection Agency—

(A) for fiscal year 2012, $1,000,000; and

(B) for fiscal year 2013, $500,000.

Strike subsection (b) in section 6 and insert the following:

(b) OFFSET.—Effective October 1, 2011, section 797(a) of the Energy Policy Act of 2005, as amended by section 2(e) of the Diesel Reduction Act of 2010 (Public Law 111–364), is amended—

(1) by striking ''2012'' and inserting ''2014'';

(2) by inserting ''$45,500,000 for fiscal year 2012, $49,500,000 for fiscal year 2013, and'' after ''to carry out this subtitle''.

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from Kentucky (Mr. WHITFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Thank you.

It's already been stated today that the TRAIN Act examines 14 EPA regulations. On 12 of them, we do not delay in any way, but we do ask for a study of the cumulative impact on jobs, on American competitiveness, on the price of electricity and the reliability of electricity.

We do that because we are in a very fragile time in our economy. We have high unemployment, we've been unable to get out of it; and in order to do it, we have to have some certainty on these regulations. Business people tell us they are not investing right now because of uncertainty about health care, uncertainty about the new financial regulations and uncertainty about the plethora of EPA regulations coming down the road.

So although we don't touch 12 regulations, the two that we are concerned about—and the reason we're concerned about them—is that they are the most expensive ever issued by EPA. Independent analysts have indicated that there will be a net, after including job gains, a net loss of almost 1.4 million jobs.

My amendment would do this: it would provide that the Cross-State Air Pollution Rule has no legal force or effect, and it does direct EPA to continue to apply the Clean Air Interstate Rule, which is in effect today.

As I had indicated earlier, EPA, when they adopted CAIR, they talked about the billions of dollars in health benefits, 17,000 premature deaths that they would prevent, 22,000 nonfatal heart attacks that they would prevent; and I could go on and on and on. And EPA defended the CAIR Act in court. The environmental groups supported the CAIR Act.

Our air transport rules and regulations are still going to be in effect; and we simply say that for at least 3 years, EPA cannot change the CAIR Act, but during that time do a more detailed analysis of the Cross-State Air Pollution Rule because of the enormous cost, the enormous impact on jobs and so forth.

The amendment also requires that the proposed Utility Maximum Achievable Control Technology rule has no legal force in effect and that any subsequent Utility MACT rule be issued no sooner than 1 year after the study called for in the TRAIN Act. So we simply ask the EPA to repropose the utility rule.

Now, people are saying, oh my gosh, if we don't have this utility rule in effect, mercury is going to do all of these horrible things.

I would remind everyone once again EPA says that 99 percent of the mercury in America comes from nature and from trade winds coming in from other countries. And EPA itself said Utility MACT benefits by mercury reductions of that whole bill would be .004 percent.

I would also say that utility companies have no problem with mercury. They're doing a good job on that, and they can do even better. But the two gases that they are asking them to regulate have never been regulated before—I had the name of them awhile ago and I can't remember them—but the technology is not available to meet the requirements of the Utility MACT. So you are asking these companies to spend this money, provide this uncertainty, and so that's what my amendment does. It basically delays the implementation of the Utility MACT, asks for a reproposal, and it also maintains the existing CAIR air transport rule.

With that, I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. I rise in strong opposition to this Whitfield amendment, Mr. Chairman.

The amendment is objectionable from the standpoint of public health and the legislative process. Throughout the debate on this bill, Mr. WHITFIELD has claimed that his bill just requires a study and delays two rules for further analysis.

Well, the indefinite delay of these two rules is terrible for public health, but this amendment would be a disaster because this amendment nullifies these two critical EPA rules to cut air pollution from old, dirty power plants by requiring them to install modern pollution technology.

First, the EPA amendment abolishes EPA mercury air toxics proposal by requiring EPA to start scratch on a rule that's long overdue. There are two rules at stake. The EPA mercury air toxic rule, which was opposed by EPA, would prevent 17,000 deaths, 11,000 heart attacks, 120,000 cases of aggravated asthma, and 850,000 lost workdays each year. Now, that doesn't even include the benefits that are harder to put a dollar figure on such as reducing toxic air pollution that can lead to birth defects and developmental delays.

The EPA rule would also prevent 91 percent of the mercury in burned coal from being emitted into the air. Mercury is dangerous in tiny amounts. It's a powerful neurotoxin that can damage the developing brain, leading to learning disabilities and developmental delays in children.

We heard about the delay in letting this rule go forward that was in the bill, but this amendment negates these benefits and ensures that power plants will not have to reduce their emissions of toxic air pollution, including mercury, for at least 7 years.

The amendment also tosses aside the way EPA has long been setting these emission limits for toxic air pollution for two decades, and it replaces it within an entirely new approach for power plants that is completely unworkable. It guarantees years of litigation and, according to the EPA administrator, may well prevent EPA from ever requiring power plants to clean up their mercury pollution.

So this isn't just a delay, as we were told, for further study. It may well lead to no rule ever being put in place to stop these mercury emissions that cause such terrible public health disasters. The Whitfield amendment also nullifies the Cross-State Air Pollution Rule, which is designed to reduce emissions from power plants that cause ozone and particulate matter violations in downwind States.

□ 1100

Well, this rule has tremendous health benefits. The EPA cross-state rule will prevent 34,000 deaths, 15,000 heart attacks, 400,000 cases of aggravated asthma, and 1.8 million lost days of work each year.

The Whitfield amendment negates these benefits and ensures that power plants will not have to reduce their pollution for at least 8 years. But this new rule may ensure that it will never happen. The EPA administrator testified that the language in the amendment barring reliance on modeling likely will block EPA from ever issuing another cross-state pollution rule to address ozone and particulate problems in downwind States.

These are two radical proposals, and they're coming to the floor without a single day of hearings in the Energy and Commerce Committee. The amendment's sponsor, Mr. WHITFIELD, is the chairman of the relevant subcommittee. But he didn't ask for a single day of testimony or debate on these proposals. Instead he took a bill that asked for a lot more analysis before rules go into effect, and then just dropped this amendment on that bill because it was a moving train. He didn't insist that the TRAIN Act was requiring a study. He insisted it was only going to do a study, and now it is preventing them from implementing anything.

Today we have 10 minutes of debate whether this body should eliminate two critical EPA rules that prevent premature death, asthma attacks, and other respiratory diseases and fundamentally alter the Clean Air Act. I find that inexcusable, both on the substance and the process.

I urge my colleagues to vote ''no'' on this amendment, and I reserve the balance of my time.

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

The gentleman from Kentucky has 30 seconds remaining.

Mr. WHITFIELD. I would just say that the two gases I was trying to think of are hydrogen chloride and hydrogen fluoride. Those are the real problems in this Utility MACT: the lack of technology, the unachievability of the standards, and that's why this amendment is asking that the implementation be delayed for 3 years of this air transport rule.

With that, I urge Members to support my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD).

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

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

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

AMENDMENT NO. 11 OFFERED BY MR. LATTA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112–213.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 5, insert the following new section (and redesignate the subsequent section accordingly):

SEC. 6. CONSIDERATION OF FEASIBILITY AND COST IN ESTABLISHING NATIONAL AMBIENT AIR QUALITY STANDARDS.

In establishing any national primary or secondary ambient air quality standard under section 109 of the Clean Air Act (42 U.S.C. 7409), the Administrator of the Environmental Protection Agency shall take into consideration feasibility and cost.

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from Ohio (Mr. LATTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. LATTA. Mr. Chairman, I rise today to urge my colleagues to support my amendment to H.R. 2401. This amendment should be one of the most noncontroversial EPA-related votes this House has faced in quite awhile because it doesn't repeal any EPA rules or regulations and it doesn't block the EPA from doing anything. It simply requires the EPA administrator to consider the implementation costs and feasibility of compliance when setting National Ambient Air Quality Standards. We all want clean air.

The Clean Air Act required the EPA to review these standards in 5-year intervals and make revisions or set new standards if appropriate. Under current law, the EPA administrator is forbidden from taking the economic consequences of these rules under consideration when setting these standards, which means every 5 years the EPA is required to create new regulations, but does not have the legal authority to consider how they will affect the economy.

This approach to regulation is a contributing factor to why unemployment numbers refuse to budge in many parts of our country and we have millions of Americans still looking for jobs. Last year the EPA decided to voluntarily review the National Ambient Air Quality Standards for ozone despite being a full 3 years away from review of the Clean Air Act's requirements in 2013.

The standards they discussed would have had a devastating effect on my home State of Ohio, putting every one of the 33 counties monitored into a state of nonattainment status, as well as over 85 percent of the other counties monitored nationwide. States and localities not in attainment are required to meet expensive and complex regulatory requirements, more stringent permitting requirements, and comply with a number of other antigrowth measures.

Fortunately, President Obama realized the urgency of this situation and asked the EPA not to propose a more stringent standard. Perhaps if the EPA administrator had considered the cost and feasibility of the tighter standard, we would have avoided the situation entirely. Now with this amendment we have the opportunity to make sure it doesn't happen in the future.

I sent the President a letter commending his decision and requesting his support of the amendment in helping to get it passed both here in the House and in the Senate. Now I'm requesting your support.

This is not a Republican idea or a Democrat idea. Considering the economy and the well-being of the unemployed Americans who are looking for jobs, it is the right thing to do.

I urge support of the amendment, and I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR (Mr. WOODALL). The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Chairman, I rise not just in opposition, but strong opposition to this amendment. The bill as reported by the Energy and Commerce Committee is a bad bill for air quality and public health, but this bill appears doomed to get even worse as we continue to amend it on the floor.

If the Latta amendment were adopted, it would eviscerate a cornerstone of the Clean Air Act without a single committee hearing to discuss the implications of this action, and that's nothing short of reckless policymaking.

The Clean Air Act requires EPA to set National Ambient Air Quality Standards based on the science of how air pollution affects health and the environment. EPA scientists and an independent scientific advisory committee then recommend health-based standards. That is peer-reviewed, and they look at the impact of air pollution on health overall, and then on sensitive groups, such as children and the elderly, because we don't want a society where the sensitive people like the children and the elderly can't live with the rest of us.

These national air quality standards essentially identify the level of ambient air pollution that's safe for people to breathe. With these health-based standards as the goalposts, States develop plans to control pollution and meet these goals. Cost is front and center in this planning. States can identify which pollution-control measures are most cost effective and rule out measures that produce more costs than benefits.

The Latta amendment turns this whole approach upside down. The amendment would require EPA to consider industry cost up front when determining what level of air pollution is safe for human health. That's like a doctor basing your diagnosis on the cost of the treatment. If the treatment is expensive, the doctor would tell you that you're healthy. For a doctor, that would be malpractice. It's no different here.

The Latta amendment would allow polluters to override scientists and require EPA to set air quality standards based on profits rather than the public health. The scientific determination of what is safe to breathe doesn't depend on the cost of cleaning up the pollution.

My Republican colleagues throughout the debate on this bill have been happy to come to the floor and talk about the tremendous progress in reducing air pollution in this country. That's true, but it doesn't mean we no longer have a need for the tools that got us here and that job is already done. We've made progress because Congress enacted a strong and effective Clean Air Act. If we weaken the law, air quality will suffer. And anyone who thinks that the air is clean enough isn't thinking about the kids who can't play outside on a summer day without risking a potentially life-threatening asthma attack.

For 40 years—and we are celebrating the 40th anniversary of the Clean Air Act—the essential basis of the law was to set health-based standards as our goals.

□ 1110

Despite the progress we've made, that job isn't done on air pollution. The Latta amendment, if it becomes law, would reverse decades of progress in cleaning up the smog and soot pollution that triggers asthma attacks, heart attacks, other respiratory diseases, and the mercury pollution that causes brain damage and learning disabilities in children.

It is preposterous that we have only 10 minutes to debate this fundamental change to the Clean Air Act that would upend 40 years of progress.

I urge my colleagues to vote this amendment down based on its impact

on public health as well as the mockery it makes of the legislative process.

I reserve the balance of my time.

Mr. LATTA. I yield the balance of my time to the gentleman from California (Mr. DENHAM).

The Acting CHAIR. The gentleman from California is recognized for 2½ minutes.

Mr. DENHAM. Mr. Chairman, I rise on this amendment and in support of the underlying TRAIN Act.

The TRAIN Act is a bipartisan plan to analyze cumulative economic impacts of EPA's regulations to better understand how these policies affect American manufacturing, energy prices, and private industry's ability to create jobs.

The question that Americans want to know is: Why are our jobs leaving? Why aren't we making things? This bill will help us to define that.

Here today in support of the TRAIN Act are Jennifer Fraser and Jeff Rose from Vantage Data Centers, a NextGen data center and a small business from my State of California that has become an industry leader in performance efficiency and environmental stewardship. Since its inception in 2010, Vantage has sought to minimize electricity consumption at their data centers, as electricity is far and away their greatest cost.

The price of electricity has caused many companies in their industry to flee to other countries with a more welcoming business climate and cheaper electricity prices. Despite this existing competitive disadvantage for the United States, the EPA proposes new Utility MACT standards that will raise electricity prices and will have an adverse effect on even an environmentally friendly data center like Vantage and force more jobs overseas.

The EPA has proposed regulation after regulation that would stifle job creation, hurt American economic competitiveness abroad, and increase energy prices on families already strained by the tough economy. The House Republican jobs agenda focuses on removing these barriers to job creation and includes necessary reforms like the TRAIN Act.

The support of job creators like the National Association of Manufacturers, the Association of Builders and Contractors, the U.S. Chamber of Commerce, and Small Business Entrepreneurship Council further proves the need for the TRAIN Act to ensure that the administration does not continue to hamper the economic recovery and job creation of private industry.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would remind all Members not to refer to occupants of the gallery.

Mr. WAXMAN. May I inquire how much time is left on each side?

The Acting CHAIR. The gentleman from California has 1 minute remaining. The gentleman from Ohio has 30 seconds remaining.

Mr. WAXMAN. I urge my colleagues to vote against this Latta amendment. This is a radical, extreme amendment that reverses the Clean Air Act which was signed by President Nixon, has been enforced by Democratic and Republican administrations, voted almost unanimously on a bipartisan basis in the House and the Senate, and it would strip away the goalposts of achieving health-based standards.

I think to have only 10 minutes to debate on this extreme proposal is an affront to the legislative process. I urge my colleagues to vote ''no.''

I yield back the balance of my time.

Mr. LATTA. Mr. Chairman, I urge passage of this amendment.

When we were all back in our districts in August, I went to 18 different plants and facilities in my district, and the number one issue out there against creating jobs was EPA regulations. EPA. That's all I heard. EPA, EPA, EPA.

We're not going to move this country forward unless we get these regulations under control, and it's about time that they start looking at what they have to do under this amendment to make sure that we've got things back on course. I mentioned this yesterday in committee that we've lost 180,000 manufacturing jobs alone, in the Energy and Commerce Committee, since earlier this year. We've got to get this economy moving.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. LATTA).

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

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

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

AMENDMENT NO. 12 OFFERED BY MS. RICHARDSON

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 112–213.

Ms. RICHARDSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, line 16, strike ''(a) AUTHORIZATION.—''.

Beginning on page 13, line 23, strike subsection (b) of section 6.

The Acting CHAIR. Pursuant to House Resolution 406, the gentlewoman from California (Ms. RICHARDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. RICHARDSON. Mr. Chairman, my amendment is intended to strike the provision that reduces the amount of funding to implement the Diesel Emissions Reduction program.

Five years ago, Congress passed the Diesel Emissions Reduction Act as a part of the Energy Policy Act of 2005. The program was authorized at $200 million per year for 5 years. In 2011, the Congress acted responsibly, and in light of our fiscal crisis situation, we reduced that amount by a hundred million per year.

This amendment brings into question whether it makes sense to reduce a proven successful program that is not increasing regulations, as my former colleague just mentioned, but in fact is helping companies to be able to meet those regulations in a cost-effective way.

DERA has helped fund more than 360 retrofit projects to date, which has reduced well over 1.6 million tons of emissions and provided more than $4 billion in public health benefits while employing thousands of workers who manufacture, sell, and repair diesel vehicles and their components in each of our States.

Recognizing today's budgetary challenges, industry, environmental, and public sector representatives support the return of full-year 2008 funding levels for DERA, or $50 million for 2012.

The United States relies upon diesel power to transport commuters, tourists, and students, harvest our crops, build infrastructure, and move our freight. New clean diesel technology is reaching near zero emissions but fleet turnover will take us many more years to come. Emissions from older diesel vehicles and equipment can be reduced, and we can help to make that happen.

Some of our program results have been 119 projects affecting more than 14,000 diesel-powered vehicles and equipment, new State clean diesel grant programs in over 50 States, 2,200 tons of particulate matter emissions reduced, 580 million benefits to health, and—this is a very important one—3.2 million gallons of fuel that has been saved per year by implementing this program.

This is why in the last Congress I introduced legislation that extended DERA for 5 more years. The legislation received bipartisan support on both sides of the aisle and was signed by the President.

In February during debate on H.R. 1, there was an amendment put forward by a Representative on the other side of the aisle that would have eliminated full funding for DERA. The amendment in the continuing resolution at that time was soundly defeated by both of us, both sides of the aisle, 352 Members. In fact, the chairman of the Interior, Environment, and Related Agencies Appropriations Subcommittee, Mr. SIMPSON, called the cuts to DERA—and I'm talking about my colleague from the other side—the wrong choice. I'm here to present that this cut is still the wrong choice.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Nebraska is recognized for 5 minutes.

Mr. TERRY. I believe that the gentlelady from California's amendment is heartfelt and sincere to the DERA program but irresponsible as it's produced here today. There are costs associated with the EPA going forward with the studies that we are requesting of them.

Under our rules of the House, there's PAYGO rules. We must offset those costs. This is one of those tough decisions made to offset the costs. So the first line of irresponsibility would be it will add to the deficit but for this offset.

□ 1120

The second line of irresponsibility would be, well, it may feel responsible. And this really is a poison pill because if the offset is eliminated, they get to kill the whole bill because of that. So it's not as innocent an amendment as it is portrayed on the surface. The real issue of this bill in entirety must stand.

As previous speakers have said, Mr. Chairman, and rightfully so, the EPA is a rogue agency. They are producing rules in a fast and furious manner that greatly affects this Nation's ability to generate electricity. This bill just wraps three of them together and says, take a step back and do a cost analysis, as the President has asked of agencies. This agency, though, as headed by Ms. Jackson, has said to us in our committee that she will not be beholding or follow the President's own executive order to look at the cost benefit analysis. They say, as we have heard here today, their modeling says that they can reduce asthma so, therefore, no cost benefit analysis.

But there are real effects that I'm concerned with here, and the reason why I do believe this needs to be studied before implemented is we need to slow down the EPA and Lisa Jackson and their attempts to do a cap program without Congress' involvement or approval. They couldn't get it done legislatively, so she's doing it by rule and edict from the EPA.

This rule will add significant costs to the ability of small generators to generate electricity, which will force them to shut down without any path forward to replace that. In fact, they haven't even done a study on reliability to determine if electricity can be wheeled into the areas that the plants will have to shut down.

In fact, there are two plants near my district in Nebraska: Grand Island and Fremont. Grand Island is saying that these rules of the EPA are fast and furious and without any cost benefit analysis will force the Grand Island plant to close. How will they get their electricity? They will have to find a creative way to do it; yet there's been no study on reliability. Secondly, in Fremont, Nebraska, they say what they'll do is just lower their plant level, just do a minimum amount of electricity. Where are they going to make that up?

This is a directive. This is part of the radical environmentalist agenda being placed on America by one agency and one person, Lisa Jackson. We need to slow this down and take a hard look at it.

I reserve the balance of my time.

Ms. RICHARDSON. Mr. Chairman, I find it interesting that the gentleman would say that this might be irresponsible. What I heard of the comments was I didn't talk about the legislation within itself. We're talking about the amendment of how this is going to be paid for. And so the question before the House is going to be, is it appropriate to take additional funds to use DERA as the whipping boy time and time again for a program that is helping what my colleague from the other side is saying?

I would actually say that DERA is responsible. What's irresponsible is continuing to put the health of Americans in jeopardy. I will repeat the quote for my colleagues from the chairman of the Interior, Environment and Related Agencies, Mr. SIMPSON. He called the cuts to DERA ''the wrong choice.'' We have already been responsible, and DERA has already paid its fair share, and it's being cut as other programs have been cut. The question is, is it right to continue to deplete this program?

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I think it's interesting that she didn't refute the point that if the PAYGO is eliminated, hers passes, they raise a point of order and kill the bill, which is the real impetus behind this amendment.

Ms. RICHARDSON. Will the gentleman yield?

Mr. TERRY. No.

I think it's also interesting—you have the right to close—that the President's budget, for which there was no pushback by this other side of the aisle, zeroed it out. Ours didn't. We're just cutting it by $4 million, and it's a tough choice. We agree.

I yield back the balance of my time.

Ms. RICHARDSON. Mr. Chairman, in closing, I would say, I think I've said twice now, the issue that we have before us is the question of this amendment whether DERA is the appropriate funding source that would be considered for the offset. That's the question that we have before us.

It's interesting that Mr. WHITFIELD himself has benefited from this program. In Kentucky, the construction ports utilized $1.16 million to retrofit 73 pieces of nonroad construction equipment. Also, the Kentucky Association General Contractors benefited from retrofitting 87 pieces of equipment. I would say to you it's irresponsible to have the American public driving on our highways and roads and going through our airports breathing this air.

What I've reached out to the other side is that it's important. We're talking about EPA regulations. Why would we reduce funding of a program that helps companies to meet the regulations? It's counterintuitive and it doesn't make sense.

I urge my colleagues to vote ''yes'' for the Richardson amendment; and the Richardson amendment is intended for exactly that, to eliminate cutting this program.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. RICHARDSON).

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

Ms. RICHARDSON. Mr. Chairman, I demand a recorded vote.

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–213 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WELCH of Vermont.

Amendment No. 2 by Mr. MCNERNEY of California.

Amendment No. 3 by Ms. MOORE of Wisconsin.

Amendment No. 4 by Mrs. CAPPS of California.

Amendment No. 5 by Mr. KINZINGER of Illinois.

Amendment No. 6 by Mr. DENT of Pennsylvania.

Amendment No. 7 by Mr. HASTINGS of Florida.

Amendment No. 8 by Mr. CONNOLLY of Virginia.

Amendment No. 9 by Ms. JACKSON LEE of Texas.

Amendment No. 10 by Mr. WHITFIELD of Kentucky.

Amendment No. 11 by Mr. LATTA of Ohio.

Amendment No. 12 by Ms. RICHARDSON of California.

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

AMENDMENT NO. 1 OFFERED BY MR. WELCH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 236, not voting 24, as follows:

[Roll No. 728]

AYES—173

Ackerman	Baldwin	Becerra
Andrews	Barrow	Berkley
Baca	Bass (CA)	Berman

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

NOES—236

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

NOT VOTING—24

Bachmann
Chu
Clarke (MI)
Cohen
Conyers
Giffords
Green, Al
Hanna
Hirono
Honda
Hurt
Jackson Lee (TX)
Johnson (GA)
Kaptur
Lee (CA)
Matsui
Paul
Reichert
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1155

Messrs. AMODEI, OLSON, Mrs. BLACK, Mr. MCHENRY, and Ms. GRANGER changed their vote from ''aye'' to ''no.''

Mr. CARNEY and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. AL GREEN of Texas. Mr. Chair, today I was unavoidably detained and missed the following vote:

Welch (VT)/Rush (IL) Amendment to H.R. 2401. Had I been present, I would have voted "yes" on this amendment.

Ms. LEE of California. Mr. Chair, I was unable to cast my vote today on the Welch amendment to H.R. 2401, the TRAIN Act. Had I cast my vote I would have voted "yea."

AMENDMENT NO. 2 OFFERED BY MR. MCNERNEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 184, noes 229, not voting 20, as follows:

[Roll No. 729]

AYES—184

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

NOES—229

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner

Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—20

Bachmann
Campbell
Cantor
Chu
Conyers
Dingell
Farr
Giffords
Hirono
Honda
Paul
Polis
Reichert
Richmond
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1202

Messrs. HANNA and FITZPATRICK changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. MOORE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 337, noes 76, not voting 20, as follows:

[Roll No. 730]

AYES—337

Ackerman
Adams
Aderholt
Akin
Alexander
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
Deutch
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Granger
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Hastings (FL)
Hayworth
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Hoyer
Huizenga (MI)
Hultgren
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
Kissell
Kline
Kucinich
Lance
Landry
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Nunes
Nunnelee
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Posey
Price (GA)
Price (NC)
Quigley
Rangel
Rehberg
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yoder
Young (FL)
Young (IN)

NOES—76

Altmire
Amash
Amodei
Bartlett
Brady (TX)
Brooks
Broun (GA)
Canseco
Chabot
Coffman (CO)
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers
Flake
Franks (AZ)
Gohmert
Gowdy
Graves (GA)
Graves (MO)
Griffith (VA)
Harper
Harris
Hartzler
Hastings (WA)
Heck
Huelskamp
Jenkins
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Labrador
Lamborn
Lankford
Lewis (CA)
Long
Lummis
Lungren, Daniel E.
Mack
Matheson
McClintock
McHenry
Mica
Miller (FL)
Miller, Gary
Mulvaney
Neugebauer
Noem
Nugent
Palazzo
Pearce
Pitts
Poe (TX)
Pompeo
Quayle
Rahall
Reed
Rohrabacher
Roskam
Ross (FL)
Royce
Runyan
Scott (SC)
Sensenbrenner
Sessions
Smith (TX)
Southerland
Stearns
Stutzman
Terry
Thompson (PA)
Walsh (IL)
Webster
Westmoreland
Woodall

NOT VOTING—20

Bachmann
Chu
Conyers
Dingell
Giffords
Herger
Hirono
Honda
Hurt
Paul
Polis
Reichert
Scalise
Sherman
Shuler
Speier
Sullivan
Waters
Yarmuth
Young (AK)

□ 1206

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HURT. Mr. Chair, on rollcall No. 729, 730, I was inadvertently detained. Had I been present, I would have voted ''no'' on rollcall 729 and ''yes'' on rollcall 730.

AMENDMENT NO. 4 OFFERED BY MRS. CAPPS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 195, noes 221, not voting 17, as follows:

[Roll No. 731]

AYES—195

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

NOES—221

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

NOT VOTING—17

Bachmann
Chu
Conyers
Dingell
Giffords
Hirono
Honda
Miller, George
Paul
Reichert
Scalise
Shuler
Speier
Waters
Webster
Yarmuth
Young (AK)

□ 1211

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. KINZINGER OF ILLINOIS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 269, noes 145, not voting 19, as follows:

[Roll No. 732]

AYES—269

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

NOES—145

Ackerman
Andrews
Baca
Baldwin
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Doggett

Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hochul
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—19

Bachmann
Bass (CA)
Brady (TX)
Braley (IA)
Chu
Conyers
Dingell
Giffords
Gohmert
Hirono
Honda
Paul
Reichert
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1215

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. DENT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 269, noes 150, not voting 14, as follows:

[Roll No. 733]

AYES—269

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

NOES—150

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
DeGette
DeLauro
Deutch
Dicks
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Flake
Frank (MA)
Fudge
Garamendi
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOT VOTING—14

Bachmann
Chu
Dingell
Giffords
Hirono
Honda
Paul
Reichert
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1220

Ms. BERKLEY changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. HASTINGS OF FLORIDA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 165, noes 254, not voting 14, as follows:

[Roll No. 734]

AYES—165

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Grijalva
Gutierrez

Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NOES—254

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

NOT VOTING—14

Bachmann
Chu
Dingell
Giffords
Hirono
Honda
Paul
Reichert
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1224

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. CONNOLLY OF VIRGINIA.

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 186, noes 232, not voting 15, as follows:

[Roll No. 735]

AYES—186

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

NOES—232

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

Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—15

Bachmann
Chu
Dingell
Giffords
Hirono
Honda
Paul
Reichert
Rush
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1228

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. HIRONO. Mr. Chair, had I been present for the following rollcall Nos., I would have voted as follows: 728, yea; 729, yea; 730, yea; 731, yea; 732, no; 733, no; 734, yea; 735, yea.

AMENDMENT NO. 9 OFFERED BY MS. JACKSON LEE OF TEXAS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 346, noes 74, not voting 13 as follows:

[Roll No. 736]

AYES—346

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Butterfield
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Granger
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harris
Hastings (FL)
Hastings (WA)
Heck
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Kildee
Kind
Kinzinger (IL)
Kissell
Kline
Kucinich
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McIntyre
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Olson
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis
Posey
Price (NC)
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Shuster
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stark
Stearns
Sullivan
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yoder
Young (FL)

NOES—74

Akin
Amash
Berg
Bishop (UT)
Brady (TX)
Brooks
Broun (GA)
Burgess
Burton (IN)
Calvert
Chabot
Costa
Denham
Duncan (SC)
Flake
Foxx
Franks (AZ)
Gallegly
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (MO)
Harper
Hartzler
Hayworth
Herger
Hultgren
Hunter
Johnson, Sam
Jordan
Keating
Kelly
King (IA)
King (NY)
Kingston
Labrador
Lamborn
Latta
Lewis (CA)
Long
Marchant
Marino
McClintock
McHenry
McKeon
Miller, Gary
Mulvaney
Myrick
Nunes
Nunnelee
Palazzo
Pitts
Poe (TX)
Pompeo
Price (GA)
Quayle
Quigley
Rokita
Royce
Schmidt
Scott (SC)
Sessions
Shimkus
Simpson
Southerland
Stivers
Stutzman
Terry
Tiberi
Walsh (IL)
Westmoreland
Woodall
Young (IN)

NOT VOTING—13

Bachmann
Carnahan
Davis (IL)
Dingell
Giffords
Paul
Reichert
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1232

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

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. WHITFIELD

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 234, noes 188, not voting 11, as follows:

[Roll No. 737]

AYES—234

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins

Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Ryan (WI)
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—188

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

NOT VOTING—11

Bachmann
Dingell
Giffords
Paul
Reichert
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1235

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. LATTA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 227, noes 192, not voting 14, as follows:

[Roll No. 738]

AYES—227

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

NOES—192

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

NOT VOTING—14

Bachmann
Dingell
Gallegly
Giffords
Paul
Reichert
Sanchez, Loretta
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)
Young (FL)

□ 1239

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MS. RICHARDSON

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 181, noes 237, not voting 15, as follows:

[Roll No. 739]

AYES—181

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

NOES—237

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

NOT VOTING—15

Bachmann
Dingell
Gallegly
Giffords
Pastor (AZ)
Paul
Polis
Reichert
Sanchez, Loretta
Scalise
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1243

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mrs. EMERSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes, and, pursuant to House Resolution 406, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

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

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

Ms. MCCOLLUM. I am opposed to the bill in its current form, Mr. Speaker.

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

The Clerk read as follows:

Ms. McCollum moves to recommit the bill H.R. 2401 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section:

SEC. 7. PROTECTING GREAT LAKES DRINKING WATER FROM TOXIC SUBSTANCES.

The Administrator of the Environmental Protection Agency shall plan and implement a strategy, consistent with the Great Lakes Restoration Initiative, using existing authority as of the date of enactment of this Act, to control air pollution to be deposited in the Great Lakes, including toxic pollution, in order to ensure safe drinking water and protection of public health and the environment.

The SPEAKER pro tempore. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Speaker, let me be clear, this amendment does not kill the bill or send it back to committee.

If this amendment is adopted, the bill will immediately be voted on for final passage.

This amendment is about protecting the Great Lakes, one of America's greatest treasures and important natural resources. For those of us who represent these States adjacent to the Great Lakes, we know and understand that any harm done to our lakes threatens the economy and the health of our citizens.

Lake Superior, Lake Huron, Lake Michigan, Lake Erie, and Lake Ontario make up the largest freshwater system in the entire world. Our Great Lakes hold 95 percent of America's freshwater and 20 percent of the freshwater on the planet.

Over 30 million people rely on the Great Lakes for their drinking water. There is an estimated 1.5 million jobs that are directly connected to the Great Lakes, and these jobs generate $62 billion in wages.

Over 40 years ago, this critical ecosystem and economic engine was on the verge of collapse. Time magazine reported in August 1969: ''Lake Erie is in danger of dying by suffocation.'' The days when polluters dumped toxic chemicals into the air and water without consequence are over.

Because of the responsible cleanup policies like the Clean Air Act, the health of the Great Lakes has improved, but threats to the Great Lakes have not disappeared. Air pollutants like mercury are emitted from power plants and continue to fall on the ground, wash into the water, and build up in quantities that threaten the brain development of young children and place limits on the amount of fish that we can consume.

Rising mercury levels is one of the mounting threats that motivated an unprecedented coalition into action. Governors of the eight Great Lakes States, Republicans and Democrats, along with local officials and leaders from tribal nations, nonprofits and the private sector came together to save the Great Lakes.

Early last decade, they created a plan for environmental restoration and economic recovery of the Great Lakes. In 2004, President Bush responded to this bipartisan effort by issuing an executive order that called the Great Lakes ''a national treasure,'' and he directed his Cabinet to establish an interagency task force to report these State and local efforts.

Now, Governor Scott Walker of Wisconsin and Governor Mark Dayton of Minnesota never agree about politics, and they certainly don't agree on football, but as members of the Council of Great Lakes Governors, they agree on the need to reduce air and water pollution in the Great Lakes. Years of planning and partnership in the Great Lakes region and in Washington are now making a difference on the ground through the Great Lakes Restoration Initiative.

□ 1250

The initiative is protecting drinking water, it's restoring fish and wildlife habitat, and it's supporting the growth of small businesses that depend on healthy waters. The work under way is 300 projects across this region.

Now, my role as a legislator from the Great Lakes region is to do no harm to this effort. The TRAIN Act will make the enforcement of many of the environmental protections uncertain, and it will create confusion in the EPA about which public health efforts they can pursue.

And my amendment does not give the EPA any new authority. Instead, it directs the EPA to use its existing authority to do what Republican and Democratic Governors, mayors, State legislators and other elected officials in the Great Lakes have agreed upon must be done: protect drinking water and protect public health.

Our job in Congress is to protect the Great Lakes, not to undo the hard work of all these Governors and, yes, industry leaders. My amendment makes it clear that the TRAIN Act will not prohibit this work from moving forward.

Let me be clear, my amendment does not kill the bill or send it back to committee. If this amendment is adopted, it will immediately be voted on on final passage.

Regardless of your position on the TRAIN Act, this amendment makes the bill stronger. Regardless of how you feel about the TRAIN Act, I'm sure you agree Congress should protect the safety of drinking water and continue to ensure the viability of the economic interests of the Great Lakes.

Again, let me be clear. This amendment does not kill the bill. It does not send it back to committee. If this amendment is adopted, it will immediately be voted on for final passage.

Colleagues, let us work together, let us pass this amendment, and let us restore the Great Lakes. Let us protect America's public health.

Mr. WHITFIELD. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. I would say to the gentlelady that not only are we concerned about the Great Lakes, but we're concerned about every body of water in America, and we believe that the TRAIN Act protects that water, does not take away any authority from the EPA to deal with water issues.

The TRAIN Act is very simple. It asks the government commission to study 14 regulations of EPA. On 12 of them we do not delay them in any way. On the other two, we delay one for 1 year and the other for 3 years.

We have adequate protections in place. We simply think that we should examine the cumulative impact of the regulations from the most aggressive EPA in recent memory to determine what impact it is going to have on jobs; what impact it is going to have on electricity prices; what impact it is going to have on electricity reliability, and will it damage America's competitiveness in the world marketplace.

I would urge passage of this legislation.

I yield back the balance of my time.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 180, nays 233, not voting 20, as follows:

[Roll No. 740]

YEAS—180

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

Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey

NAYS—233

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

NOT VOTING—20

Bachmann
Barletta
Butterfield
Ellison
Gallegly
Giffords
Herger
Lankford
Paul
Polis
Reichert
Rush
Sanchez, Loretta
Scalise
Schrader
Shuler
Speier
Waters
Yarmuth
Young (AK)

□ 1311

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

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 249, noes 169, not voting 15, as follows:

[Roll No. 741]

AYES—249

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

NOES—169

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

NOT VOTING—15

Bachmann
Gallegly
Giffords
Miller, George
Paul
Polis
Reichert
Sanchez, Loretta
Scalise
Shuler
Smith (TX)
Speier
Waters
Yarmuth
Young (AK)

□ 1318

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Texas. Mr. Speaker, on roll-call No. 741 I inadvertently missed the final passage of H.R. 2401, the ''Transparency in Regulatory Analysis of Impacts on the Nation'' (TRAIN Act) on Friday, September 23. Had I been present, I would have voted ''yes.''

ADJOURNMENT TO MONDAY, SEPTEMBER 26, 2011

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, September 26, 2011, and further when the House adjourns on that day, it shall meet at 11 a.m. on Thursday, September 29, 2011.

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

There was no objection.

□ 1320

PAKISTAN—DISLOYAL ALLY

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

Mr. POE of Texas. Mr. Speaker, ever since we found Osama bin Laden living the high life in Abbottabad, we've had our suspicions about Pakistan. Turns out they are disloyal, deceptive, and a danger to the United States. This so-called ally takes billions in U.S. aid, while at the same time supporting the militants who attack us.

According to Admiral Mike Mullen, the Pakistani Government supported the groups who were behind the truck bombing attack that wounded more than 70 U.S. and NATO troops and the recent attack on the U.S. embassy.

This should be the last rodeo for Pakistan.

Last night I introduced legislation to freeze all U.S. aid to Pakistan with the exception of funds that are designated to help secure their nuclear weapons. By sending aid to Pakistan, we are funding the enemy, endangering Americans, and undermining our efforts in the region.

We pay them to hate us. Now we pay them to bomb us. Let's not pay them at all.

And that's just the way it is.

PALESTINIAN STATEHOOD

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

Mr. ELLISON. Mr. Speaker, I rise today to support the Palestinian Authority's bid for statehood at the United Nations. Supporting a Palestinian state is the right thing to do, and now is the right time to do it. It is wholly consistent with American values. We have supported people's aspirations for freedom and democracy around the world, and we should not treat the Palestinian people differently.

There is global support for a Palestinian state. More people around the world support a Palestinian state than oppose it, including Americans. Seventy percent of Israelis would accept a Palestinian state if the U.N. approved it. Last year, President Obama said he hoped to see a Palestinian state admitted to the United Nations.

Previously, Palestinians sought statehood through violence and terrorism, which the world rightly rejected. Now that they are nonviolently following the internationally recognized process to gain statehood, why we are discouraging them?

A Palestinian state is in the national interests of everyone. It would help stabilize the Middle East. It would help end Israel's diplomatic isolation. It would deal a devastating blow to al Qaeda and Hamas, which refuse to recognize Israel. Recognizing Palestine would reaffirm Israel's own status.

MISSISSIPPI GULF COAST HONOR FLIGHT

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

Mr. PALAZZO. Mr. Speaker, since the first Honor Flight to bring World War II era veterans from the Mississippi gulf coast to Washington, D.C. on May 11, almost 200 veterans have had the opportunity to see the memorial built in their honor. I was privileged to walk and speak with the Greatest Generation this week as they remembered the sacrifices that preserved our freedom and liberated the world from tyranny and oppression. This generation of men and women fought and secured America's future with unwavering courage. Their selfless sacrifices to their country and stories of heroism inspired future generations to join the armed services.

In my life, it was a grandfather, a marine Guadalcanal veteran, whose story encouraged me to join and serve in the Marine Corps. As we honor those who fought to protect America's exceptionalism, I also want to recognize those Honor Flight volunteers who worked so tirelessly to preserve the legacy of the Greatest Generation.

THE AL QAEDA-QODS FORCE NEXUS

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

Mr. DUNCAN of South Carolina. Mr. Speaker, with the U.N. General Assembly meeting in New York this week and with Mahmoud Ahmadinejad of the Islamic Republic of Iran giving his usual anti-American rant yesterday, I would like to make a few points about my concerns over Iran's strategic aims in the Middle East and here in the Western Hemisphere.

My friends at Kronos Advisory, including Medal of Honor winner Major General James Livingston of Mount Pleasant, South Carolina, released their Al Qaeda-Qods Force Nexus report in April, the text of which I ask to be inserted into the RECORD. Their report goes to the heart of the matter detailing that ''Iran has quietly forged a strong working relationship with core al Qaeda leaders.''

I am greatly concerned about Iran's growing influence in Latin America. The Treasury Department has stated that Hezbollah's operating center is in the tri-border region of Brazil, Argentina, and Paraguay. Hezbollah's state sponsor, Iran, has opened six embassies in South America over the last 5 years.

When the lives of Americans could face threats from Iran's growing reach through Hezbollah, why would this administration even consider giving President Ahmadinejad a visa to attend the United Nations General Assembly meeting?

[From Kronos]

THE AL-QA'IDA-QODS FORCE NEXUS

SCRATCHING THE SURFACE OF A ''KNOWN UNKNOWN''

Kronos is a strategic advisory firm founded by Congressional Medal of Honor recipient MajGen James E. Livingston, USMC (Ret), Mallory Factor, and Michael S. Smith II to provide global stakeholders the situational awareness solutions they need to address strategic and tactical threats to their interests. We help our clients achieve their organizational goals by providing them the resources they need to better understand and define their operational environments—rather than allowing their organizational capabilities and goals to be defined by them.

Kronos harnesses the resources of a diverse international network of talented professionals with highly valuable skill sets who have extensive experience helping officials address complex national security threats, both domestic and foreign.

Kronos investigative project case teams consist of counter-intelligence professionals, accomplished field investigators, seasoned security analysts, and preeminent subject experts. We seek to help our clients detect, deter, and neutralize eminent challenges posed by gray area phenomena and collusive adversarial regimes.

Through independent missions, our teams collect and analyze unique and often otherwise inaccessible information that reveals key threat features like emerging partnerships, operational capabilities and the objectives of transnational terrorist networks. Our teams also gather information that exposes implications of important emerging theater-specific and regional trends. We then use this data to produce tailor made strategic threat assessments that provide holistic explanations of imminent threats, and can be used by officials to identify new opportunities to reduce them.

Kronos is strongly positioned to assist private companies who support official missions, defense and intelligence organizations operating in mission critical zones, as well as policy makers in Washington. Our principals can also help officials identify strategic opportunities to strengthen relationships with key foreign partners.

THE AL-QA'IDA–QODS FORCE NEXUS

ISSUE SUMMARY, KRONOSADVISORY.COM

Despite a nearly decade-long effort to dismantle al-Qa'ida and its affiliates, these terrorists still pose the most immediate threats to America's security. Al-Qa'ida and affiliated movements also threaten many other major and emerging powers alike. Yet one ascendant power, Iran, has quietly forged a strong working relationship with Core al-Qa'ida's leaders. This relationship has been established to counter American influence in the Middle East and South Asia. Through it, Iran will likely also help al-Qa'ida mobilize terrorists to carry out attacks against the U.S. and our allies, providing the support required to extend al-Qa'ida's operational reach.

Attention to the longstanding ties between top Iranian officials and al-Qa'ida leaders, including Osama bin Laden's top lieutenant, Ayman al-Zawahiri, has been eschewed by a pervasive fundamental attribution error: ''Shiite Iran will not work with Sunni militants comprising the ranks of al-Qa'ida.'' This assessment fully ignores readily available evidence to the contrary. Indeed, such relationships span back to the early 1990s, when top officials from the Iranian Revolutionary Guards Corps' clandestine Qods Force, working in concert with Iran's chief global terrorist proxy, Lebanese Hizballah, began training and equipping bin Laden's warriors. Then, following the 1996 attack on the Khobar Towers in Saudi Arabia that killed 19 Americans, more evidence surfaced of operational linkages between al-Qa'ida and the Qods Force, an official Iranian paramilitary organization which possesses a mandate from Iran's Supreme Leader to fund, train, and equip Islamist terrorists. These very operational linkages are referenced within the 9/11 Commission Report, whose authors acknowledged the relationship between al-Qa'ida and Iran demonstrates that Sunni-Shiite divisions ''did not necessarily pose an insurmountable barrier to cooperation in terrorist operations.''

Since 9/11, these partnerships have become all the more pronounced. Hundreds of al-Qa'ida members, along with family members of Core al-Qa'ida leaders like Osama bin Laden, have found refuge inside Iran. Officials now know Iran's minister of defense, formerly a commander of the Qods Force, furnished safe houses for many of these terrorists. Officials also know that while under ''house arrest'' inside Iran al-Qa'ida's top military commanders like Saif al-Adl were able to coordinate attacks against Western targets. Examples of these attacks include the May 2003 bombings in Riyadh, Saudi Arabia that killed eight Americans.

Since 2005, Iran has rapidly evolved from a theocracy into a garrison state. With help from the Islamic Republic's unelected officials, notably Supreme Leader Ayatollah Ali Khamene'i, and Iranian President Mahmoud Ahmadinejad (a former member of the Iranian Revolutionary Guards Corps), the IRGC has seized control of most critical sectors inside Iran. Having secured their future grips on power by elevating the domestic roles of the IRGC, Iran's leaders are now pursuing their lust for regional hegemonic status. Their strategy entails both a persistent quest for nuclear weapons—the acquisition of which Iran's leaders view as the means to ensure their recent regional gains will be irreversible—and support of terrorist organizations which are able to help Iran destabilize unfriendly states, and perhaps even Iran's entire neighborhood.

Today, the Middle East is more volatile than at any time since the Islamic Revolution's leaders seized control of Iran, and hardliners in Tehran are better positioned than ever before to influence the future of this critical region. Concurrently, with support from a state sponsor like Iran, al-Qa'ida will be better positioned than ever before to strike the West and our allies, and to foment chaos in both the Arab world and South Asia that would ultimately benefit Iran. As the implications of working partnerships between Iran and al-Qa'ida carry weighty implications for not just the security of the Middle East and South Asia, but also America's national security interests, it is incumbent upon policy makers in Washington to address this issue. For if left unchecked, Iran's relationship with al-Qa'ida could cost America and our allies dearly.

This report focuses on the history of Iran's relationship with al-Qa'ida, and briefly addresses potential implications of these ties. Additionally, its author provides a list of recommended action items for Members of the United States Congress, as well as a list of questions that may help Members develop a better understanding of this issue through interactions with defense and intelligence officials.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 639

Mr. SCOTT of South Carolina. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 639, the Currency Reform for Fair Trade Act.

The SPEAKER pro tempore (Mr. ROKITA). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

STORING NUCLEAR WASTE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 60 minutes as the designee of the majority leader.

Mr. SHIMKUS. Mr. Speaker, this marks the first of what I hope to be many times to address you and my colleagues on an issue that I have been graced with having the responsibility to deal in the public policy arena, and that's the issue of nuclear waste.

When people talk about nuclear waste and this debate about where it is and why it's there, they primarily talk about our nuclear utilities. Especially after Fukushima Daiichi, people understand that when you store high-level nuclear waste onsite and if there's a disaster that occurs and if the pools run dry, then you might have a melting which might spread radioactivity, and that's not good for anybody. That's a good debate to have because we have nuclear waste stored all over this country.

But I'm not here really to talk about the private for-profit sector, the nuclear industry today. I'm here to tell another story, another story that really talks about why we have government and why there's still a need for some government entities.

Back during World War II—and we just heard my colleague talk about the Honor Flights—back during World War II, we decided as a Nation to win these wars. One way to make sure that we wouldn't lose thousands upon thousands of soldiers in an invasion of Japan was to develop the nuclear bomb. Two were dropped; the war ended. Many people historically know that development, that occurred because of the Manhattan Project.

What I think a lot of people don't know is that we still are dealing with much of the history of winning the war in the Manhattan Project and that winning the Cold War relied upon a strong military and a strong nuclear deterrence. So even after World War II, we continued to develop nuclear weapons, which we deal with today.

So I had a chance to visit during our last district work period, I took a day and visited a place called Hanford, Washington. Hanford, Washington was part of the Manhattan Project. Hanford was the site that the U.S. military picked to help produce plutonium. The ''Fat Man'' bomb was developed there. That area was picked for a lot of reasons. There weren't a lot of people there. As you can see, the Columbia River is right next to it. You had some low-cost power production, and so it was a good site. And, hence, people got moved off the land, the government took over, and the government has been controlling hundreds of acres in Washington State even today.

The result of the Cold War and winning World War II is that millions of gallons of nuclear waste now reside in Hanford, Washington. And I'm not exaggerating. In fact, 53 million gallons of nuclear waste is onsite. And what's interesting about Hanford, of course, when you started storing this nuclear waste, our technology, our information, our knowledge was not as great as it is now. The way we stored this material then would not be an acceptable process today. It is an environmental disaster and a hazard that has to be cleaned up.

You have approximately 174 storage tanks. These storage tanks are from 750,000 gallons to a million gallons, all with nuclear waste in these tanks. These tanks are buried, as it says here, 10 feet underground and 250 feet above the water table, a mile from the Columbia River. Some of these tanks are leaking. It's just not a good thing for us to have. And so the government has been trying to deal with this one site of nuclear waste in this country.

Why do I bring this before you, Mr. Speaker, and why is this important? Because in 1982, part of the process of dealing with Hanford was to pass a law.

□ 1330

The law was called the Nuclear Waste Policy Act, and in that law it says, We've got a solution. We're going to collect all the high-level nuclear waste, and we have a storage facility that we're going to place it in. And that place is Yucca Mountain. Now, many of you may have heard about Yucca Mountain before. I've visited it twice. Yucca Mountain is in a desert, and it's a mountain. So I do the side-by-side comparisons here.

Right now at Hanford we have 53 million gallons of nuclear waste on site. Yucca Mountain, which is a site we designed, we picked. We studied for decades. We spent $12.5 billion. We currently have no nuclear waste there.

The nuclear waste at Hanford is stored 10 feet underground. The nuclear waste at Yucca Mountain would be stored a thousand feet underground. The nuclear waste at Hanford is 250 feet above the groundwater. The nuclear waste at Yucca will be stored a thousand feet above the water table. The nuclear waste at Hanford is a mile

from the Columbia River. The closest river to Yucca Mountain is the Colorado River, which is 100 miles away.

I'll come back to this floor throughout the year and highlight different locations around the country where there's waste and start pleading with my colleagues to help us stop two people—the President of the United States and Majority Leader HARRY REID. Majority Leader REID has blocked our ability to continue to move forward and take nuclear waste from around this country and place it underneath a mountain in a desert.

This location is exhibit number 1. There is no more compelling location in this country that cries out for this waste to be moved than Hanford. In fact, in the clean-up process, the scientific design of the casks that will be used to clear out these 53 million gallons of waste and put into storage containers, they are designed specifically for Yucca Mountain. Again, we have spent $12.5 billion to prepare this site to receive nuclear waste.

The House went on record this year on a vote in the appropriation bill for energy and water and said, yes, Yucca Mountain is still where we believe high-level nuclear waste ought to go. And that vote was 297 Members voting to increase funding to complete the safety review of the DOA application so that Yucca Mountain could move forward.

One Senator is blocking this, one Senator from the State of Nevada. But it's time for the other Senators from these other States who are affected, regardless of their party, to say, ''I don't want this high-level nuclear waste in my State. We have a Federal law to move it to underneath a mountain in a desert.'' And it's time for them to stand up and be counted. That's why this is my first trip to the well identifying one location in this country, I think the most compelling argument for Yucca Mountain, and it's not even tied to that nuclear power generating for-profit industry. It is tied to our World War II legacy and the environment and the health of not only the land here in Washington State but also the great Columbia River.

So who are we asking to stand up and be counted and help us move this? Well, we just happen to have four U.S. Senators, two from the State of Washington, two from the State of Oregon: Senator CANTWELL; Senator MURRAY; Senator WYDEN; and Senator MERKLEY.

Now, if you look at this site, the Columbia River, those of you who know your geography know that the Columbia River, when it gets closer to the west side of the State, separates the State of Oregon and the State of Washington, to the north. North of the Columbia is Washington State, south is Oregon.

These Senators need to step up to the plate, and these Senators need to do their job. They need to speak to the majority leader. We understand the majority leader who wants to protect the State of Nevada. So I'm not trying to lift mountains that I can't personally lift. But what I can do is start making the clarion call to Senators around this country who have high-level nuclear waste in their States when we have already spent $12.5 billion for a single repository, and as I've said numerous times, underneath a mountain in a desert.

The numbers here in Washington—on the House side, we have an overwhelming majority. In the other body, their majority is not as big as it once was. And because of that, these centers are even empowered more to be able to go to their leader and plead for their State and make the compelling argument.

Again, if you can't make it for Hanford, you can't make it for anywhere.

I'm from southern Illinois. I don't have a nuclear facility in my congressional district, although I am from the State of Illinois, and Illinois is a huge nuclear power State. We have six locations, 11 reactors. So we have high-level nuclear waste stored 40 miles from downtown Chicago.

Now, does that make sense? Does that make sense in a day when we've already spent $12 billion to prepare, locate, research a single repository that can be kept safe, secure, and stored? It doesn't make sense.

So that's why in the coming weeks you'll see other posters like this. I'll definitely keep this one. But we'll compare Yucca Mountain to downtown Chicago. We'll compare Yucca Mountain to Boston, Massachusetts. We'll compare Yucca Mountain to Savannah, Georgia.

If you live in a State and may not have a nuclear power plant, you may very well have the legacy of World War II Manhattan-type projects and nuclear waste that has to be stored elsewhere than in the place where it is today.

As the chairman of the Environment and the Economy Subcommittee, my congressional responsibility is that of nuclear waste. It is a challenge for this country. It is a challenge that we already have a plan to deal with. In fact, ratepayers of States that have nuclear power have been paying an additional charge on their utility bills to prepare Yucca Mountain to receive this waste.

To have one man and a President who's complicit in his design to stop this is not in the best interest of this country, and I will continue to come down to the well to fight this fight so that we take full advantage of the great resources we have and follow up on the planning and the funding that we've done for decades to have a single repository.

With that, Mr. Speaker, I thank you, and I yield back the balance of my time.

□ 1340

THE PRESIDENT'S JOBS BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 45 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, we're going into recess for a week. We passed a bill to keep the government running. Some of us were concerned that we were compromising with ourselves, but supposedly it was a bill that, though we compromised with ourselves, that the Senate could pass. Now we find out they've tabled the bill, and now they're talking shutdown.

It's extremely disconcerting when it seems that one group believes that the best way to win politically is to have a shutdown and blame Republicans. It's also disconcerting to have a President come into this body here, speak to the House and Senate, stand here at the historic podium and lecture this body on the President's jobs bill that didn't exist while he was lecturing us.

It was entirely consistent, though, with exactly 2 years before that when the President's polling data showed that people didn't think that the President's ideas for health care were good, and since he is such an incredibly gifted reader of speeches, apparently he felt if he came back to the House floor and were able to use the teleprompters and read to the body that he would be able to convince everyone to go along with the government takeover of health care completely. And that day, he kept representing things about ''his bill,'' ''this bill,'' ''my bill,'' ''my plan,'' ''this plan,'' and there was no plan. There was no bill at that time either.

So it was not terribly surprising that the President would come in here again 2 years later when polls are not looking good and tell us that we had to pass a bill that didn't exist and that he had a plan but the plan didn't really exist.

Eventually, we got a copy of his bill, even though for 6 days nobody filed an American Jobs Act. So I went to the trouble of filing one. I felt if the President wanted to fuss at us for not passing the American Jobs Act, there ought to be one. So mine was two pages. His is 155.

But it's amazing, and especially with all the stuff going on with Solyndra in California and the scandal that that has become, that this administration twisted and pushed and potentially distorted things in order to get half a billion dollars to a company which wasn't doing well, and then turn around and turn the agreement upside down.

Secured creditors, those that provide the money, are supposed to be paid first in the event that there's not enough to go around for everyone. And yet somebody in this administration—maybe a number of somebodies it appears right now—changed the deal so that the secured creditors, the American taxpayer, the government, would not get paid back first.

My days as a district judge in Texas and chief justice would seem to indicate that that kind of thing is fraud

upon the American people. The investigation is going on, so we'll find out more about that as it does.

It's interesting that in the President's so-called jobs bill that really will destroy more jobs than it creates, he's got these constant references to priority to the use of green practices, and it's got lots of provisions, apparently, that will ensure that any other Solyndras out there, any other companies that are trying to get government money for a business that can't make it on its own but they're close enough to the administration, they feel like they could get loans, they could get grants for things that cannot be commercially feasible, that this is the way to go. And we see that throughout the bill.

Apparently, half a billion dollars squandered for crony capitalism was not enough. There's more provisions for that in the President's so-called jobs bill. Of course, we've got the payback to unions and language in here for prevailing rates and that kind of thing. Some folks that I talk to would be glad to have a job at whatever rate they could get. There are those folks.

Yet, when the administration pushes a jobs bill that's going to make the prevailing wage the price to be paid for wages so high that a business cannot afford to hire those extra people, have we really done the American people any favors? We can't even create entry-level jobs because of what this administration keeps pushing and trying to heap upon the American people.

And there is a little bit of money for infrastructures. I say ''a little bit.'' Compared to the overall price tag of $450 billion, you would think that we could do a little better than what the President is proposing if he wants a $450 billion infrastructure bill. But the truth is it isn't an infrastructure bill.

We heard this same language about the so-called stimulus back in January of 2009, that we needed bridges. He talked about bridges back then, the bridge in Minnesota, this bridge, that bridge, they all need to be fixed, and we can do it, but we need this stimulus bill to do all this infrastructure repair. Well, it was kind of the bait-and-switch thing.

I certainly didn't support that stimulus bill. I believe Republicans were unanimous on that. It was not a stimulus bill. You could see that. There was such a small percentage going to stimulus that we would consider true stimulus. Infrastructure, we do have failing infrastructure, roads, bridges, things that need to be repaired, sewage plants and different things, but that bill had just a tiny trickle coming out. And again, this is percentagewise, it really was not an infrastructure stimulus. The people were told one thing and yet got another.

Now, one of the ways the Federal Government gets its control of people, State governments and local governments, is by throwing money out there and saying, Here, we're going to help you. And once that money is received, they start getting all these strings that go with it. Now, if you're going to keep getting Federal money, then you're going to have to start doing this, that, and the other.

In fact, there is one provision in the President's so-called jobs bill that ought to send shivers through people in the State governments all over the country, because there's a provision that says if the States receive any money at all from the Federal Government, basically for any program, then they waive their sovereign immunity, opening up themselves for lawsuits in yet another area where States have never been able to be sued before.

So I'm not sure what jobs that creates. I know it helps the plaintiffs' lawyers, and perhaps that's the whole goal of the President, to help plaintiffs' lawyers. But what a disaster.

Nonetheless, we know that Fannie and Freddie, which may end up costing the country trillions of dollars, brought us to the brink of absolute financial disaster. And so what does the President propose? Well, houses, maybe they get a loan, $50,000, $100,000 or so, different amounts. Well, what costs more than housing? That would be infrastructure. When we talk about houses, we're talking about tens of thousands, hundreds of thousands, maybe. With infrastructure, we're talking about hundreds of millions, billions.

So what does the President propose for that? The American Infrastructure Financing Authority. And the good news is that that will be—and I'm reading from page 40 of the President's so-called jobs bill. It says the American Infrastructure Financing Authority is established as a wholly-owned government corporation.

□ 1350

Happy days. Wholly owned government corporation. But if somebody's concerned that people that would be running the President's American Infrastructure Financing Authority that would start trying to do the financing for these massive infrastructure projects, if you're concerned they might not have good business sense, if you're concerned they might not understand how an economy really is stimulated, how real jobs in the real private sector are created, you don't have to worry because the next page, page 41, says the board of directors—and this is just so exciting to read—is consisting of seven voting members appointed by the President.

Now there's excitement. The President has shown that when he picks people—well, okay, it's true that they come from universities and places where they have letters after their names. But do they really know how to create jobs? Well, so far we've got a big old ''no.'' They don't know what they're doing. They have PhDs after their names, and they just don't know what they're doing in trying to get the economy going, stimulating the economy. It's scaring investors these days. But the President will appoint the seven board members of the American Infrastructure Financing Authority.

When you look through the President's bill, Mr. Speaker, I think it's a good indication of the aspirations and goals of this administration if the people of America will give them 4 more years. Because if you look, the Federal Government will be in charge of infrastructure. Well, we've seen how that worked with student loans. Students, their parents, trying to go to college, get college paid for. We know that college costs have gone through the roof. I wanted my three children to have the chance that I did to go to a major university. I didn't want them to be burdened with debt simply because I gave up lucrative work and decided to try to help my State and country.

So we took out student loans. You can take them from banks, from private lending institutions; and there were provisions for student loans. But under Speaker PELOSI and this President, HARRY REID in the Senate's leadership, the Federal Government took over the student loan business. Well, I thank God that I got loans for my kids to go through college before we took over, as a Federal Government, the student loan business. Because I would hate for not just me, but anyone, especially from the opposite party of the President, those in power, to have to go begging to the Obama administration: Please, would you loan me money so my child can get a college education?

We put the Federal Government in charge of who can get loans? Who can get a college education? That's not what was intended for this country, to have the Federal Government make decisions on who can get educated and who doesn't.

I know it scares people sometimes to have these examples brought up; but in 1973, that summer I was an exchange student to the Soviet Union—I had had a couple of years of Russian language, and I was an exchange student there. And one of the things that surprised me was, in the Soviet Union, the federal government there decides who gets to go to college. They tell you who gets to go to college.

Now, never mind that here in America sometimes the most successful business people, some of the most successful scientists may have made some grades that weren't very good in college, but maybe came back in grad school and then really showed promise and did well, but it didn't matter. Maybe they didn't do all that great in high school, got to college and made good grades here in America.

But in Russia, it didn't matter. It didn't matter what your inner drive was, that you had a yearning to help in health care, make some discovery in medicine. It didn't matter that you had

a vision for how to create some new engineering work. It didn't matter because the government told every student whether you would be allowed to go to college or whether you would not, whether you would go work in the factory or whether you would go and teach. The government told people what they got to do with their lives and who got to have a college education.

Now, I became friends with numerous Russian college students. I was impressed and I liked them very much. But I could not imagine such a system back then. And I was so grateful and thankful that I was from the United States. I made good grades in high school and college, good enough to go to law school, but I just was so grateful that I lived in a country that really was the land of the free and the home of the brave.

It's fantastic. Because when I had a yearning in my heart to do something and fix something here, I didn't have to beg the government: Will you please allow me to follow my life's goal, my life's pursuit?

This used to be the only country in the world where any parent could tell their child you can be whatever you want to be. Now, we're kind of proud of Jamie Foxx in east Texas. He grew up in Terrell. And I ran into him in Los Angeles last year and told him I was from Tyler, Texas.

He said Tyler, Texas. He said, you know, my childhood memory about Tyler, our family came over to the Tyler State Park—it's a beautiful park on a lake, one of the most visited State parks in the State of Texas—and he said, you know, Tyler had the highest diving board I had ever seen. I had never seen one that high. And people told me, Jamie, if you can climb up there and go off that diving board, you can do anything you want with your life, anything. He said he was scared, but he climbed up there, that high diving board, and went off the board because he wanted to be whatever he wanted to be. And now he is so successful as a singer, actor, all these kinds of things.

You could be what you really wanted to be in this country, but it's scary to see that changing. And when I see moves in this country that I had nightmares seeing them happen in the Soviet Union, it's a little scary here. The Federal Government's going to get to tell people whether they can have a student loan or not? That's not a good idea. And yet the Federal Government, under Speaker PELOSI's leadership and the President's leadership, President Obama, and HARRY REID, we put the private lenders out of business because the Federal Government—I guess they sold some people on the idea it would be politics free. Yeah, right—they would do a better job of picking out who should get a student loan to go to college. I couldn't believe those things came back.

And seeing the socialized medicine in the Soviet Union back in those days, visiting med schools, clinics and things—I had a little need for health care back then—I was so thankful that in America we had so much better health care. And we didn't have to depend on the government to tell us what we could have treatment for or what we couldn't, what we had to get on a list to maybe get treatment for or what we couldn't. This was America, where doctors could strive to be the greatest they could be and to help humanity, and then make money at the same time.

I had one Soviet friend, college friend that summer, who some lady ran off to tell on him. And I said, why would she do that?

□ 1400

He said, well, in America you can get ahead by working hard and making money, and money can give you power in America. Here, in the Soviet Union, he said, the only way to elevate yourself is by stepping on others.

You saw it repeatedly. They couldn't wait to run and tell government authorities on each other. Basically, you could tell who was spying on an American. It wasn't hard to see. You could tell who was spying on the other students. It wasn't hard to see.

And I was grateful to be from the home of the brave, land of the free, land of the free and home of the brave. And I see things changing, and it breaks my heart.

Now, another thing I observed in the Soviet Union back in 1973, we went to a daycare facility, and it was made very clear that children didn't really belong to parents in the Soviet Union. They were the property of the government.

The parents would be allowed to keep their children so long as they trained them up in the way the government said. But if the government ever had one of these stool pigeons that ran in and reported that parents maybe were teaching children that they should strive to be the greatest they could be and do what they wanted to do, for example, that was totally opposite of the government's teaching, and it would be a basis for you're teaching them evil things.

I had a student friend, Russian friend who was removed from the camp where I was because somebody told on him, that he was being too friendly to me. He never said anything negative about his country, but we had frank discussions about a free market system compared to a socialist system. And they were very honest, candid discussions. And yet, he did nothing wrong, but he was removed, and he was told if he had contact with me again, he would be kicked out of college and go to work in Siberia or some other place that would be very unpleasant.

I saw when a government controls people's lives. And I was shocked at daycare. And I was so grateful to live in a country where children belong to their parents, and the parents cared about seeing that they were raised up in the way they should go. And they may disagree with the government and that's okay in America. But they could disagree with the government, and they were still not at risk of having their children removed.

And now, more and more, with political correctness setting in in this country, people are told, you raise the children the way we say is proper; otherwise, we'll take them away. And it keeps coming back as hints from what I saw 38 years ago. It's hard to believe this stuff is happening.

When I look at the American Infrastructure Financing Authority, I see things down the road that this creates. And you can't help but believe that it will end up as the student loan business was. We create a Federal entity run by the President's cronies that will make decisions on who gets lending for infrastructure.

You could envision a day, just like with student loans, maybe the private lenders still keep lending and that goes for a while. But as we saw with flood insurance, the Federal Government got into the flood insurance market and said, you know what? These private lenders are not selling it as cheaply as we think they should, so we'll get involved to give them a choice.

Well, what the private insurance companies found was they are not allowed to run at a loss for a long period of time. They go out of business, go bankrupt. Yet, the Federal Government has no problem with running in the red, so the Federal flood program has run in the red for years. It doesn't appear there's any hope that it will ever get to the black.

And, naturally, the Federal Government drives all the private insurance companies out of the business because the Federal Government can do it cheaper and run in the red. I can envision that happening with the American Infrastructure Financing Authority.

Mr. Speaker, you think about a day when a local government, a State government, has no lender that can lend on infrastructure because the Federal Government started small and got bigger, and now nobody lends but the Federal Government. And once again, we create a situation. It's the potential, and if you don't look at the potential consequences of what we do in this body and the unintended consequences that can occur, we do damage to America.

If the President had his way, and I feel sure that if he has four more years, there's a good chance he will, we'll have an American Infrastructure Financing Authority, and eventually local governments, State governments, entities will have to come begging to the President or to the new czar of whatever it is and say, please, please, could we please have a loan to fix our roads or to build new infrastructure that our people are crying out for? Please? We promise we'll be good. We'll do what you tell us. God forbid we

should get to a system that way. But we're on the way. We see it happening more and more.

We dangle money out to States and local government through grants. You want to keep getting the grants? Do what we tell you. The Founders never intended that. Never intended that. Bad enough that we set up a system where we order unfunded mandates of State governments. Before the 17th amendment things weren't perfect. They did need fixing, so I'm not advocating complete repeal.

But there has got to be a way to restore power back to the States that it lost when State legislatures could no longer select the U.S. Senators. And I'm aware, there were some abuses there, but we have got to get a veto power, some leverage back to the States again so the Federal Government doesn't keep doing the kind of thing that this President throws out in his bill.

And, of course, more and more of the airwaves are being moved toward broadband. So at page 75, something that tells you a lot about where this President wants to go for the future, he has the establishment of the Public Safety Broadband Corporation. But not to worry, page 76 points out this establishes a private, nonprofit corporation to be known as the ''Public Safety Broadband Corporation.'' It says, and I'm quoting, ''which is neither an agency nor establishment of the U.S. Government or the District of Columbia.''

But they will control broadband. So anyone that might have broadband coming in, maybe get television, computer, Internet, radio through broadband, well, guess who comes into your home or place of business through your broadband? It's control of the new Public Safety Broadband Corporation.

In 1984 there was that eye that looked out into every room from something hanging on the wall. It was Big Brother watching everything. How comforting to know this President wants Big Brother watching us through our computer, watching us through the means of broadband.

But if you're worried, well, it says, this will not be, and I'm quoting, ''neither an agency nor establishment of the United States Government or the District of Columbia.'' That's great news.

So who will be controlling this new Public Safety Broadband Corporation? We see that in the next section a little further down in page 76.

''The following individuals, or their respective designees, shall serve as Federal members.'' These are the people that will control the Public Safety Broadband Corporation that this administration wants to impose and inflict upon America, controlling all broadband.

□ 1410

You have the Secretary of Commerce, the Secretary of Homeland Security, the Attorney General of the United States, and the Director of the Office of Management and Budget.

That's comforting, very comforting.

There will be non-Federal members so they don't have just a total monopoly on control. In fact, there will be—the next section says—non-Federal members on the board. Well, who might they be? The Secretary of Commerce, in consultation with the Secretary of Homeland Security and the Attorney General, shall appoint 11 individuals to serve as non-Federal members of the board.

Isn't that comforting. You've got Cabinet members appointed by the President—but don't worry. The President won't control all of it, although his appointees appoint the rest of them, and they're going to control the broadband.

I think this is what America can expect when you have the President push forward a bill that, until I filed my American Jobs Act, there was no American Jobs Act down here in the House; and that's where it had to be filed because the Constitution requires all revenue-raising bills to begin here in the House. They have to originate here.

So great news. I mean, boy, if the President has his way, more and more Federal control. Infrastructure. If you need infrastructure, well, isn't that rosy. You can go begging to the Federal Government someday.

But it's at page 133, as I'm moving through this bill, that you find section 376: Federal and State Immunity. But it doesn't address Federal immunity at all. It doesn't even touch Federal immunity. It, in fact, says, ''A State shall not be immune under the 11th Amendment of the Constitution from a suit brought in a Federal court of competent jurisdiction for a violation of this act.''

We don't have the constitutional power to waive sovereign immunity for the State. This is an incredible overreach by the President taking away the sovereign immunity of a State not to be sued. He proposes a bill, and says, Not only am I proposing this bill, but I'm going to stick in a provision—it's here on page 133—that says, States, you can be sued if you don't follow my law—my bill—to the T.

How could the Federal Government waive States' sovereign immunity? I can tell you. Under constitutional law, the Federal Government cannot waive States' sovereign immunity. Only a State can waive its sovereign immunity. The Federal Government cannot have anyone waive its sovereign immunity. Sovereign immunity is only waived for the Federal Government if the Federal Government decides to waive it.

So how can the President stick in a bill that allows States to be sued willy-nilly under this bill? It's in the next provision.

''A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity under the 11th Amendment to the Constitution, or otherwise, to a suit brought by an employee or applicant for employment.''

He recognizes constitutional law. The Federal Government cannot waive sovereign immunity for a State, but the President says, You know what? If you receive one dime from the Federal Government for any program, then that is an affirmative waiver of your right not to be sued under some bill that we make up here in my czar capital in Washington.

We also heard about going after the millionaires and billionaires. Now, as people have been told over and over, the CBO—the Congressional Budget Office—that scores bills cannot score a speech unless, of course, the Director gets called to the White House and gets intimidated, and then perhaps they will. But in the meantime, generally, you cannot score a speech. There has got to be a bill. So it doesn't matter what a President says in a speech in this body or if he spends millions and millions and millions of dollars running around the country telling people to pass a bill that for so long did not exist here in the House. What matters is what's in a bill.

So the President says he's going after millionaires and billionaires, but if you look at page 134 and page 135, you'll find out what the President really thinks constitutes a millionaire or a billionaire. At the bottom of page 134, it's subtitled, ''A 28 percent limitation on certain deductions and exclusions.''

So who loses deductions? Who is going to get punished for making too much money? How many millions do you have to have before this President wants you punished and taxed extra? What does this President consider to be a millionaire or a billionaire who's not paying their fair share and who should pay more?

It's in black and white now. The President's bill says that it applies to the taxpayer whose adjusted gross income is above $125,000 if you're married, filing separately.

So, under the President's definition of who's a millionaire and billionaire who's not paying their fair share and who needs to pay a lot more, it's defined here in black and white as a married person filing separately who makes more than $125,000. That's in the President's bill. If you're married filing jointly, then you get to be exempted unless you make over $250,000 jointly as a couple. Well, with $250,000 as a couple and $125,000 as an individual, it's still $125,000.

So how about if you're single and you're not married? Well, good news there. You can have either a $200,000 exemption or a $225,000 exemption if you're single and head of the household. So it's potentially worth $100,000 to get divorced. The government is saying we'll give you an extra $75,000 to $100,000 exemption if you'll just get divorced and live together.

Now, I'm not sure who came up with this. Obviously, the President's waving the bill around now, now that there's one printed, but he's advocating that you're better off financially—we'll reward you financially—if you'll just get divorced and live together. I'm not sure if that's his effort to placate people who want gay marriage to say, Look. You're financially better off not getting married, see? You've got an extra $75,000, $100,000 exemption if you'll just stay unmarried.

So why would you want to get married?

I don't know what his thinking was. I can't imagine why he would want to punish married people who are working hard and making this kind of money. But sure enough, that's in the President's bill.

Happy days.

He's had talks before about eliminating the alternative minimum tax, which was never meant to apply to the tens of thousands of people that it does. Well, guess what? On page 135, subsection (b) talks about additional amounts. Subsection (c) talks about the additional AMT amount. So we're going to add to the AMT. I know he said we were going to get rid of it, but actually, in his bill, where you really see what he's thinking, he adds to it.

Now, the biggest help for independent oil producers is called the ''deductibility of intangible drilling costs.'' These are the expenses of an independent oil company in producing a well; it's the costs of doing business. Any other manufacturer that produces a product is allowed to deduct the costs of doing business, but this President wants to demonize those things and call them what they're not. He calls them a subsidy. They're not a subsidy. A ''subsidy'' under any dictionary's definition is, in essence, a gift or a grant of money. There's no gift or grant of money to the people taking these deductions. They get to deduct the cost of producing oil and gas.

□ 1420

And when you find out that over 94 percent of the oil and gas wells drilled on the land in the continental United States are drilled by independent producers, not Exxon, not Shell, not the President's dear friends at British Petroleum who were so ready to endorse the cap-and-trade bill, negotiating when to come out in favor of cap-and-trade the very day the Deepwater Horizon platform blew, losing lives, devastating the gulf.

But then at the same time giving the President a chance to punish States like Texas, Louisiana, Alabama, Mississippi who had so many thousands of jobs lost when he declared a moratorium that it has cost this country dearly by rigs having to leave American waters and go to other countries. And does that hurt the big oil companies? No. It means there is less oil and gas being produced, which means they will charge more and make more profit.

So taking out the most important deduction for independent oil companies will devastate them, and it doesn't even apply to the major companies he says he's going after. So, once again, he says he's going after major oil, taking away their subsidies. Well, they're not subsidies. They're deductions for business expense.

And on the other, what he really does in black and white in the bill—nobody has to take my word for it—he repeals the deduction that only applies to oil companies that produce less than a thousand barrels of oil a day. It doesn't even apply to the majors. The majors don't get that. They're able to do such vast production that they can survive without it. The independent producers can't.

And a lot of people don't know like we do in East Texas where, during World War II, it was the largest oil field ever discovered in the world, but those, mainly wells still being drilled there, a lot of it for natural gas now, being drilled by independent producers, produce less than a thousand barrels a day. You can't go to a bank and get a loan to drill an oil or gas well. You can't. The odds are not good enough that it's going to be commercially productive.

So what most independents do, they'll say take 18, 25 percent, something like that of their own well that they're going to drill and then they will sell working interests in that well and get investors to put up their money, because if an independent oil producer supplies all the money for their own wells, they hit three or four dry holes, it's what puts some of them out of business. So they're smart enough, they spread out the risk, because it certainly is risk, and so they don't lose everything when it's a dry hole.

What section 435 does is devastate the ability to raise capital through investors investing because it repeals the oil and gas working interest exception to passive activity rules. So the working interests don't get the deductions passed through to them that they are normally allowed to do for the expenses they invest.

Any independent oil producer can tell folks—and I've heard it over and over—you take away people's ability to invest, to deduct for what they're paying in, they're not going to pay into that. The odds aren't too good, that oftentimes the money they get back—if it is a commercial well—just barely pays the amount of expenses. If you don't pass through the deductibility of what they paid in, then it's a huge loss to them. So you're not going to have people investing like they do now. And it is tough to raise capital. They'll tell you.

The President devastates an independent oil company's ability or gas company's ability to raise capital. This bill will devastate America. It's a great example of the President and Senate leadership saying we're going to do this and they do something entirely opposite. Those who have ears need to hear.

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

A BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on September 16, 2011 she presented to the President of the United States, for his approval, the following bill.

H.R. 2887. To provide an extension of surface and air transportation programs, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 25 minutes p.m.), under its previous order, the House adjourned until Monday, September 26, 2011, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

3217. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — National Veterinary Accreditation Program; Currently Accredited Veterinarians Performing Accredited Duties and Electing To Participate [Docket No.: APHIS-2006-0093] (RIN: 0579-AC04) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3218. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Peppers From Panama [Docket No.: APHIS-2010-0002] (RIN: 0579-AD16) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3219. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — European Larch Canker; Expansion of Regulated Areas [Docket No.: APHIS-2011-0029] received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3220. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Quarantined Areas and Regulated Articles [Docket No.: APHIS-2010-0128] received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3221. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Horses From Contagious Equine Metritis-Affected Countries [Docket No.: APHIS-2008-0112] (RIN: 0579-AD31) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3222. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Display of DoD Inspector General Fraud Hotline Posters (DFARS Case 2010-D026) (RIN: 0750-AG98)

received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3223. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Defense Cargo riding Gang Member (DFARS Case 2007-D002) (RIN: 0750-AG25) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3224. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-B-1209] received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3225. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Privacy Act Implementation (RIN: 2590-AA46) received August 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3226. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Mortgage Acts and Practices — Advertising received August 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3227. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Suspension of the Duty to File Reports for Classes of Asset-Backed Securities Under Section 15(d) of the Securities Exchange Act of 1934 [Release No.: 34-65148; File No. S7-02-11] (RIN: 3235-AK89) received August 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3228. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Substantial Product Hazard List: Hand-Supported Hair Dryers received August 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3229. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Immunology and Microbiology Devices; Reclassification of the Herpes Simplex Virus Serological Assay Device [Docket No.: FDA-2010-N-0429] received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3230. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States to the Entity List; and Implementation of Additional Changes from the Annual Review of the Entity List [Docket No.: 110502272-1391-01] (RIN: 0694-AF22) received August 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3231. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Northeastern Arizona and Southern Colorado Appropriated Fund Federal Wage Areas (RIN: 3206-AM33) received August 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3232. A letter from the Senior Procurement Analyst, Department of the Interior, transmitting the Department's final rule — Acquisition Regulation Miscellaneous Changes (RIN: 1093-AA13) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3233. A letter from the Senior Procurement Analyst, Department of the Interior, transmitting the Department's final rule — Acquisition Regulation Rewrite (RIN: 1093-AA11) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3234. A letter from the Senior Management Analyst, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; 44 Marine and Anadromous Taxa: Adding 10 Taxa, Delisting 1 Taxon, Reclassifying 1 Taxon, and Updating 32 Taxa on the List of Endangered and Threatened Wildlife [Docket No.: FWS-R9-ES-2008-0125; 92100-1111-0000-B3] (RIN: 1018-AW09) received August 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3235. A letter from the Division of Policy and Programs, WSFR, Department of the Interior, transmitting the Department's final rule — Financial Assistance: Wildlife Restoration, Sport Fish Restoration, Hunter Education and Safety [Docket No.: FWS-R9-WSR-2009-0088] (RIN: 1018-AW65) received August 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3236. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Yakutat, AK [Docket No.: FAA-2011-0244; Airspace Docket No. 11-AAL-05] received August 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3237. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Columbus Lawson AAF, GA [Docket No.: FAA-2011-0012; Airspace Docket No. 10-ASO-44] received August 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3238. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Superior Air Parts and Lycoming Engines (Formerly Textron Lycoming) Fuel-Injected Engines [Docket No.: FAA-2011-0547; Directorate Identifier 2011-NE-13-AD; Amendment 39-16757; AD 2011-15-10] (RIN: 2120-AA64) received August 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3239. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Model FALCON 7X Airplanes [Docket No.: FAA-2011-0631; Directorate Identifier 2011-NM-134-AD; Amendment 39-16759; AD 2011-16-01] received August 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3240. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company (Cessna) Models 337, 337A (USAF 02B), 337B, 337C, 337D, 337E, T337E, 337F, T337F, 337G, T337G, M337B, F 337E, FT337E, F 337F, FT337F, F 337G, and FT337GP Airplanes [Docket No.: FAA-2011-0450; Directorate Identifier 2011-CF-010-AD; Amendment 39-16758; AD 2011-15-11] (RIN: 2120-AA64) received August 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3241. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business HUBZone Program; Government Contracting Programs (RIN: 3245-AG45) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

3242. A letter from the Direcctor of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Technical Revisions to Conform to the Caregivers and Veterans Omnibus Health Services Act of 2010 (RIN: 290-AN85/WP2010-044) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3243. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Expansion of State Home Care for Parents of a Child Who Died While Serving in the Armed Forces (RIN: 2900-AN96/WP2010-071) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3244. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Rules Governing Hearings Before the Agency of Original Jurisdiction and Board of Veterans' Appeals; Clarification (RIN: 2900-AO06) received August 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3245. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Timely Mailing Treated as Timely Filing [TD 9543] (RIN: 1545-BA99) received August 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3246. A letter from the Chief, Publication and Regulations, Internal Revenue Service, transmitting the Service's final rule — Interest and Penalty Suspension Provisions Under Section 6404(g) of the Internal Revenue Code [TD 9545] (RIN: 1545-BG75) received August 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 241. A bill to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California, with an amendment (Rept. 112–216). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 461. A bill to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes; with an amendment (Rept. 112–217). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 473. A bill to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes; with an amendment (Rept. 112–218). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 795. A bill to expand small-scale hydropower (Rept. 112–219, Pt. 1). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1258. A bill to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah (Rept. 112–220). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1421. A bill to amend the Water Resources Development Act of 1986 to clarify the role of the Cherokee Nation of Oklahoma with regard to the maintenance of the W.D. Mayo Lock and Dam in Oklahoma (Rept. 112–221, Pt. 1). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1560. A bill to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe (Rept. 112–222). Referred to the Committee of the Whole House on the state of the Union.

Ms. ROS-LEHTINEN: Committee on Foreign Affairs. H.R. 2583. A bill to authorize appropriations for the Department of State for fiscal year 2012, and for other purposes; with an amendment (Rept. 112–223). Referred to the Committee of the Whole House on the state of the Union.

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. MARCHANT:

H.R. 3038. A bill to amend title 49, United States Code, to direct the Secretary of Homeland Security to approve applications submitted by airport operators for participation in the security screening opt-out program, and for other purposes; to the Committee on Homeland Security.

By Mr. HECK (for himself, Mr. MACK, Mr. AMODEI, Ms. BERKLEY, Mr. WILSON of South Carolina, and Mr. POSEY):

H.R. 3039. A bill to promote job creation in the United States by directing the Secretary of State to address inefficiencies in the visa processing system that discourage overseas business and leisure travel to the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON (for himself, Mr. COLE, Mr. YOUNG of Alaska, Mr. GARDNER, Ms. DEGETTE, Mr. PERLMUTTER, Mr. COFFMAN of Colorado, Mr. LUJÁN, AND MR. POLIS):

H.R. 3040. A bill to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians; to the Committee on Education and the Workforce, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOPER (for himself, Mr. DAVIS of Kentucky, Mr. PAUL, and Mr. SMITH of Texas):

H.R. 3041. A bill to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, and for other purposes; to the Committee on the Judiciary.

By Mr. BARLETTA (for himself, Mr. YOUNG of Alaska, Mr. MARINO, Mr. KELLY, Mr. HOLDEN, Mr. FITZPATRICK, Mr. WELCH, Mr. PITTS, and Mr. PLATTS):

H.R. 3042. A bill to provide for low interest loans for small businesses in major disaster areas, and for other purposes; to the Committee on Small Business.

By Mrs. BLACKBURN (for herself, Mr. LAMBORN, Mr. PENCE, Mr. PITTS, Mr. RIBBLE, Mr. GINGREY of Georgia, Mr. GUINTA, Mr. MILLER of Florida, Mr. GOHMERT, Mr. PALAZZO, Mr. PRICE of Georgia, Mr. MCCARTHY of California, Mr. WESTMORELAND, and Mrs. LUMMIS):

H.R. 3043. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reduce the discretionary spending limit for fiscal year 2013 and 2014 to the fiscal year 2012 level; to the Committee on the Budget.

By Mr. CANSECO (for himself, Mr. HENSARLING, Mr. NEUGEBAUER, Mr. BACHUS, and Mrs. CAPITO):

H.R. 3044. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal the Office of Financial Research; to the Committee on Financial Services.

By Mr. CANSECO (for himself and Mr. GARRETT):

H.R. 3045. A bill to amend the Employee Retirement Income Security Act of 1974, the Commodity Exchange Act, and the Securities Exchange Act of 1934 to ensure that pension plans can use swaps to hedge risks, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN (for himself, Mr. WITTMAN, Mr. CONNOLLY of Virginia, Mr. CARTER, Mr. LOEBSACK, Ms. BROWN of Florida, Mr. BRADY of Pennsylvania, Mr. COURTNEY, and Mr. JONES):

H.R. 3046. 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 Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State; to the Committee on Ways and Means.

By Mr. COHEN:

H.R. 3047. A bill to amend title 39, United States Code, to allow the United States Postal Service to provide nonpostal services, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. DELAURO (for herself, Mr. WELCH, Mr. PASCRELL, Mr. PRICE of North Carolina, Mr. FATTAH, Mr. HINCHEY, Mr. COURTNEY, and Mr. MICHAUD):

H.R. 3048. A bill to amend the Internal Revenue Code of 1986 to provide a look back rule in the case of federally declared disasters for determining earned income for purposes of the child tax credit and the earned income credit, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIJALVA:

H.R. 3049. A bill to restore growth, spur job creation, build momentum toward economic recovery for border communities and the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, Small Business, Oversight and Government Reform, Foreign Affairs, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY (for himself, Mr. WESTMORELAND, Mr. FLAKE, Mrs. BLACKBURN, and Mr. HARPER):

H.R. 3050. A bill to amend title 23, United States Code, to eliminate the requirement that States spend a certain amount of their funds for transportation enhancement activities; to the Committee on Transportation and Infrastructure.

By Mr. KUCINICH (for himself, Ms. EDWARDS, Mr. ELLISON, Mr. JACKSON of Illinois, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. CONYERS, Ms. LEE of California, Mr. CLEAVER, and Mr. MEEKS):

H.R. 3051. A bill to abolish the death penalty under Federal law; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself, Mrs. MCMORRIS RODGERS, and Mr. HASTINGS of Washington):

H.R. 3052. A bill to amend the Internal Revenue Code of 1986 to repeal the exception to the treatment of consolidated groups under the personal holding company rules; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Mrs. CHRISTENSEN, Mr. HINCHEY, Mr. COHEN, Mr. SERRANO, Mr. CLARKE of Michigan, Ms. WOOLSEY, Mr. RANGEL, Ms. NORTON, Mr. JACKSON of Illinois, Mr. SABLAN, Mr. GRIJALVA, and Mr. QUIGLEY):

H.R. 3053. A bill to eliminate discrimination in the law for those who have tested positive for HIV, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself, Ms. JACKSON LEE of Texas, Mr. RANGEL, Mr. GRIJALVA, Ms. NORTON, Mr. MEEKS, Mr. FILNER, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mr. STARK, Ms. LEE of California, Ms. MOORE, Mr. MCGOVERN, Mr. GUTIERREZ, Mr. PAYNE, Mr. BLUMENAUER, Mrs. CHRISTENSEN, Mr. RUSH, Mr. CUMMINGS, Mr. CONYERS, Mr. HONDA, and Mr. COHEN):

H.R. 3054. A bill to authorize the Attorney General to award grants to eligible entities to prevent or alleviate community violence by providing education, mentoring, and counseling services to children, adolescents, teachers, families, and community leaders on the principles and practice of nonviolence; to the Committee on Education and the Workforce.

By Mr. LEWIS of Georgia:

H.R. 3055. A bill to establish a National Parents Corps Program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LEWIS of Georgia (for himself, Ms. JACKSON LEE of Texas, Mr. RANGEL, Mr. GRIJALVA, Ms. NORTON, Mr. MEEKS, Mr. FILNER, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mr. STARK, Ms. LEE of California, Ms. MOORE, Mr. MCGOVERN, Mr. GUTIERREZ, Mr. PAYNE, Mr. BLUMENAUER, Mrs. CHRISTENSEN, Mr. RUSH, Mr. CUMMINGS, Mr. CONYERS, Mr. HONDA, and Mr. COHEN):

H.R. 3056. A bill to authorize the Gandhi-King Scholarly Exchange Initiative focusing

on peace and nonviolence in global conflict resolution, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LONG (for himself, Mr. NUNNELEE, Mrs. EMERSON, Mr. LUETKEMEYER, Mr. AKIN, Ms. LINDA T. SÁNCHEZ of California, Mr. BACHUS, Mr. MANZULLO, Mr. CHANDLER, Mr. CRITZ, Mr. CONYERS, Mr. STARK, Mr. CARNAHAN, and Mr. LIPINSKI):

H.R. 3057. A bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes; to the Committee on Ways and Means.

By Mr. LONG (for himself, Mr. KING of New York, Mr. MARINO, and Mr. MCCAUL):

H.R. 3058. A bill to authorize the Secretary of Homeland Security to permit a class deviation to the Federal Acquisition Regulation to support domestic emergency operations; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mr. BUTTERFIELD, Mrs. MYRICK, Mr. VAN HOLLEN, Mr. BURGESS, Ms. SPEIER, Mr. KELLY, Mr. JOHNSON of Georgia, Mr. DAVIS of Illinois, Mr. TOWNS, Mrs. CHRISTENSEN, Mr. RUSH, Mr. CUELLAR, Mr. BILBRAY, Mr. WOLF, Mrs. MCMORRIS RODGERS, Mr. KEATING, Mr. OLSON, Mr. CANSECO, Mr. ROGERS of Alabama, Mr. BOUSTANY, Mr. DAVIS of Kentucky, Ms. ROS-LEHTINEN, Ms. PELOSI, and Mr. ROTHMAN of New Jersey):

H.R. 3059. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the priority review voucher incentive program relating to tropical and rare pediatric diseases; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 3060. A bill to make supplemental appropriations to provide additional funds to Americorps for the fiscal year ending September 30, 2012, and to amend the Internal Revenue Code of 1986 to extend and modify payroll tax forgiveness; to the Committee on Appropriations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Mr. JONES, Mr. ANDREWS, and Mr. FRANK of Massachusetts):

H.R. 3061. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized time period for rebuilding of certain overfished fisheries, and for other purposes; to the Committee on Natural Resources.

By Mr. PETERSON (for himself, Mr. SIMPSON, Mr. WELCH, Mr. COSTA, Mr. COURTNEY, Mr. SCHRADER, Mr. LARSEN of Washington, and Mr. LONG):

H.R. 3062. A bill to establish a program for dairy producers under which producers can offset reductions in producer income when the margin between milk prices and feed costs is less than a specified amount, to establish a dairy market stabilization program for producers participating in the margin protection program, to provide for the amendment of Federal milk marketing orders, and for other purposes; to the Committee on Agriculture.

By Mr. SABLAN (for himself, Mr. PIERLUISI, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. FALEOMAVAEGA):

H.R. 3063. A bill to amend the Low-Income Home Energy Assistance Act of 1981 to provide for an additional allocation of funds to the insular areas; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SARBANES (for himself, Mr. MORAN, Mr. CONNOLLY of Virginia, Mrs. MALONEY, Mr. LEWIS of Georgia, and Ms. RICHARDSON):

H.R. 3064. A bill to provide for improvements in the Federal hiring process, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SHULER (for himself, Mr. HUNTER, Mr. CARDOZA, Mr. COSTA, Mr. CHANDLER, Mr. MATHESON, Mr. THOMPSON of California, Mr. HOLDEN, Mr. BOSWELL, Mr. BOREN, Mr. ROSS of Arkansas, Mr. BARROW, Mr. KISSELL, Mr. YOUNG of Alaska, Mr. LEWIS of California, Mr. HULTGREN, Mr. BARTLETT, Mr. HANNA, Ms. FOXX, Mr. BURTON of Indiana, Mr. MICHAUD, Mr. KIND, Mr. HARRIS, Mr. CONAWAY, Mr. BUCHANAN, Mr. COURTNEY, Mr. CALVERT, Mr. GENE GREEN of Texas, Mr. MCINTYRE, Mr. WESTMORELAND, Mr. CRITZ, Mr. GUTHRIE, Mr. BENISHEK, Mr. ROSS of Florida, Mr. GUINTA, Mr. AUSTRIA, Mr. LATTA, Mr. YODER, Mr. BROUN of Georgia, Mr. MCKINLEY, Mr. MILLER of Florida, Mr. KLINE, and Mr. PETERSON):

H.R. 3065. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TERRY:

H.R. 3066. A bill to preserve the companionship services exemption for minimum wage and overtime pay under the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Mr. SCHILLING:

H. Con. Res. 82. Concurrent resolution prohibiting the House or Senate from adjourning for a period of more than 3 days during a fiscal year unless the House involved has adopted a concurrent resolution on the budget for such fiscal year and has approved legislation to provide funding for the operations of the government for the entire fiscal year; to the Committee on Rules.

By Mrs. DAVIS of California (for herself, Mr. GRIJALVA, Mr. DINGELL, and Mr. POLIS):

H. Res. 415. A resolution expressing support for designation of the month of October 2011 as National Principals Month; to the Committee on Education and the Workforce.

By Mr. MCCOTTER (for himself, Mr. ROHRABACHER, Mr. WESTMORELAND, Mr. BILIRAKIS, Mr. JONES, Mr. DIAZ-BALART, Mr. SENSENBRENNER, and Mrs. MYRICK):

H. Res. 416. A resolution condemning Communist China's discrimination, harassment, imprisonment, torture, and execution of its prisoners of conscience, and supporting the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. MARCHANT:

H.R. 3038.

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

This bill is submitted with the Constitutional authority granted in Article I, Section 8, ''to provide for the Common Defense,'' and Article I, Section 8, Clause 18, the ''Necessary and Proper Clause.''

By Mr. HECK:

H.R. 3039.

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

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. TIPTON:

H.R. 3040.

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

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. COOPER:

H.R. 3041.

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

Article 1, Section 8, Clause 9; Article III, Section 1, Clause 1; Article III, Section 2, Clause 2.

By Mr. BARLETTA:

H.R. 3042.

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

This bill makes changes to existing law relating to ''Article 1 Section 8 of the U.S. Constitution Clause 18.''

By Mrs. BLACKBURN:

H.R. 3043.

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

The Congress enacts this bill pursuant to Clause 1 and 2 of Section 8 of Article I of the United States Constitution

By Mr. CANSECO:

H.R. 3044.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CANSECO:

H.R. 3045.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CARNAHAN:

H.R. 3046.

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

Article I, Section 8. ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general

Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. COHEN:

H.R. 3047.

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

Article 1, section 8, clause 3 (relating to the power to interstate commerce).

By Ms. DELAURO:

H.R. 3048.

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

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. GRIJALVA:

H.R. 3049.

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

Article I, Section 8 of the United States Constitution.

By Mr. KELLY:

H.R. 3050.

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

Article I—Section 1—All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KUCINICH:

H.R. 3051.

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

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution, as well as the 5th Amendment to the United States Constitution.

By Mr. LARSEN of Washington:

H.R. 3052.

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

Under Article 1, Section 2 of the Constitution, ''the House of Representatives shall be composed of Members chosen every second Year by the People of the several States.'' As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress.'' I was elected in 2010 to serve in the 112th Congress as certified by the Secretary of State of Washington state.

Article III, Section 2 states that the Supreme Court has ''the judicial power'' that ''shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States.'' Article II, Section 1 of the Constitution provides that the Supreme Court is the supreme law of the land when stating ''The judicial power of the United States, shall be vested in one supreme Court.''

The power of judicial review of the Supreme Court was upheld in Marbury v Madison in 1803, giving the Supreme Court the authority to strike down any law it deems unconstitutional. Members of Congress, having been elected and taken the oath of office, are given the authority to introduce legislation and only the Supreme Court, as established by the Constitution and precedent, can determine the Constitutionality of this authority.

By Ms. LEE of California:

H.R. 3053.

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

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 3054.

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

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 3055.

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

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 3056.

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

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LONG:

H.R. 3057.

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

Article I Section 8 Clause 1

Article I Section 8 Clause 3

By Mr. LONG:

H.R. 3058.

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

Article I Section 8 Clause 1

Article I Section 8 Clause 14

Article I Section 8 Clause 15

Article I Section 8 Clause 16

By Mr. MCCAUL:

H.R. 3059.

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

This legislation is authorized by the United States Constitution under Article I, Section 8, ''Congress shall have the power To . . . provide for the common Defense and general Welfare of the United States'' and ''To make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers.''

By Ms. NORTON:

H.R. 3060.

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

clause 3 of section 8 of article I of the Constitution.

By Mr. PALLONE:

H.R. 3061.

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

section 8 of article I of the Constitution.

By Mr. PETERSON:

H.R. 3062.

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

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States), clause 3 (relating to the power to regulate interstate commerce), and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. SABLAN:

H.R. 3063.

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

Under Article I, section 8, clause 3 and Article IV, section 3, clause 2 of the Constitution.

By Mr. SARBANES:

H.R. 3064.

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

Article I, Section 8

By Mr. SHULER:

H.R. 3065.

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

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. TERRY:

H.R. 3066.

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

Commerce Clause: Article I, Section 8, Clause 3

ADDITIONAL SPONSORS

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

H.R. 10: Mr. GOSAR.

H.R. 23: Ms. DELAURO.

H.R. 104: Mrs. CAPITO, Mr. HUNTER, and Mr. MEEHAN.

H.R. 306: Mr. PIERLUISI.

H.R. 374: Mr. LABRADOR and Mr. FLEISCHMANN.

H.R. 539: Mr. NADLER and Ms. RICHARDSON.

H.R. 605: Mr. FRELINGHUYSEN.

H.R. 640: Mr. CARNAHAN and Mr. HOLDEN.

H.R. 664: Mr. LOEBSACK.

H.R. 711: Ms. LEE of California and Mr. PRICE of North Carolina.

H.R. 812: Ms. DELAURO and Mr. REHBERG.

H.R. 854: Mr. DOYLE, Mr. KUCINICH, and Mr. COSTELLO.

H.R. 860: Mr. PETERSON, Mr. RANGEL, Mr. COSTELLO, Ms. SCHWARTZ, Mr. CHABOT, Mr. GARDNER, Mr. HUNTER, Mr. MACK, Mrs. MYRICK, and Mr. MCNERNEY.

H.R. 890: Mr. FILNER.

H.R. 912: Ms. CHU.

H.R. 1116: Ms. ROS-LEHTINEN.

H.R. 1179: Mr. WALSH of Illinois.

H.R. 1195: Mr. SCHRADER.

H.R. 1219: Mr. LOBIONDO, Mr. ALEXANDER, Mr. SCHRADER, and Mr. MURPHY of Connecticut.

H.R. 1236: Mr. PETRI, Ms. LORETTA SANCHEZ of California, and Mr. ALTMIRE.

H.R. 1297: Mr. ROONEY.

H.R. 1327: Mr. SENSENBRENNER, Mr. BROUN of Georgia, Mr. FARR, Mr. PRICE of North Carolina, Mr. ALTMIRE, and Mr. HASTINGS of Florida.

H.R. 1340: Mr. CRAWFORD.

H.R. 1351: Mr. VAN HOLLEN, Mr. CUELLAR, Mr. BARLETTA, and Mr. DAVID SCOTT of Georgia.

H.R. 1370: Mr. CASSIDY.

H.R. 1426: Mr. MCINTYRE, Mr. SULLIVAN, Mr. FLEMING, Mr. BONNER, and Mr. RUPPERSBERGER.

H.R. 1471: Mr. RUSH.

H.R. 1546: Mr. MCINTYRE, Mr. CONNOLLY of Virginia, Mrs. MALONEY, Mr. OLVER, Mr.

AUSTRIA, Ms. ZOE LOFGREN of California, Mr. MCDERMOTT, and Mrs. CAPITO.
H.R. 1623: Mr. PETERS.
H.R. 1633: Mr. STIVERS, Mr. CALVERT, and Mr. LUETKEMEYER.
H.R. 1653: Mr. CHANDLER.
H.R. 1697: Mr. COSTA.
H.R. 1744: Mr. MILLER of Florida.
H.R. 1754: Mr. THOMPSON of California.
H.R. 1755: Mr. COSTA.
H.R. 1756: Mr. GOODLATTE.
H.R. 1845: Mr. ELLISON.
H.R. 1848: Mr. DESJARLAIS.
H.R. 1905: Mrs. BIGGERT, Mr. DENHAM, Mr. HASTINGS of Washington, and Mr. WEBSTER.
H.R. 1910: Mr. DOGGETT.
H.R. 1916: Mr. GONZALEZ.
H.R. 1971: Mr. COURTNEY.
H.R. 2016: Mr. THOMPSON of California and Ms. WASSERMAN SCHULTZ.
H.R. 2033: Mrs. MALONEY.
H.R. 2040: Mr. HERGER.
H.R. 2059: Mr. BENISHEK, Mr. HULTGREN, and Mr. GRAVES of Missouri.
H.R. 2068: Mrs. BIGGERT.
H.R. 2104: Mr. JOHNSON of Ohio.
H.R. 2106: Mr. JOHNSON of Ohio.
H.R. 2139: Mr. HALL, Mr. COLE, Mr. LONG, and Mr. CUMMINGS.
H.R. 2159: Mr. FARR, Mr. BUTTERFIELD, and Mr. HOLDEN.
H.R. 2182: Mr. BRADY of Pennsylvania.
H.R. 2183: Ms. BUERKLE.
H.R. 2207: Mr. POLIS, Mr. BLUMENAUER, and Mr. HINCHEY.
H.R. 2223: Ms. SUTTON.
H.R. 2273: Mrs. ADAMS.
H.R. 2299: Mr. GOODLATTE and Mr. LANDRY.
H.R. 2337: Mr. KILDEE, Ms. SCHWARTZ, Mr. MCGOVERN, Mr. DEFAZIO, Mr. DOYLE, Mr. THOMPSON of California, and Mr. KUCINICH.
H.R. 2358: Mr. PRICE of North Carolina.
H.R. 2369: Mr. HOYER, Mrs. MILLER of Michigan, Mr. LABRADOR, Mr. MCKEON, Mr. GARY G. MILLER of California, and Mr. WAXMAN.
H.R. 2397: Mr. KISSELL.
H.R. 2433: Mr. TURNER of Ohio, Mr. BONNER, Mr. LOBIONDO, and Mr. LAMBORN.
H.R. 2471: Mr. STEARNS and Mr. GRIFFIN of Arkansas.
H.R. 2478: Mr. YARMUTH and Mr. PRICE of North Carolina.
H.R. 2479: Mr. REICHERT.
H.R. 2487: Mr. BLUMENAUER, Mr. BURTON of Indiana, Mr. GRAVES of Georgia, Mr. CHAFFETZ, and Mr. DEFAZIO.
H.R. 2499: Ms. SPEIER.
H.R. 2505: Mr. GALLEGLY.
H.R. 2507: Mr. DUNCAN of South Carolina.
H.R. 2528: Mr. GOODLATTE, Mr. LATTA, and Mr. MANZULLO.
H.R. 2559: Ms. CHU and Mr. PRICE of North Carolina.
H.R. 2563: Mr. HANNA, Mr. TURNER of Ohio, and Mr. CARTER.
H.R. 2569: Mr. MANZULLO and Mr. WHITFIELD.
H.R. 2595: Mr. GRIFFIN of Arkansas, Mr. MURPHY of Connecticut, Mr. ROTHMAN of New Jersey, Mr. CONNOLLY of Virginia, Mr. CICILLINE, and Mr. LOEBSACK.
H.R. 2629: Ms. MATSUI and Ms. LEE of California.
H.R. 2655: Mr. HIGGINS, Ms. LEE of California, Ms. PINGREE of Maine, Mr. MICHAUD, Ms. TSONGAS, Mrs. NAPOLITANO, Mr. STARK, and Mr. COLE.
H.R. 2674: Ms. HIRONO.
H.R. 2679: Mr. YOUNG of Alaska and Mr. TIERNEY.
H.R. 2697: Mr. LONG.
H.R. 2698: Mr. LARSEN of Washington and Mr. SIMPSON.
H.R. 2705: Mr. PRICE of North Carolina and Mr. LARSEN of Washington.
H.R. 2718: Mr. HANNA and Mrs. ELLMERS.
H.R. 2746: Mr. ISRAEL, Mr. BACA, and Mr. FRANK of Massachusetts.
H.R. 2757: Mr. FILNER and Mr. COHEN.
H.R. 2797: Ms. GRANGER.
H.R. 2820: Mr. LIPINSKI.
H.R. 2829: Mr. BILIRAKIS, Mr. FINCHER, and Mr. LUETKEMEYER.
H.R. 2833: Mr. STEARNS, Mr. GOSAR, and Mr. LANKFORD.
H.R. 2888: Mrs. MYRICK.
H.R. 2918: Mr. DANIEL E. LUNGREN of California, Mr. CONNOLLY of Virginia, and Mrs. SCHMIDT.
H.R. 2925: Ms. SCHWARTZ and Mr. SCHRADER.
H.R. 2934: Mr. CALVERT.
H.R. 2941: Mr. LONG.
H.R. 2951: Mr. ROE of Tennessee.
H.R. 2952: Mrs. MYRICK.
H.R. 2960: Mr. BRALEY of Iowa, Mr. MORAN, and Mr. BOSWELL.
H.R. 2961: Mr. PAUL.
H.R. 2977: Mr. RENACCI and Mr. TIBERI.
H.R. 2985: Mrs. LUMMIS, Mr. ALTMIRE, Mr. LANKFORD, Ms. JACKSON LEE of Texas, Mr. GUINTA, and Mr. BRADY of Pennsylvania.
H.R. 3023: Mr. KISSELL, Mr. ALTMIRE, and Mr. CRITZ.
H.R. 3032: Mr. SCHOCK.
H.J. Res. 2: Mr. AMODEI and Mr. TURNER of New York.
H.J. Res. 69: Ms. HAHN.
H.J. Res. 71: Mr. MULVANEY, Mr. GOWDY, Mr. GIBSON, and Mr. SCOTT of South Carolina.
H. Res. 60: Mr. AUSTIN SCOTT of Georgia.
H Res. 387: Mr. HOLT, Mr. ROYCE, and Mr. WILSON of South Carolina.
H. Res. 401: Mr. LIPINSKI.
H. Res. 407: Mr. FRELINGHUYSEN and Mr. GERLACH.
H. Res. 413: Mr. OWENS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 639: Mr. SCOTT of South Carolina.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 2 by Mr. GOHMERT on H.R. 1297: Justin Amash, Paul A. Gosar, Martha Roby, Vicky Hartzler, Tom Graves, Michael H. Michaud, Lynn A. Westmoreland, Mick Mulvaney, Jeffrey M. Landry, Jeff Duncan.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, FRIDAY, SEPTEMBER 23, 2011 No. 143

Senate

The Senate met at 9 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

PRAYER

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

Let us pray.

Eternal Spirit, the God of all comforts, the challenges continue, but You have promised us strength for each new day. So give us this day our daily intellectual, physical, social, and spiritual bread that we may honor You.

Empower our Senators today to become instruments of Your grace, continuing Your work on Earth to liberate the captives. May our lawmakers seize the opportunities You give them to protect and bless our world.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 23, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. WHITEHOUSE 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. Mr. President, I am in a moment going to note the absence of a quorum. There will be no speeches until the Republican leader and I have a chance to visit and determine what we are going to do this morning. We expect a vote fairly quickly. We will do the best we can. We are waiting for a message from the House.

At this time, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Under the previous order, the leadership time is reserved.

UNANIMOUS CONSENT AGREEMENT—H.R. 2608

Mr. REID. Mr. President, I apologize to all Members for not being able to get here more quickly, but we have done the best we can. I have been waiting to hear from the Speaker for the last half hour or so and he has not called.

I ask unanimous consent that at 11:20 this morning, not withstanding the message not having been received from the House with respect to H.R. 2608, the House message be considered to have been laid before the Senate; further, that I may move to concur in the House amendment to the Senate amendment to H.R. 2608 with an amendment, the text of which is the House amendment with a technical change; that there be 10 minutes of debate, equally divided, between the two leaders or their designees; that upon the use or yielding back of that time, the majority leader be recognized to move to table the motion to concur with an amendment and the Senate proceed to a vote on the motion to table the motion to concur with an amendment, with no intervening action or debate.

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

Mr. REID. I suggest the absence of a quorum and ask the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, we can see there is not a stampede to talk, so I now ask unanimous consent that notwithstanding the previous order, the motion to table be in order now.

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

SMALL BUSINESS PROGRAM EXTENSION AND REFORM ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the House message is considered laid before the Senate.

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

Printed on recycled paper.

Mr. REID. Mr. President, I move to concur, with an amendment. The amendment is at the desk.

(The text of the amendment (No. 655) is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. The question is on agreeing to the motion to concur in the House message with respect to H.R. 2608, with amendment No. 655.

Mr. REID. I move to table that and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Tennessee (Mr. CORKER), and the Senator from Wyoming (Mr. ENZI).

Further, if present and voting, the Senator from Tennessee (Mr. CORKER) would have voted ''yea.''

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

The result was announced—yeas 59, nays 36, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—59

Akaka	Harkin	Paul
Baucus	Inouye	Pryor
Begich	Johnson (SD)	Reed
Bennet	Johnson (WI)	Reid
Bingaman	Kerry	Risch
Blumenthal	Klobuchar	Rockefeller
Boxer	Kohl	Rubio
Brown (OH)	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Lee	Stabenow
Casey	Levin	Tester
Conrad	Lieberman	Toomey
Coons	Manchin	Udall (CO)
DeMint	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Webb
Franken	Mikulski	Whitehouse
Gillibrand	Murray	Wyden
Hagan	Nelson (FL)	

NAYS—36

Alexander	Grassley	McConnell
Ayotte	Hatch	Moran
Blunt	Heller	Murkowski
Boozman	Hoeven	Nelson (NE)
Brown (MA)	Hutchison	Portman
Burr	Inhofe	Roberts
Coats	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Kirk	Snowe
Cornyn	Kyl	Thune
Crapo	Lugar	Vitter
Graham	McCain	Wicker

NOT VOTING—5

Barrasso	Coburn	Enzi
Chambliss	Corker	

The motion was agreed to.

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

MOTION TO CONCUR, WITH AMENDMENT NO. 656

Mr. REID. Mr. President, I now move to concur in the House amendment to the Senate amendment to H.R. 2608, with an amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 2608, with an amendment numbered 656.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

CLOTURE MOTION

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

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

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Reid motion to concur in the House amendment to the Senate amendment to H.R. 2608, with amendment No. 656.

Harry Reid, Daniel K. Inouye, Tom Udall, Charles E. Schumer, Richard J. Durbin, Mary L. Landrieu, Patty Murray, Patrick J. Leahy, Richard Blumenthal, Benjamin L. Cardin, Sheldon Whitehouse, Sherrod Brown, Maria Cantwell, Daniel K. Akaka, Jack Reed, Debbie Stabenow, Kay R. Hagan.

AMENDMENT NO. 657 TO AMENDMENT NO. 656

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 657 to amendment No. 656.

The amendment is as follows:

At the end, add the following new section:
Section ____
This Act shall become effective 4 days after enactment.

MOTION TO REFER, WITH AMENDMENT NO. 658

Mr. REID. Mr. President, I have a motion to refer the House message to the Appropriations Committee with instructions to report back forthwith, with an amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message on H.R. 2608 to the Senate Appropriations Committee with instructions to report back forthwith, with an amendment numbered 658.

The amendment is as follows:

At the end, add the following new section:
Section ____
This Act shall become effective 3 days after enactment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 659

Mr. REID. Mr. President, I have an amendment to my instruction that is also at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 659 to the instructions of the motion to refer.

The amendment is as follows:

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 660 TO AMENDMENT NO. 659

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

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 660 to amendment No. 659.

The amendment is as follows:

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

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum requirement under rule XXII be waived with respect to the cloture motion I just filed.

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

Mr. REID. Mr. President, I now ask unanimous consent that the vote on the motion to invoke cloture on the motion to concur with an amendment occur at 5:30 p.m., Monday, September 26.

The PRESIDING OFFICER. Is there objection?

The minority leader.

Mr. MCCONNELL. Reserving the right to object and with the indulgence of my friend the majority leader, let me make some brief remarks about where we are.

For anyone who is confused about what is going on in Congress right now, let me make it easy. In order to keep the government running beyond next week, Congress needs to pass a short-term bill that funds government operations at a spending level to which both parties can agree. The good news is, we have already agreed on a spending level. That has already been done. Last night, the House of Representatives passed a bill that meets that figure we agreed on a couple of months ago.

Here is the holdup. Because of some of the horrible weather we have had over the past several weeks, we have all agreed to add emergency funds we

didn't originally plan in this bill, and Republicans have identified a couple of cuts to make sure we don't make the deficit any bigger than it is already, including an offset Leader PELOSI has used in the past. The rest is from a cut to a loan guarantee program that gave us the Solyndra scandal. I think we can all agree this program should be put on hold until we get more answers, but our friends on the other side don't like the idea. They would rather just add these funds to the deficit. Why? Because, they say, that is the way we have always done things around here. Well, I think there is a lesson we can draw from the debates we have been having here over the last 6 months; that is, the American people won't accept that excuse any longer. The whole ''that is the way we have always done it'' argument is the reason we have a $14 trillion debt right now.

If we pass this bill, FEMA will have the funds they need—have the funds they need—to respond to these emergencies. That is not the issue. What is at issue is whether we are going to add to the debt.

We have a path forward to get disaster funding done right here, today. There is absolutely no reason, in my judgment, to delay funding for disasters until Monday, as my friend the majority leader is now asking us to do. I don't think we ought to delay at all. We just received the amendment a few minutes ago, but we are aware of what it does, and I think it is important for us to try to resolve this issue sooner rather than later.

Let's just walk through the next few days. If we don't have this vote until Monday, that leaves 24 hours or so before the Jewish holidays begin and then several days before the end of the fiscal year. It strikes me that we would be better off going ahead and having this vote now and entering into the discussions that will probably now be delayed until sometime Monday night to see how we can resolve this impasse between the House and Senate.

We would be happy to have the cloture vote on the proposal of my friend the majority leader right now rather than Monday night so we can get a clear sense of where we stand. It is my view that we ought to have the vote today rather than wait until Monday and basically squander the next few days toward getting an agreement we know we have to reach. Therefore, Mr. President—and I thank my friend the majority leader for letting me explain my position—I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. First of all, my friend, I am sure, understands that this great piece of legislation that was sent to us by the House received 36 votes over here. It was tabled on a bipartisan basis.

The matter that is now before the Senate is really a nice piece of legislation. It funds the government until November 18. That is what the House wanted. There also is money in this bill to take care of FEMA. And even though we passed a bill here with bipartisan support that had $6.9 billion, which we believed was an appropriate figure, in an effort to compromise on this CR, we have the number the House thinks is a better number. That is what is before us.

So, Mr. President, my suggestion to my friend—and he is my friend—is that the two Democratic leaders, REID and PELOSI, and the two Republican leaders, MCCONNELL and BOEHNER, should just cool off a little bit and then work through this. There is a compromise here, and the compromise is now before the Senate. Everyone, once in a while, needs a little cooling-off period.

The government is not shutting down. I spoke to Mr. Fugate myself, and FEMA is not out of money. We will come here Monday, and more reasonable heads will prevail. I hope over the weekend the four leaders can lead their troops in the right direction.

So I again ask unanimous consent that the vote on the motion to invoke cloture on the motion to concur with an amendment occur at 5:30 p.m., Monday, September 26.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object, obviously, here in the Senate we would have a 60-vote threshold, and that is what we will have Monday afternoon. I see no reason why we shouldn't advance that to now so it can be clear whether this measure would pass the Senate. I am pretty confident it will not, and I don't see any purpose to be served by delaying the outcome of that, making the outcome clear on Monday when we could have a clear outcome today; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Mr. President, first of all, we have a piece of legislation at the desk that takes care of all the issues. It takes care of funding the government after October 1, and it also takes care of FEMA for the foreseeable future. It is a nice piece of legislation.

It is not our number; it is the House number.

I ask unanimous consent that the Reid motion to concur to the House amendment to the Senate amendment H.R. 2608 with amendment No. 656 be agreed to, the motion to reconsider be considered made and laid on the table, with no intervening action or debate, and any statements relating to this bill be placed in the RECORD at the appropriate place as if read. In fact, what we are asking here is the CR, with the FEMA language, be passed.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, we will have that vote on Monday. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. I renew my request. I would tell everyone—as my friend said, we will have the vote on Monday. We will keep the vote open, and if people are pressed on planes, I will work with the Republican leader and make sure that everyone is protected as much as possible.

The PRESIDING OFFICER. Is there objection to the renewed request for Monday?

Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, as my colleagues know, last night the House of Representatives approved a continuing resolution which includes critical funding for the Federal Emergency Management Agency, FEMA. It has been reported that my friends on the other side of the aisle are committed to defeating this measure because the FEMA spending has been offset by a $1.5 billion reduction in the Advanced Technology Vehicles Manufacturing Loan Program.

I would like to remind my colleagues that in 2009, before the change of leadership in the House, that body sent over a bill, H.R. 3435, to ''Make supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program''—otherwise known as ''Cash-for-Clunkers.'' That bill provided an additional $2 billion, on top of an already appropriated $1 billion, for a program that did nothing to boost long-term car sales in this country.

And how was the second appropriation to ''Cash-for-Clunkers'' paid for? You guessed it, unused funds from a Department of Energy loan guarantee program. The former leadership in the House transferred money from the Department of Energy Innovative Technology Loan Guarantee Program that was funded by the stimulus bill.

If ''Cash-for-Clunkers'' was important enough to transfer money from a loan guarantee program that was not being utilized, why not the disaster relief we are seeking to fund now? I would like to hear from my friends on the other side of the aisle as to what made ''Cash-for-Clunkers'' so critical to our Nation's health that we could pay for it with money from a loan guarantee program but are unable to do the same with FEMA?

And what is it about the Advanced Technology Vehicles Manufacturing Loan Program that the majority prioritizes over FEMA's disaster relief efforts?

According to the Government Accountability Office, the Department of Energy has not obtained technical expertise to monitor the loan program, developed sufficient performance measures to ensure the loan guarantee program achieves its intended goals, and ''could not provide Congress with information on whether the program was achieving its goals and warranted continued support.''

There is absolutely no excuse for not passing the continuing resolution approved by the House last night.

Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

Ms. CANTWELL. I ask consent to speak as if in morning business.

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

CHILD AND FAMILY SERVICES IMPROVEMENT AND INNOVATION ACT

Ms. CANTWELL. Mr. President, I know my colleagues here want to join in on the debate that just transpired, but I wanted to take a minute to talk about Senate bill 1542, which passed last night. I know, just as people are frustrated here with everything that is going on, I think it is important to stop for a second, when something does pass and it is good policy, that we talk about it, and that is the Child and Family Services Improvement and Innovation Act.

Congress took a pretty big step last night by improving the lives of children by the passage of this legislation. It is about keeping families together. It is about rewarding government efficiency and driving down costs, and it is about giving flexibility to invest in programs that are proven to work for kids and families.

This bill is about America's children. It is about making sure that America's foster care program works for children so they can keep their families together. Too often, our Federal policies have punished States which have innovative programs, giving States money based on how many kids were still in foster care instead of rewarding success and innovation that helped transition children out of the foster care system and back with their families.

Let me tell you what has happened in Washington State. We have been implementing innovative programs to improve foster care for many years now. When Washington State noticed a disproportionate number of Native-American children being placed in foster care, our advocates took action and implemented the Washington Indian Child Welfare Act in developing strategies for strengthening tribal relationships and promoting the best interests of Native-American children.

When Washington State noticed in general how long children were staying in foster care, advocates took action, this time implementing policies to help reduce the length of stay for children in out-of-home care. As a result, the median length of stay for children in out-of-home care declined almost 100 days between 2009 and 2011. In addition, Washington State reduced its foster care caseloads by 13.8 percent during a similar time period.

Unfortunately, instead of being rewarded for these actions, we were penalized, and that is what this legislation has helped to correct. In fact, we lost $2.7 million during that time period. So this legislation, instead of punishing Washington State for keeping kids out of foster care, helps us ensure the kind of innovation that will help us to make sure the best programs are implemented. This allows Washington to increase its capacity to keep doing the things that keep children who have been in the foster care system from being in the foster care system the entirety of their childhood. This instead drives them, hopefully, successfully back with their families.

Our State can invest in evidence-based programs that have proven to work, and just as this legislation will help us to do, it will make sure that children don't bounce from foster home to foster home on a continuing basis. We will help to keep kids out of the care system and, when possible, place them back safely with families.

Washington State Representative Ruth Kagi, who has been a tireless advocate for this system, said it best:

> Title IV-E waivers can help the State move from purchasing specific services to purchasing specific outcomes.

I thank Chairman BAUCUS and Ranking Member HATCH for their timely and innovative work on this legislation. I wish my colleagues could have been at the hearing that was held earlier this year when Senator BAUCUS asked young adults, who had been part of the foster system for their entire lives, how to change the system.

I thank the chairman for taking into consideration the specific improvements and innovations that Washington State has advocated. And I thank my colleague, Representative JIM MCDERMOTT, and the Washington State legislators who worked on this, including Partners for Our Children, the Children's Home Society of Washington, and the various social workers and advocates who, in our State, continue to try to innovate when it comes to foster care in America.

This legislation is a major step forward to promote innovation on a Federal basis and to help keep families together. In doing so, we will have the benefit of also driving more efficiency and driving down the cost. But, more importantly, we are going to be working to strengthen America's children and families by trying effectively to keep them together.

I thank the President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

AMERICAN JOBS

Ms. STABENOW. Mr. President, I want to speak for a few moments about what has been happening all week here in the Senate and in the House of Representatives.

First of all, this year we have seen a terrible string of natural disasters that have shut down businesses and left families homeless across America. As chair of the Agriculture Committee, I am certainly very concerned about the flooding along the Mississippi and Missouri Rivers, and the record droughts that have devastated the livelihoods of men and women who grow our food across America.

In response to that, the Senate, on a strong bipartisan basis, responded to provide the funding for FEMA to help with communities across America, 48 States, to be able to respond and be able to do what we always do as Americans—to be able to step forward and work together and meet these kinds of natural disasters and the help that is needed.

We sent that to the House. The House decided, on the other hand, that they not only would lower the funding amount, even though we know that means multiple times now having to keep churning to work something out, but they have cut the amount. Then they added to it an effort to cut in half a public-private sector effort that is creating jobs.

I know people in Michigan and people across the country would be scratching their heads, saying, Wait a minute. Did I hear this right? We are stepping forward to help families who had their house wiped out or their business wiped out or their farm wiped out or some other horrendous challenge because of natural disasters. In order to help them, the House Republicans are saying we have to cut jobs. That makes absolutely no sense.

I would say that while Michigan was very fortunate that we were not one of the 48 States that has lost, because of weather disasters, homes or businesses or jobs or families, we have had a different kind of disaster that has been going on. It is an economic disaster, it is a jobs disaster.

I find it appalling that, on the one hand, we see strong support on the other side of the aisle to rebuild homes and businesses and roads and schools in Iraq and Afghanistan. We are not saying there, well, gosh, we need to take away an effort to fund jobs or education here at home to be able to fund what we are doing in Iraq and Afghanistan. But when it comes to helping people in America, somehow we can't work together and get that done without having to pit one State which has a jobs crisis against another State which has a flood or a hurricane or a drought. I don't find that to be very American.

I think it is time to stop playing politics. When hundreds of thousands of families and businesses have been devastated by unprecedented strings of floods, tornadoes, hurricanes, wildfires, and other natural disasters, we ought to be stepping up, doing what we did in the Senate and passing a bipartisan bill to help those families, those businesses, those farms, without playing

politics and trying to hurt other States that have been hit by other kinds of economic disasters.

We have 14 million people out of work in this country, and that doesn't count people working part time two jobs, three jobs, or trying to piece it all together in some way. We know it is much higher than that when you count those individuals and families. For each and every one of them, their job search is an emergency. It is an emergency every time they think about how to put food on the table for their family. It is an emergency every month when they have to scrape together the money they need for rent or to pay the mortgage. It is an emergency every time these men and women are filling out applications, every day going to job fairs, going on the Internet, trying to fill out forms, getting in lines, to find the best way to be able to get back to work. It is an emergency.

So, to me, it is outrageous that the House of Representatives—the Republicans in the House—has included a job-killing offset to what is an important disaster assistance bill, to pull the rug out from businesses across the country and put up to 50,000 American jobs at risk.

Let me tell you about what this particular program is. I am proud to have championed this and initiated it in the Energy bill back in 2007, a bipartisan bill signed by President Bush. It was slow to get going initially to get the funding. I am proud that President Obama embraced it and moved forward to be able to put in place an alternative vehicle manufacturing loan program to help retool plants in America so we wouldn't be losing the production of new, small plug-in electric vehicles and other new technology vehicles to other countries. It is a loan program to retool plants in America, and it is working.

In Michigan, these retooling loans made it possible for Ford Motor Company to save 1,900 jobs at their Michigan assembly plant in Wayne, MI, so they could build the all-new Ford Focus electric and the battery-electric Focus in America. In the process of that, between the retooling loans and our partnership with industry to invest in advanced battery technology, we are now bringing jobs back from Mexico.

How many times have I heard colleagues on the floor talking about how we want to make sure we are exporting products, not jobs, and that we want to bring jobs back? What the House Republicans have done is to cut in half an initiative with the private sector that is actually bringing jobs back from other countries. So far, 41,000 jobs have been saved or created through this effort around the country. Obviously, I care deeply about Michigan and have fought for this, but we are talking about Indiana, Illinois; we are talking about Florida and Louisiana and California, and all across our country where we are seeing communities have the opportunity to retool plants that would be idle, empty, an eyesore, and be able to bring those back with new technologies that are going to get us off of foreign oil and are creating jobs—41,000 jobs so far.

The real insult to me, as I look at what is happening to people in my State and across the country, is that they are poised to be giving out up to 11 additional loans to partner with business in the next couple of months that will create somewhere between 40,000 and 50,000 new jobs, saving or creating new jobs in the next few weeks. And right when this is about to happen, the House Republicans are saying: Oh, no, in order to help the folks in Joplin, MO, who are wiped out as a community, we want to make sure we are not creating jobs in Michigan; that we are not creating jobs in Indiana, Ohio, Illinois, Florida, Louisiana, California, Minnesota, wherever it is; that somehow we have to pit Americans against each other. That is not the America I know and love.

In Michigan we don't have a weather emergency. But we stand with every single State on this floor, every single Member who has had one. We stand as Americans together to support people across this country. But we say, Stop, when that means that somehow an effort to make things in America, manufacturing, the backbone of our economy, is somehow attacked one more time and partnerships taken away in order to make that happen.

It makes absolutely no sense. That is what this debate is about. I wish to share some comments because we received a lot of support. I wish to share a couple comments, if I might, on the floor.

The National Association of Manufacturers has sent a letter opposing the defunding of this particular partnership and they say: ''Defunding the Advanced Technology Vehicle Manufacturing Loan Program will hurt manufacturers and their employees.''

Everybody is spending a whole lot of time talking about jobs around here. Unbelievably, we are talking about defunding this program in the middle of talking about jobs, how we need to create jobs, how we need to support employers, and how we can compete internationally with countries such as China that say: Come on over. We will build the plant for you. Forget a loan you are going to pay back with interest; we will just build it for you. Come on over, and, by the way, we will steal your patents and manipulate our currency and make sure you get the toughest deal possible to compete with us. But that is what they do.

So we put together something to say we are going to partner with the private sector to be able to keep the jobs in America and it is actually working. Jobs are coming back. We are rebuilding communities. We are rebuilding plants. We are helping to get off foreign oil because we are focused on new electric vehicles and an advanced battery technology industry where, because of our efforts, from producing 2 percent of the world's batteries, we are on our way to producing 40 percent, having the capacity to manufacture and create 40 percent of the world's batteries within the next 3 years. Why? Because we have been working together in partnerships with industry, which is what our industry is competing against around the world.

The U.S. Chamber of Commerce said: ''The ATVM loan program . . . promotes manufacturing in the U.S. and is an important component of America's energy security.''

We all want to get off foreign oil. We do not want to be buying oil from folks we do not like and they don't like us and we can't trust them. We have an opportunity, through the efforts we are focused on around alternative vehicles and battery initiatives, to get off foreign oil.

This makes absolutely no sense to me. We have multiple other letters—the Alliance for Automobile Manufacturers, the Blue/Green Alliance—we have others who have come back and shared that as well.

We are at a moment when we know we need to pass a continuing resolution on the regular budget. We have a new process for a supercommittee to look at how we take on and tackle the issues around our national debt and economic growth. During the process that set that up, there was an agreement on the budget numbers. We have the ability to pass that now. We have passed a bill to help our citizens across the country who have had weather disasters, natural disasters. We came together in the Senate to do that. The House has that.

There is one thing standing in the way: whether at this time we are going to say to people in Michigan and in other States where the economic disaster has been overwhelming that we are going to pit their need for jobs against somebody else's need to have their home or their street or their school rebuilt.

That is not who we are in America. I do not believe Americans support that strategy. I think it is outrageous that there is a proposal that passed. I thank my House Democratic colleagues and my House colleagues in Michigan and the Democratic leadership in the House for waging a fierce battle to protect those jobs.

This is about making products in America. It is about rejuvenating an advanced manufacturing sector that is critical. We are not going to have a middle class if we do not make products in America. We are not going to have a middle class. This particular partnership, which is nothing more than a loan, repaid with interest, but it is support for our communities to rebuild—rebuild not in Afghanistan, not in Iraq but in America; rebuild communities and create jobs. It is working. It is beginning to bring jobs back. It is outrageous that they have decided to take half the funding for this partnership away.

I wish to support our effort to send over the continuing resolution on the budget we need. I thank my caucus and our leadership for standing firm and standing up for American jobs. That is what we care about. That is what we have been fighting for. Along the way, we are going to make sure we are doing everything we can to help citizens who have been so devastated by the natural disasters across the country.

I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Ms. LANDRIEU. Mr. President, I come to the floor and will spend the next 15 minutes or so, maybe even longer, to support the arguments made just recently, and I might say eloquently and passionately, by the Senator from Michigan, who was one of the key architects of this very successful job creation program that the Republican House leadership is trying to kill. That is, in large measure, what this debate this weekend and through next week is about. That is why almost unanimously Democrats in the Senate are supporting our Democratic caucus in the House as we try to bring this debate forward so the American people can understand at this time and hopefully give their voice of support for what we are trying to do—keep government operating and keep jobs being created in this country.

It is a struggle. We know we are not creating as many as we would like. But one of the programs that is creating thousands of jobs and has broad support in America—and I am going to read the groups supporting it in just a minute. For some reason, the Republican leader in the House, ERIC CANTOR, decided last week—even as the winds were affecting his district and Hurricane Irene was challenging the east coast, a portion of the country he represents—he decided we needed to find an offset so we could send money to his district and to other districts across the country and picked this program.

They couldn't have picked a worse one because this program is actually working. It has already demonstrated it has revitalized communities.

In addition, it is a program that created jobs, so several dozen Republican House Members have sent private letters to the Secretary of Energy asking for the money to go back to their districts, but publicly they want to gut the program. Democrats have decided to bring this to the attention of the American public. I have those letters, and I am going to submit them for the RECORD.

How is it that dozens of Republican leaders wrote private letters—which are a public record—but they do not issue them to the press. They sent them to the Secretary. Anyone can get copies of them. I did this morning and I have them. They are private letters to the Secretary, asking for this program to loan money to a public-private partnership to create jobs in their district. Then they go home and they talk about their efforts to create jobs and they come back to Washington and try to gut the program under the guise that they need the money to help disaster victims. That is what this debate is about. That is why the Democrats are not—at least at this point, and I hope over the weekend and through next week—going to give in to that nonsense and hypocrisy.

I hope the President and the White House will fight hard, along with the Democrats. I hope some of the Republicans who have signed these letters will think twice when this vote comes up again. I hope the press is reading these letters and asking these Republicans, whose signatures are on these letters, one question: How is it possible that they sent a letter to the Secretary asking for a loan to support job creation in their district and then, at the same time, stand on the Senate floor and vote to gut the same program and then go back home and claim they are helping to create jobs in America?

I am going to start with the first letter, which is the most interesting to me. It is from Dr. DARRELL ISSA. He is a Member of Congress. He actually chairs an oversight committee. I think his district is in California. He is a Republican from California. He is a very powerful Member of the House. I am going to read his whole letter.

I write to express my support for Aptera Motors' application for a loan under the Department of Energy's 136 Advanced Technology Vehicles Manufacturing Incentive Program. Otherwise known as the ATVMIP.

The program he voted last night to eliminate. The same one.

Funding will allow Aptera to establish U.S. manufacturing facilities for the commercial production of its plug-in and hybrid electric cars. Aptera Motors plans to purchase and equip manufacturing facilities to begin commercial-scale production of its energy electric vehicles. Awarding this opportunity to Aptera Motors will greatly assist a leading developer of electric vehicles in my district.

Electric vehicle initiatives, like Aptera's, will aid U.S. long-term energy goals by shifting away from fossil fuels and using viable renewable energy sources like plug-in electric energy. Additionally, Aptera's vehicles will reduce dependence on foreign oil and enhance energy security. Aptera's project will also promote domestic job creation through California as well as in other States.

Unlike many other electric vehicles, Aptera's energy efficient electric vehicles have a range of over 100 miles per charge and the possibility to become one of the most energy efficient vehicles in the world. A loan to Aptera will help accelerate the move from gasoline-powered vehicles to cleaner electric vehicles.

I urge you to give Aptera's Advanced Technology Vehicles Manufacturing Incentive Program funding application full consideration.

If I can be of further assistance, please do not hesitate to contact me—

or amazingly—

my press assistant.

Normally, when I write these letters, I say if I can be of further assistance, please contact me and my energy assistant. The energy leg person usually handles this. But in this case he said we should call his press secretary. I guess the press secretary could go back to his district and claim he is doing a great job creating programs in California.

Maybe the press actually writes that DARRYL ISSA, Republican leader, is promoting manufacturing in California. This is what he says in his district, and this is the letter he sends to the Secretary. However, when he was on the floor of the House last night, he voted to gut this program. That is what this debate is about. I am looking forward to having it.

The next letter I am going to read—and I am going to do this all week, so I hope the press gets ready to ask these Republican leaders how they could possibly have the gall to hold press opportunities in their districts promising people they are helping them create jobs and then come back to Washington and cut the rug out from underneath their feet with the bogus excuse that they have to come up with $1 billion, when the real need is only $175 million. I checked with Craig Fugate, a very good friend of mine. I am the chair of his committee. I talk to him all the time. When the real need for FEMA in 2011 is $175 million, but under the guise of having to provide $1 billion, they want to gut this program that is creating jobs, and they themselves have asked for these loans to be made in their district.

This is the next letter signed by several Members, and I am going to submit their names for the RECORD. There are several Republicans. I am sorry, but from this letter I am not able to determine which ones are Republicans and which ones are Democrats.

I ask unanimous consent that theses letters be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1)

Ms. LANDRIEU. Thank you. This is to Secretary Chu.

The State of California has traditionally assumed a leading role in fighting global warming and working to eliminate our dependence on foreign sources of oil. We want to commend you for also taking effective steps towards achieving these goals. As part of this effort, the Department of Energy's Electric Drive and Vehicle Battery and Component Manufacturing Initiative is currently reviewing submissions for the construction of new lithium ion battery facilities in the United States. This initiative is a huge step forward in our efforts to improve our environment, eliminate our dependence on foreign sources of oil, and create a modern green-collar workforce here in the United States.

Quallion, an innovative American company located in California, can be a valuable partner in your efforts because it is ready today to directly support President Obama's

goal to have one million plug-in hybrid cars on the road by 2015. Quallion is a world leader in the development of customized lithium ion batteries for medical, military, aerospace and vehicle applications. If Quallion is successful in its bid for grants through the Department of Energy's Electric Drive and Vehicle Battery Component Manufacturing Initiative, it is set to immediately execute the construction of state-of-the-art manufacturing facilities to produce—

Et cetera, et cetera, et cetera.

Quallion projects that with this grant funding the proposed facility could be fully operational by 2011, and could produce more that 20,000 lithium ion batteries each year.

This is the killer.

In addition, Quallion projects this funding will create more than 2,300 new and long-term jobs nationwide.

This is the program that Representative CANTOR decided to use as an offset so he could fool the American people into believing we need to find an offset to offset $1 billion of expenses, when we only have $175 million in expenses.

So they write the letters privately to the Secretary asking for funding to go with their districts to create jobs and then they come to Washington and they gut the program for no reason.

This is another letter, and it is a little close to home. This is a letter I wrote. I was joined by my colleague Senator VITTER, Republican from Louisiana, and my Republican counterpart RODNEY ALEXANDER, who represents the district in my State. We sent this letter on December 21.

We are writing to reiterate our strong support for Next Autoworks Company's loan application under the Department of Energy's Advanced Technology Vehicle Manufacturing Program and inquire about the status of the application.

Next Autoworks resubmitted a revised application in May 2010 that was almost immediately declared substantially complete and expeditiously reviewed for technical and financial merit. We appreciate the Department's work to move the application through several critical stage-gates over the past several months.

Next Autoworks has the ability to transform communities in Louisiana by bringing critical economic growth in jobs to our state and region. As you know, the company plans to re-equip a former Guide Corp Plant in Monroe, LA, that was shuttered in 2006 and establish a production facility that would bring approximately 1,400 direct jobs and an additional 1,800 indirect jobs to Northeast Louisiana. In addition, the project will create thousands of jobs at supply facilities across the U.S. The State of Louisiana and local communities have already demonstrated their commitment by offering this company $82 million in grants, $128 million in employee training services, and an estimated $33.8 million in tax abatements to support the project.

This is how strongly our Republican Governor and Republican legislature in Louisiana feel about this project, that we have put up State and local money to see if we could attract this loan from the Federal Government to get this going.

It is signed by my colleague Senator VITTER and signed by my friend and colleague Representative ALEXANDER, who represents this district. This is one of our No. 1 economic development projects in the State of Louisiana, and what did the Representative do last night? He voted to gut the program.

I have dozens of other letters, but I am going to pause because I think I have made my point. I am going to read every one of these letters that I have between now and when this debate ends. I just pray the press will do their job and ask the Members who voted and sent these letters why did they send a letter to the Secretary asking for the program and then turn around and gut the program when they came to Washington.

I would like to ask for 5 minutes more.

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

Ms. LANDRIEU. The other point is this: This is not just an issue for one State or two States. That is why Democrats believe strongly about this because this is about the whole country. The President has declared disasters this year in 48 of the 50 States. Maybe if we just had had disasters in one or two places and they were not that terrible, we would figure out some way. The problem is we have disasters in all States, and I am going to show what these pictures portray because they are heartwrenching.

This is New Jersey. This is someone's household belongings. This is a home that is completely uninhabitable. I am not sure how high the water is, but this is what a home looks like after a flood. I can visualize what it looked like after Katrina and smell, even more than the vision.

This is what New Jersey looked like a couple weeks ago. This water has gone down, but this is Bound Brook, NJ. We do not know much about this town. We hear about Trenton. We hear about New York. I have never been to Bound Brook, NJ, but I am sure it is a lovely place and it needs our help.

So what does Representative CANTOR do? He comes to Washington, he looks at places such as this, and he decides out of the blue sky that he is now going to assert his power by demanding an offset for disaster funding when it is not necessary. The offset is way more than what is required. Again, it is an offset that is creating jobs in America.

I wish to say something else about the danger of requiring offsets and respond directly to what minority leader MITCH MCCONNELL said earlier today. I think he said something akin to the reason we want to require offsets is because we have to stop doing things the same way around here, and just because we have never required them in the past, that is no reason to not require them now. I understand that. I am kind of a person who likes to do things differently. I like to change things.

I wish to remind the leader that not one Republican, to my mind, either in the Senate or the House, ever asked for 5 minutes to debate $1 to offset war or rebuilding in Iraq and Afghanistan. I wish to put up this chart.

This is from 2001, so this is a chart that shows—let's say the last year. I think it is important for the public to understand not just today but 10 years.

If we were to chart, which we have done here, a lot of this supplemental spending, emergency spending and disaster spending—these are not for just natural disasters, these are for emergencies. For example, when we went to war in Iraq, it was an emergency. When we went to war in Afghanistan, it was an emergency. When we had the avian flu, that was an emergency, not a disaster. So this is disasters and emergencies.

Let's take this red bar here. It says Iraq and Afghanistan, $79 billion. Do my colleagues see this zero here? That is zero offset. So $79 billion and no offset. This one is war money.

This is tsunami money that we actually sent to—remember we had the tsunami in Indonesia, and we sent some money over there. Did ERIC CANTOR come to the floor and say we need to offset the money? No. So we sent that money, and less than 2 percent of it was offset.

Here is Iraq and Afghanistan, and none of it was offset—$87.6 billion.

So I think disaster victims in his own district and around the country are saying: So why are we now in this debate trying to find an offset we really don't need for a program that really works? That is a good question. If we want to find an offset, we should find another program. The only offset required is $175 million, but that makes too much sense.

So I want the Republican leadership to know they are risking a very important debate. I don't believe we should even talk about shutting the government down. People are tired of that. We just went through a challenge to the whole economy with the debt ceiling limit. Enough is enough. Democrats should not, in my view, cave on this point. We should fight and get them to compromise which is reasonable.

In addition to these arguments, I will put up a chart that is hard to look at, but I think for the gulf coast Republicans and Republican Senators, it is a very important chart.

One of the dangers of requiring an offset is, No. 1, like right now, it is virtually impossible to get 535 Members to all agree on an offset. So what happens is, if we demand to have one, we keep the victims waiting while we debate. It also doesn't help to choose an offset that is very popular on one side. There might be a program that we could over the next couple of months decide is unnecessary, but we can't do that within a few days of the disaster. It takes time. They should know that.

Let me explain what this is for the gulf coast Senators. I had this done after Katrina just to show the vulnerability of the gulf coast. All of these red lines that look like spaghetti and then these bigger lines—the blue and the yellow and the orange—these are all

hurricanes that have actually hit the United States between 1851 and 2008. It is a very frightening chart.

One of the reasons I think Senator RUBIO from Florida is voting with us is because he has seen a picture of this chart. That is how many hurricanes have hit Florida since 1851. He is most certainly aware from his State that if he takes the position that we have to require an offset to fund disasters, his job as a Senator will be very, very difficult, even more challenging than it is today, because the next time a hurricane hits Florida, he is going to have to go sit down with the budget folks and find out—before he can offer his people the $2,000 in emergency aid, the $30,000 that helps them, the loans through the Small Business Committee, the loans to get their businesses back—he is going to have to come up here and negotiate to find an offset.

Last night, I watched the debate on the House side. I thought our Democratic colleagues did a beautiful job, and I wish to thank them for the beautiful way they spoke. I didn't see one Republican come to the floor. They had just one of their leaders talking last night when the vote happened. Maybe they are a little embarrassed, and they should be because I am going to read the letters they sent.

Also, the gulf coast Republicans I think really have to think about this because these storms, as we can see—my State and the people I represent are in Hurricane Alley. This is Hurricane Rita, the blue, which is one of the most devastating storms. That is why it is a thicker line. Hurricane Gustav is the orange, Hurricane Ike is the dark pink, and Hurricane Katrina is the yellow. All of these storms hit us and wrecked the gulf coast.

Let me say what happened after that. Haley Barbour, the Governor of Mississippi, who is still the Governor of Mississippi, came up here when George Bush was the President and got $4.6 billion without one penny of offset, and he got that within 60 days of the storm. I am going to repeat that. Governor Haley Barbour, who is still the Governor of Mississippi, came to Washington, met with the President, and left with $4.6 billion to rebuild Mississippi. The Congress gave Louisiana $5.4 billion, for which I was very grateful. However, we had 70 percent of the damage but only got 55 percent of the money, so we were shortchanged. I had to work for years. I finally got that squared away.

But this is why gulf coast Republicans and Republican Senators from the gulf coast should think not twice but three times before they vote to require an offset.

I am just saying I am not going to forget this vote, because I chair this committee, and if my colleagues vote to require an offset and another storm hits their State, then the responsibility is on their shoulders to tell their people: I am sorry, I can't help you until I go to Washington and find an offset.

Maybe it will get so ridiculous—and I am going to call this the Cantor doctrine—maybe it will get so ridiculous that ERIC CANTOR will tell all the people in America—there was a cartoon in the newspapers about this. I am having it blown up because it is really sad, but it is actually funny. There is a woman sitting on top of her roof because her house is completely flooded. She has a phone, and she calls FEMA and FEMA says: We can't rescue you right now. We are looking for an offset.

So maybe the new Cantor Republican model of ''pick yourself up by your bootstraps and swim away on your own'' will actually really be put into practice because I think that is what they want because before that woman can be rescued, before the debris can be removed, that woman is going to have to sit down at the table with her husband and kids in a broken-down house or trailer and suggest some offsets to send to their Congressman before we can send them help. That is not right. That is what this debate is about.

Now, do we eventually have to pay for these disasters? Absolutely.

The Wall Street Journal editorialized against me the other day, so let me answer them. They said: There goes Senator LANDRIEU; she doesn't think she has to pay for anything. That is not true. I believe right now we are paying for the war in Iraq, and it is very tough to pay for that. We are finding a way in the supercommittee. But we didn't have to find an offset before we could let our troops march in. We didn't have them standing on the border, saying: Stand right here. Hold your fire. ERIC CANTOR is working on an offset for you. We sent the troops in, we let the bombers go, and we will figure out how to pay for it later.

So I am telling the Republicans in the House that they better think very carefully about this vote. Senator REID has sent a very good compromise. He said: We will give up our number, we will take your number on FEMA, but we are not going to take this offset.

Now, I still think and I want to say for the record, as the chairman of this committee, that 3.65 is not going to be enough to get us through all of next year, but it will get us through the next couple of weeks and months—not months, maybe weeks. The government won't shut down, and FEMA will have money to operate, as the leader said. It is not ideal. It is not what is in our bill, which is the best, which is a $6.5 billion level, which is funding not just FEMA, but it will fund the Corps of Engineers, community development, agriculture. What the House is doing only funds FEMA. It doesn't give any money to the poor. It doesn't give any money to community development. It doesn't give any money to the farmers. So if you are sitting out there looking at your farm with your crops ruined, please don't think the House of Representatives is doing one thing to help you because they are not.

So I have given any number of reasons why this is an important debate to have. There is no guarantee Democrats will win, but every now and then it is a good thing to stand up for principle, and I believe this is a principle worth standing up for and worth fighting for.

I hope the press does their job over the next several days and asks these Republicans: How in the world can you send a private letter asking for funding and then come back to Washington and gut the same program? And if the press does their job and if the people in our country will ask those same questions, maybe a few of these Republican leaders will compromise the way they should. Either give up the offset or come up with a different one. Come up with another one that is much less harmful.

Let me end with this. We have three letters that I will submit for the RECORD. If people can't take my word for any of this, they can listen to the chamber of commerce. What did the chamber of commerce say? I will submit their letter. This is the wrong thing to do, the chamber says. Don't eliminate this program. It is creating jobs in America. So the Republicans, I know, don't really like to listen to what I say a lot, but they should listen to the chamber of commerce.

The National Manufacturing Association—a very conservative group—sent the Republicans a letter saying: Bad deal. Don't do it. They did it anyway.

I just got a letter from the U.S. Conference of Mayors. All of the mayors in the country, Republicans and Democrats, sent a letter to the House saying: Don't do this. And they did it anyway.

So the only people more powerful and the only group more powerful than the chamber, than NAM, than the mayors, are the people themselves. So I hope this weekend the people will say to their representatives: Don't cut out a program that is creating jobs. Don't require disaster victims to have an offset. Let's keep the government operating, and let's find a way to pay for this over time together and get this deficit under control.

I am willing to do that. As the chair of this committee, I promise them we can do better budgeting in the future. Nobody did it really great in the past. I am willing to do that. I am willing to work with them in any way. But let's not go down this dangerous and inappropriate road.

EXHIBIT 1

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 14, 2009.

Hon. STEVEN CHU,
Secretary of Energy, U.S. Department of Energy, Washington, DC.

DEAR MR. SECRETARY: I write to express my support of Aptera Motors' application for a loan under the Department of Energy's 136 Advanced Technology Vehicles Manufacturing Incentive Program (ATVMIP). Funding will allow Aptera to establish U.S. manufacturing facilities for the commercial production of its plug-in and hybrid electric cars. Aptera Motors plans to purchase and

equip manufacturing facilities to begin commercial-scale production of its energy efficient electric vehicles. Awarding this opportunity to Aptera Motors will greatly assist a leading developer of electric vehicles in my district.

Electric vehicle initiatives like Aptera's will aid U.S. long-term energy goals by shifting away from fossil fuels and using viable renewable energy sources like plug-in electric energy. Additionally, Aptera's vehicles will reduce dependence on foreign oil and enhance energy security. Aptera's project will also promote domestic job creation throughout California as well as in other states.

Unlike many other electric vehicles, Aptera's energy efficient vehicles have a range of over 100 miles per charge and the possibility to become one of the most energy efficient vehicles in the world. A loan to Aptera will help accelerate the move from gasoline-powered vehicles to cleaner electric vehicles.

I urge you to give Aptera Motors' Advanced Technology Vehicles Manufacturing Incentive Program funding application full consideration. If I can be of further assistance, please do not hesitate to contact me or my Press Assistant, Justin LoFranco at (202) 225–3906.

Respectfully,

DARRELL ISSA,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC.

Re Quallion application for Department of Energy's Electric Drive and Vehicle Battery and Component Manufacturing Initiative grant.

Secretary STEVEN CHU,
U.S. Department of Energy, Independence Ave., SW, Washington, DC.

DEAR SECRETARY CHU: The State of California has traditionally assumed a leading role in fighting global warming and working to eliminate our dependence on foreign sources of oil. We want to commend you for also taking effective steps towards achieving these goals. As part of this effort, the Department of Energy's Electric Drive and Vehicle Battery and Component Manufacturing Initiative is currently reviewing submissions for the construction of new lithium ion battery facilities in the United States. The Initiative is a huge step forward in our efforts to improve our environment, eliminate our dependence on foreign sources of oil and create a modern ''green collar'' workforce here in the United States.

Quallion, an innovative American company located in California, can be a valuable partner in your efforts because it is ready today to directly support President Obama's goal to have one million plug-in hybrid cars on the road by 2015. Quallion is a world leader in the development of customized lithium ion batteries for medical, military, aerospace and vehicle applications. If Quallion is successful in its bid for grants through the Department of Energy's Electric Drive and Vehicle Battery and Component Manufacturing Initiative, it is set to immediately execute the construction of a state-of-the-art manufacturing facility to produce advanced lithium ion cells, modules and battery technology in volumes that will meet America's current and future military and commercial needs. Quallion projects that with this grant funding the proposed facility could be fully operational by 2012, and could produce more than 20,000 lithium ion batteries each year.

In addition, Quallion projects that this funding will create more than 2,300 new and long-term jobs nationwide. It will also signal America's seriousness to the world that we are ready to compete in the manufacturing of green technologies, in this case the lithium ion battery manufacturing space.

The lithium ion batteries manufactured in Quallion's new facility will have the potential to deliver real and immediate environmental solutions, while also creating new jobs at a time when Americans need them the most. The Environmental Protection Agency estimates that truck idling results in the emission of 11 million tons of CO_2 and the consumption of 960 million gallons of diesel fuel annually. Quallion's new facility will produce zero emission advanced lithium ion batteries designed to replace engine idling as a power source for stationary trucks. Quallion will deliver an immediate clean energy solution that enables the 1 million heavy trucks on our roads to comply with the growing number of anti-idling laws across the U.S., eliminate unnecessary pollution, and significantly reduce America's consumption of fossil fuels.

We believe that the Department of Energy's Electric Drive and Vehicle Battery and Component Manufacturing Initiative can and will play a large role in helping us achieve our goals. We are also confident that Quallion is a perfect partner in our objectives and will advance projects that are vital to our energy policy and national security.

Thank you for the leadership you have provided the Department and our country as we embark on an exciting era in our nation's stewardship of the environment and as we move towards our shared goal of energy independence.

Sincerely,

Brad Sherman, Dana Rohrabacher, Lynn C. Woolsey, Howard L. Berman, Lois Capps, Brian P. Bilbray, Diane E. Watson, Gary G. Miller, Jim Costa, Kevin McCarthy, Howard P. ''Buck'' McKeon, Ken Calvert, Duncan Hunter, Darrell E. Issa, David Dreier, Jerry McNerney, Adam B. Schiff.

CONGRESS OF THE UNITED STATES,
Washington, DC, December 21, 2010.

Hon. STEVEN CHU,
U.S. Department of Energy,
Washington, DC.

DEAR SECRETARY CHU: We are writing to reiterate our strong support for Next Autoworks Company's loan application under the Department of Energy's Advanced Technology Vehicle Manufacturing (ATVM) program and inquire about the status of the application.

Next Autoworks resubmitted a revised ATVM application in May 2010 that was almost immediately declared substantially complete and expeditiously reviewed for technical and financial merit. We appreciate the Department's work to move the application through several critical stage-gates over the past several months.

Next Autoworks has the ability to transform communities in Louisiana by bringing critical economic growth and jobs to our state and region. As you know, the company plans to re-equip a former Guide Corp plant in Monroe, LA that was shuttered in 2006 and establish a production facility that would bring approximately 1,400 direct jobs and an additional 1,800 indirect jobs to Northeast Louisiana. In addition, the project will create thousands of jobs at supplier facilities across the U.S. The State of Louisiana and local communities have already demonstrated their commitment to the project by offering the company $82 million in grants, $12.8 in employee training services, and an estimated $33.8 million in tax abatements to support the project.

Every day that Next Autoworks' application is delayed is another day that workers cannot be hired to begin work at the Monroe site and help mitigate our state's continued high unemployment rate. Moreover, continued delay in the financing for the project will also negatively impact the vehicle's launch timing and this Administration's goals for fuel economy. DOE's own environmental assessment of this project, issued in October 2010, states that Next Autoworks' vehicle will have a significant positive impact on fleet fuel economy and the environment by providing a high quality, affordable ''green'' car to the American market.

We strongly urge you to continue to expedite Next Autoworks' application. We would request an update on the status of the application and expected timeframe for moving forward before the end of the year.

Sincerely,

MARY LANDRIEU,
U.S. Senator.
DAVID VITTER,
U.S. Senator.
RODNEY ALEXANDER,
Member of Congress.

Ms. LANDRIEU. I yield the floor.

Mr. NELSON of Florida. Mr. President, first of all, I ask unanimous consent that I be permitted to speak for no more than 5 minutes and that the Senator from West Virginia follow my presentation.

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

Mr. NELSON of Florida. Mr. President, first of all, I want to thank the Senator from Louisiana. I also want to point out, look at all those red lines. Those are the paths of hurricanes. Where do you think most of them were going between 1851 and 2008? And why are folks like us on the gulf coast and the Atlantic coast so sensitive about disaster money? It is because we have been hit over and over.

Our lands we call paradise. But they happen to be, as the Senator from Louisiana said, in the middle of ''hurricane highway.'' It is a part of our lifestyle. When I was a kid, it was an excuse to get out of school. When I was a bachelor, it was an excuse to have a party. But now that I have the privilege of representing one of those very large gulf coast States and Atlantic coast States, it is absolute, utter destruction.

When Hurricane Andrew hit Miami, had it turned one degree to the north, and instead drawn a bead on the Dade-Broward line in north Miami, it would have been a $50 billion insurance loss storm in 1992 dollars. That would have been upward of $80 billion today. It would have taken down every insurance company that was doing business in the path of that storm. This is the destructive power. Do our people need help? Of course they need help.

BOB LEVINSON

Mr. NELSON of Florida. Mr. President, I came to speak on a different subject. A retired FBI agent named Bob Levinson, over 4 years ago, disappeared when he checked out of his hotel in the Iranian tourist attraction of Kish Island in the Persian Gulf. He disappeared. It is only recently that his family—and he leaves behind a family

of a wife and seven children—only recently have they had the belief that he is alive.

We have brought this to all levels of our government. This Senator, who represents the State Christine Levinson lives in, went to the Iranian Ambassador at the United Nations years ago trying to intervene. Our Secretary of State has, in fact, pushed this very hard.

Why am I saying all this? Because on the occasion of the release of the hikers by the Iranian Government, for whatever compassion they have shown—the government bringing together disparate parties that had their own little power centers in Iran—whatever success they had in bringing that together and releasing those hikers back to their loved ones, we pray that same decisionmaking apparatus in Tehran would now activate the process to bring Bob Levinson home to his wife and seven children.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, I say to my good friend from Florida, I thank him so much for the compassion he has. I appreciate very much him bringing this issue to our light and to the attention of all of us, and maybe we can help. I thank the Senator.

To my good friend, the Senator from Louisiana, I think what she speaks about is us identifying who we are as Americans and the way we have taken care of each other. I do not know of any State that has not had to depend on FEMA for help—and not just the States she showed where ''hurricane alley'' is and where the tornadoes and hurricanes have hit, but basically all of us have had to depend on FEMA for assistance. So I think what she brings to light is the fairness we identify with as Americans and to do what we have always done: to take care of each other. I, for one, have said we need to rebuild America; we need to take care of Americans first.

FISCAL CHOICES

Mr. MANCHIN. Mr. President, I rise today to speak about the difficult fiscal choices we, as Members of Congress, must soon make and the deficit-cutting proposals that President Obama has recently made.

As we discuss these fiscal choices, and as we face our exploding debts and deficits, it is clear our Nation is truly at a crossroads. A nation that was built on the strength of our people's optimism must struggle to overcome a loss of confidence—a loss of confidence that comes from an economy that has struggled for far too long, a loss of confidence that comes from watching debt and deficits explode, a loss of confidence that comes from watching Republicans and Democrats engage in a fruitless partisan fight.

The American people worry about how to get their families out of debt and their financial house in order. They worry about finding or keeping a job. They worry about how they are going to pay the rent, how they are going to take care of their children, how they are going to keep clothes on their backs, and how, maybe, they can buy them a Christmas present.

Once again, instead of all of us coming together to do what is right for the Nation and lighten their worries, congressional Republicans and Democrats alike, and the President, are again gearing up for a fight about politics, even as our Nation's fiscal and economic picture gets worse every minute.

Today, we yet again find ourselves on the brink, and I cannot begin to explain why to the American people. This summer, they watched us go through this exercise—the Senate, the House, and the President—and then we agreed on spending cuts to keep the government working. Where I come from—the same as the Presiding Officer from the great State of Minnesota—your word is your bond, and an agreement is an agreement, and it is one that should be kept. It is one we negotiated. It should not be changed in midstream. I am committed to passing a clean CR to keep our government working until the supercommittee we all are supporting comes up with the recommendations to reduce the deficit.

In the midst of yet another disagreement over whether to keep the government running, the people of West Virginia and the American people are demanding we put our partisan differences aside and work together in the best interests of this country. They are pleading for us to quit fighting and worrying about the next election and start worrying about the next generation.

With our Nation facing a death spiral of debt, now is the time that each of us should be zeroing in on credible, commonsense solutions that have truly bipartisan support.

After carefully reviewing the President's recommendations to the so-called supercommittee, I believe they fall short of what this country needs to put our fiscal house in order. President Obama's deficit recommendations not only fall short of his stated $4.4 trillion goal, but could, according to an analysis done by the Center for Responsible Federal Budget, have the perverse effect of adding as much as $1.9 trillion to our Nation's debt.

I am also greatly concerned about rehashing unproductive recommendations such as raising tax rates on small businesses in a recession and budget gimmicks such as the notion that taxpayers will somehow ''save'' $1.1 trillion from not fighting wars in Afghanistan and Iraq—and I believe we should not be there anyway.

I have said this: On my best day, I cannot sell that to the people of West Virginia, nor should we try to sell it to the American people.

That is not to say that the President's proposal is all bad. There is some good stuff in there. I have long said our tax system needs to be more fair and balanced and that billionaires such as Mr. Buffett should pay their fair share. I appreciate the concept of the Buffett rule and look forward to seeing more details. And I agree that one of the best investments we all could make is in the infrastructure of this great country.

But as they stand right now, President Obama's proposals are too skewed to appeal to both sides of the aisle. So we see what we see happening again. If we are being serious about addressing our debt and deficits, neither Republicans nor Democrats can propose partisan proposals and then pretend they are credible. We cannot do that any longer. The American people deserve better, and I also know we can do a lot better.

In my short time in Congress, I have seen only one plan that has earned support from Members of both parties. In fact, the President's own bipartisan deficit commission—the Bowles-Simpson group—is the best example of what can be accomplished if we put politics aside and do what is right for our Nation. While no one, including me, will agree with everything in the Bowles-Simpson approach, it at least offered a commonsense, bipartisan template that would cut spending, restore tax fairness, and would help restore fiscal sanity to our Nation.

To date, it is the only plan that has offered a framework that has had bipartisan support from the beginning, and still has it now. But instead of this approach, there are many people on both sides of the aisle who have chosen a path that all but guarantees that Republicans and Democrats will continue to fight over how to solve our fiscal problems, instead of seeking common ground and commonsense solutions. For the sake of our Nation, for our families, we cannot let this happen. We must act, and we must act together.

Looking ahead to the vigorous debates of the fall, my hope is the deficit supercommittee will seize the moment and seek common ground to develop a plan that puts our Nation on the right path to fiscal accountability. Common sense, to me, is that you would start with a plan that already has bipartisan support because it will take both sides of the aisle to fix this problem.

I urge them and the President to look beyond partisan politics and do what is right for this country. I continue to urge the committee to look past their legal mandate of $1.5 trillion in savings and revenue and, instead, look for reforms that will create much broader fairness in our system that will lead to deficit reductions of at least $4 trillion.

I, for one, will work with the Senate Democrats and Republicans who are committed to develop a commonsense debt fix that responsibly reduces spending; makes our tax system more fair, cuts waste, fraud, and abuse, and

makes sure we protect critical programs such as Social Security and Medicare.

Mr. President, 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.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent to speak as in morning business.

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

ISRAEL AND THE PALESTINIAN PEOPLE

Mr. UDALL of New Mexico. Mr. President, this week President Obama stood beside Israel and the cause of peace when he addressed the United Nations General Assembly. I rise today to also stand beside our ally and friend, Israel, and the goal of its two-state solution. I firmly believe that only a two-state solution can lead to a lasting peace between Israel and the Palestinian people.

Unfortunately, we are heading down a path that will not lead to a lasting peace. Involvement by the U.N. General Assembly will not lead to a solution but will act as a disruptive force. I urge the parties to use the time in New York to begin a constructive dialog toward agreement on final status issues. If peace is to be achievable, then we must break through the cycle of failure that has too often plagued negotiations. U.N. action will not resolve the issues acting as a roadblock to peace.

It is important also to note, as the President stated, that peace will not come until each side ''learns to stand in each other's shoes.'' Each party must realize the other's aspirations, because their futures are intricately intertwined. No action at the United Nations can remove or change what is an essential fact. For Israel, the two-state solution will enable its people to enjoy a secure and peaceful future. For the Palestinians, the goal of nationhood can only occur through negotiations with Israel.

I believe the President is making a good-faith attempt to realize and understand the aspirations of each party, while standing firm with our friends. The central reality is this: We will only recognize a Palestinian state as part of an agreement that leads to a lasting peace. This is in the best interests of Israel, the Palestinian people, the United States, and the international community.

There is no time like the present to restart the hard work needed to achieve a lasting peace. Former Israeli Prime Minister Ehud Olmert recently pressed on the urgent need to return to negotiations in an op-ed in the New York Times. I ask unanimous consent that this op-ed be printed in the RECORD at the end of my remarks.

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

(See exhibit 1.)

Mr. UDALL of New Mexico. While I don't agree with everything the Prime Minister wrote, I do believe he was especially correct about one point:

> I truly believe that a two-state solution is the only way to ensure a more stable Middle East and to grant Israel the security and well-being it desires. As tensions grow, I cannot but feel that we in the region are on the verge of missing an opportunity—one that we cannot afford to miss.

He concludes in his piece:

> Now is the time. There will be no better one. I hope that Mr. Netanyahu and Mr. Abbas will meet the challenge.

I also hope that today both parties sit down in New York and avoid the disruption that will be caused by a vote in the United Nations.

EXHIBIT 1

PEACE NOW, OR NEVER

(By Ehud Olmert)

JERUSALEM.—As the United Nations General Assembly opens this year, I feel uneasy. An unnecessary diplomatic clash between Israel and the Palestinians is taking shape in New York, and it will be harmful to Israel and to the future of the Middle East.

I know that things could and should have been different.

I truly believe that a two-state solution is the only way to ensure a more stable Middle Est and to grant Israel the security and well-being it desires. As tensions grow, I cannot but feel that we in the region are on the verge of missing an opportunity—one that we cannot afford to miss.

The Palestinian president, Mahmoud Abbas, plans to make a unilateral bid for recognition of a Palestinian state at the United Nations on Friday. He has the right to do so, and the vast majority of countries in the General Assembly support his move. But this is not the wisest step Mr. Abbas can take.

The Israeli prime minister, Benjamin Netanyahu, has declared publicly that he believes in the two-state solution, but he is expending all of his political effort to block Mr. Abbas's bid for statehood by rallying domestic support and appealing to other countries. This is not the wisest step Mr. Netanyahu can take.

In the worst-case scenario, chaos and violence could erupt, making the possibility of an agreement even more distant, if not impossible. If that happens, peace will definitely not be the outcome.

The parameters of a peace deal are well known and they have already been put on the table. I put them there in September 2008 when I presented a far-reaching offer to Mr. Abbas.

According to my offer, the territorial dispute would be solved by establishing a Palestinian state on territory equivalent in size to the pre-1967 West Bank and Gaza Strip with mutually agreed-upon land swaps that take into account the new realities on the ground.

The city of Jerusalem would be shared. Its Jewish areas would be the capital of Israel and its Arab neighborhoods would become the Palestinian capital. Neither side would declare sovereignty over the city's holy places; they wouldn't be administered jointly with the United States.

The Palestinian refugee problem would be addressed within the frame-work of the 2002 Arab Peace Initiative. The new Palestinian state would become the home of all the Palestinian refugees just as the state of Israel is the homeland of the Jewish people. Israel would, however, be prepared to absorb a small number of refugees on humanitarian grounds.

Because ensuring Israel's security is vital to the implementation of any agreement, the Palestinian state would be de-militarized and it would not form military alliances with other nations. Both states would cooperate to fight terrorism and violence.

These parameters were never formally rejected by Mr. Abbas, and they should be put on the table again today. Both Mr. Abbas and Mr. Netanyahu must then make brave and difficult decisions.

We Israelis simply do not have the luxury of spending more time postponing a solution. A further delay will only help extremists on both sides who seek to sabotage any prospect of a peaceful, negotiated two-state solution.

Moreover, the Arab Spring has changed the Middle East, and unpredictable developments in the region, such as the recent attack on Israel's embassy in Cairo, could easily explode into wide-spread chaos. It is therefore in Israel's strategic interest to cement existing peace agreements with its neighbors, Egypt and Jordan.

In addition, Israel must make every effort to defuse tensions with Turkey as soon as possible. Turkey is not an enemy of Israel. I have worked closely with the Turkish prime minister, Recep Tayyip Erdogan. In spite of his recent statements and actions, I believe that he understands the importance of relations with Israel. Mr. Erdogan and Mr. Netanyahu must work to end this crisis immediately for the benefit of both countries and the stability of the region.

In Israel, we are sorry for the loss of life of Turkish citizens in May 2010, when Israel confronted a provocative flotilla of ships bound for Gaza. I am sure that the proper way to express these sentiments to the Turkish government and the Turkish people can be found.

The time for true leadership has come. Leadership is tested not by one's capacity to survive politically but by the ability to make tough decisions in trying times.

When I addressed international forums as prime minister, the Israeli people expected me to present bold political initiatives that would bring peace—not arguments outlining why achieving peace now is not possible. Today, such an initiative is more necessary than ever to prove to the world that Israel is a peace-seeking country.

The window of opportunity is limited. Israel will not always find itself sitting across the table from Palestinian leaders like Mr. Abbas and the prime minister, Salam Fayyad, who object to terrorism and want peace. Indeed, future Palestinian leaders might abandon the idea of two states and seek a one-state solution, making reconciliation impossible.

Now is the time. There will be no better one. I hope that Mr. Netanyahu and Mr. Abbas will meet the challenge.

Mr. UDALL of New Mexico. With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent to speak as in morning business.

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

VETERANS HEALTH CARE FACILITIES CAPITAL IMPROVEMENT ACT OF 2011

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the Senate proceed to consideration of H.R. 2646, which was received from the House and is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 2646) to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain expiring provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs, and for other purposes.

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

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

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

The bill (H.R. 2646) was ordered to a third reading, was read the third time, and passed.

SHORT-TERM TANF EXTENSION ACT

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2943, which was received from the House.

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

The assistant legislative clerk read as follows:

A bill (H.R. 2943) to extend the program of block grants to States for temporary assistance for needy families and related programs through December 31, 2011.

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

Mr. UDALL of New Mexico. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. The clerk will read the title for the third time.

The bill (H.R. 2943) was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. If there is no further debate, the question is, Shall the bill pass?

The bill (H.R. 2943) was passed.

Mr. UDALL of New Mexico. I ask unanimous consent that the motion to reconsider be laid upon the table and any statements related to the bill be printed in the RECORD.

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

HONORING THE SERVICE OF SERGEANT FIRST CLASS LEROY ARTHUR PETRY

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of S. Con. Res. 27 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 27) honoring the service of Sergeant First Class Leroy Arthur Petry, a native of Santa Fe, New Mexico, and the second living recipient of the Medal of Honor since the Vietnam War.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. UDALL of New Mexico. I ask unanimous consent that the concurrent 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 related to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 27) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 27

Whereas Sergeant First Class Leroy Arthur Petry of the United States Army, a native of Santa Fe, New Mexico, was awarded the Medal of Honor by President Obama on July 12, 2011;

Whereas the Medal of Honor is the highest honor awarded to members of the Armed Forces for valor in combat;

Whereas the official citation awarding the Medal of Honor to Sergeant First Class Petry states that then-Staff Sergeant Petry ''distinguished himself by acts of gallantry and intrepidity at the risk of his life above and beyond the call of duty in action with an armed enemy in the vicinity of Paktya Province, Afghanistan, on May 26, 2008'';

Whereas Sergeant First Class Petry joins an elite group of Medal of Honor recipients dating back to the Civil War;

Whereas Sergeant First Class Petry has continued a long tradition of military service to the United States by New Mexicans, dating back to the defense of the Western United States during the Civil War, and followed by participation in every major war fought by the United States;

Whereas Sergeant First Class Petry is the second living recipient of the Medal of Honor since the Vietnam War;

Whereas Sergeant First Class Petry fought with bravery and, despite wounds to both of his legs, had the courage and quick thinking needed to save the lives of his fellow soldiers by throwing back an enemy grenade and losing his right hand when the grenade detonated shortly after he released it;

Whereas the actions of Sergeant First Class Petry represent the highest values of the Army, the Rangers, and the United States;

Whereas Sergeant First Class Petry has consistently demonstrated humility and dedication to his fellow soldiers;

Whereas Sergeant First Class Petry, who overcame a troubled youth and found the strength to turn his life around and dedicate himself to serving the United States, is an example to all people who are struggling in the United States; and

Whereas the brave actions of Sergeant First Class Petry, as well as his modesty and selfless service, stand as the embodiment of the best attributes of the people of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) honors the service and sacrifice of Sergeant First Class Leroy Arthur Petry of the United States Army and his family; and

(2) encourages the people of the United States to recognize the valor, heroism, and dedication to the United States exhibited by Sergeant First Class Petry.

AUTHORIZING THE USE OF THE ROTUNDA

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent the Senate proceed to S. Con. Res. 29, submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 29) authorizing the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal, collectively, to Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., in recognition of their significant contributions to society.

There being no objection, the Senate proceeded to the concurrent resolution.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the matter be placed in the RECORD as if read.

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

The concurrent resolution (S. Con. Res. 29) was agreed to.

The concurrent resolution reads as follows:

S. CON. RES. 29

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

SECTION 1. USE OF THE ROTUNDA OF THE UNITED STATES CAPITOL TO PRESENT THE CONGRESSIONAL GOLD MEDAL.

(a) AUTHORIZATION.—The rotunda of the United States Capitol is authorized to be used for an event on November 16, 2011 for the presentation of the Congressional Gold Medal, collectively, to Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., in recognition of their significant contributions to society.

(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.

NATIONAL BRAIN ANEURYSM AWARENESS MONTH

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent the HELP Committee be discharged from further consideration of S. Res. 248 and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 248) supporting the goals and ideals of National Brain Aneurysm Awareness Month.

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

Mr. UDALL of New Mexico. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the matter be placed in the RECORD as if read.

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

The resolution (S. Res. 248) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 248

Whereas a brain aneurysm is an abnormal saccular or fusiform bulging of an artery in the brain;

Whereas an estimated 1 out of every 50 people in the United States will develop a brain aneurysm;

Whereas brain aneurysms are most likely to occur in people between the ages of 35 and 60;

Whereas brain aneurysms are more likely to occur in women than in men by a 3-to-2 ratio;

Whereas brain aneurysms are more likely to occur in African-Americans than in Whites by a 2-to-1 ratio;

Whereas various risk factors can contribute to the formation of a brain aneurysm, including infection, tumors, traumatic head injury, drug use, smoking, hypertension, and a family history of brain aneurysms;

Whereas approximately 6,000,000 people in the United States will develop a brain aneurysm that will not rupture;

Whereas an unruptured brain aneurysm can lead to fatigue, short-term memory problems, speech problems, loss of balance and coordination, and changes in behavior;

Whereas a brain aneurysm is often discovered when it ruptures and causes a subarachnoid hemorrhage;

Whereas a subarachnoid hemorrhage can lead to brain damage, hydrocephalus, stroke, and death;

Whereas annually more than 30,000 people in the United States suffer from ruptured brain aneurysms;

Whereas annually between 3,000 and 4,500 people in the United States with ruptured brain aneurysms die before reaching the hospital;

Whereas a number of advancements have been made in recent years regarding the detection of aneurysms, including the computerized tomography scan, the magnetic resonance imaging test, and the cerebral arteriogram;

Whereas September is an appropriate month to designate as ''National Brain Aneurysm Awareness Month''; and

Whereas various research studies are currently being conducted in the United States in order to better understand, prevent, and treat brain aneurysms: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Brain Aneurysm Awareness Month; and

(2) continues to support research to prevent and treat brain aneurysms.

CONGRATULATING NUNAKA VALLEY LITTLE LEAGUE

NATIONAL MEDICINE ABUSE AWARENESS MONTH

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from the following resolutions en bloc, and the Senate proceed to their consideration en bloc: S. Res. 273 and S. Res. 261.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolutions by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 273) congratulating the Nunaka Valley Little League junior girls softball team on their performance in the Junior League Softball World Series.

A resolution (S. Res. 261) designating the month of October 2011 as ''National Medicine Abuse Awareness Month.''

Mr. UDALL of New Mexico. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any related statements be printed in the RECORD as if read.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 273

Whereas the Nunaka Valley Little League junior girls softball team is comprised of young women from Anchorage, Alaska, who play softball;

Whereas the Nunaka Valley Little League junior girls softball team compiled an impressive record in the 2011 regular season, outscoring opponents 428 to 83;

Whereas the Nunaka Valley Little League junior girls softball team was undefeated in the district and State tournaments on the way to winning the Alaska State Championship;

Whereas the Nunaka Valley Little League junior girls softball team was undefeated in 4 games and won the West Regional Tournament held in Marana, Arizona;

Whereas in August, 2011, the Nunaka Valley Little League junior girls softball team represented the West Region at the Junior League Softball World Series in Kirkland, Washington;

Whereas in 2011, Nunaka Valley Little League junior girls softball team manager Richard Knowles led the team to the Junior League Softball World Series for the second time in 3 years;

Whereas in 2011, the Nunaka Valley Little League junior girls softball team won 4 games and lost just 2 games en route to a third place finish in the Junior League Softball World Series;

Whereas more than 2,000 teams and 30,000 players compete in Junior League Girls Softball each year;

Whereas the Nunaka Valley Little League junior girls softball team finished the 2011 season ranked third in the world;

Whereas the hard work and dedication of the entire Nunaka Valley Little League junior girls softball team and the support of their families led the team to success in 2011;

Whereas Little League softball and baseball has provided a positive athletic experience and fostered teamwork and sportsmanship to millions of children in the United States and around the world; and

Whereas Alaskans everywhere are proud of the Nunaka Valley Little League junior girls athletes, Jacynne Augufa, Leilani Blair, Heather Breslin, Metanoya Fiame, Morgan Hill, Julia Merritt, Gabrielle Meyerson, Taria Page, Hannah Peterson, Sydney Smith, Lauren Syrup, and Nanea Tali, on the 2011 softball season: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the athletes, parents, and coaching staff of the Nunaka Valley Little League junior girls softball team on an impressive 2011 season; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the Nunaka Valley Little League President, Greg Davis; and

(B) the Nunaka Valley Little League junior girls softball team manager, Richard Knowles, and coaches Rick Peterson and Richard Hill.

S. RES. 261

Whereas over-the-counter and prescription medicines approved by the Food and Drug Administration have been determined to be safe and effective when used properly;

Whereas the abuse of such medicines can be extremely dangerous and produce serious side effects;

Whereas according to the Substance Abuse and Mental Health Services Administration's 2010 National Survey on Drug Use and Health, the nonmedical use of prescription drugs has risen, with 2.5 percent of the population engaging in nonmedical use of prescription drugs in 2008 and 2.8 percent of the population engaging in such use in 2009;

Whereas the 2010 National Survey on Drug Use and Health illustrates that the abuse of prescription medications such as pain relievers, tranquilizers, stimulants, and sedatives is second only to marijuana, the most commonly abused illegal drug in the United States;

Whereas the 2010 Monitoring the Future survey, funded by the National Institutes of Health, indicates that approximately 5 percent of teenagers in the United States report having abused an over-the-counter cough medicine to get high, and prescription and over-the-counter drugs account for 8 of the 14 most frequently abused drugs by students in grade 12;

Whereas the 2010 Monitoring the Future survey also indicates that the intentional abuse of cough medicine among students in grades 8, 10, and 12 is at 3.2 percent, 5.1 percent, and 6.6 percent, respectively;

Whereas according to research from The Partnership at DrugFree.org, more than one-third of teenagers mistakenly believe that taking prescription drugs, even if not prescribed by a doctor, is much safer than using street drugs;

Whereas the lack of understanding by teenagers and parents of the potential harm of

such powerful medicines makes it more critical than ever to raise public awareness about the dangers of the abuse of such drugs;

Whereas when prescription drugs are abused, such drugs are most often obtained through friends and relatives;

Whereas parents should be aware that the Internet gives teenagers access to websites that promote the abuse of medicines;

Whereas the designation of ''National Medicine Abuse Awareness Month'' promotes the message that over-the-counter and prescription medicines should be taken only as labeled or prescribed, and such medicines can have serious or life-threatening consequences when used to get high or in large doses;

Whereas the designation of ''National Medicine Abuse Awareness Month'' will encourage parents to educate themselves about the problem of abuse of over-the-counter and prescription medicines, and talk to their teens about all types of substance abuse;

Whereas observance of ''National Medicine Abuse Awareness Month'' should be encouraged at the national, State, and local levels to increase awareness of the abuse of medicines;

Whereas educational tools, training programs, and strategies have been developed by the national organization that represents 5,000 anti-drug coalitions nationwide and the association representing makers of over-the-counter medicines, in order to help local coalitions demonstrate the best ways to engage and educate parents and grandparents, teachers, law enforcement officials, doctors, other healthcare professionals, and retailers about the potential harms of cough medicine abuse;

Whereas a partnership of nonprofit associations specializing in raising media awareness about substance abuse and organizations that represent the leading makers of over-the-counter drugs have developed a nationwide prevention campaign that utilizes research-based educational advertisements, public relations and news media, and the Internet to inform parents about the negative teen behavior of intentional abuse of medicines, in order to empower parents to effectively communicate with their children about this dangerous trend and to take necessary steps to safeguard prescription and over-the-counter medicines in their homes; and

Whereas educating the public on the dangers of medicine abuse and promoting prevention of medicine abuse are critical components of what must be a multi-pronged effort to curb prescription and over-the-counter medicine abuse: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of October 2011 as ''National Medicine Abuse Awareness Month''; and

(2) urges communities to carry out appropriate programs and activities to educate parents and youth about the potential dangers associated with medicine abuse.

RESOLUTIONS SUBMITTED TODAY

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 276, S. Res. 277, S. Res. 278, S. Res. 279, S. Res. 280, and S. Res. 281, which were submitted earlier today.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. UDALL of New Mexico. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid on the table en bloc, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 276

Expressing support for the goals and ideals of National Infant Mortality Awareness Month 2011

Whereas ''infant mortality'' refers to the death of a baby before his or her first birthday;

Whereas the United States ranks 41st among industrialized countries in the rate of infant mortality;

Whereas high rates of infant mortality are especially prevalent in communities with large minority populations, high rates of unemployment and poverty, and limited access to safe housing and medical providers;

Whereas premature birth is a leading cause of infant mortality;

Whereas according to the Institute of Medicine of the National Academies, premature birth costs the United States more than $26,000,000,000 annually;

Whereas infant mortality can be substantially reduced through community-based services such as outreach, home visitation, case management, health education, and interconceptional care;

Whereas support for community-based programs to reduce infant mortality can result in lower future spending on medical interventions, special education, and other social services that may be needed for infants and children who are born with a low birth weight;

Whereas the Department of Health and Human Services, through the Office of Minority Health, has implemented the ''A Healthy Baby Begins With You'' campaign;

Whereas the Maternal and Child Health Bureau of the Health Resources and Services Administration has provided national leadership on the issue of infant mortality;

Whereas public awareness and education campaigns on infant mortality are held during the month of September each year; and

Whereas September 2011 has been designated as ''National Infant Mortality Awareness Month'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Infant Mortality Awareness Month 2011;

(2) supports efforts to educate people in the United States about infant mortality and the factors that contribute to infant mortality;

(3) supports efforts to reduce infant deaths, low birth weight, pre-term births, and disparities in perinatal outcomes;

(4) recognizes the critical importance of including efforts to reduce infant mortality and the factors that contribute to infant mortality as part of prevention and wellness strategies; and

(5) calls upon the people of the United States to observe National Infant Mortality Awareness Month with appropriate programs and activities.

S. RES. 277

Recognizing the month of October 2011 as ''National Principals Month''

Whereas the National Association of Secondary School Principals and the National Association of Elementary School Principals have declared the month of October 2011 as ''National Principals Month'';

Whereas principals are educational visionaries, instructional and assessment leaders, disciplinarians, community builders, budget analysts, facilities managers, and administrators of legal and contractual obligations;

Whereas principals work collaboratively with teachers and parents to develop and implement a clear mission, high curriculum standards, and performance goals;

Whereas principals create school environments that facilitate great teaching and learning and continuous school improvement;

Whereas the vision, actions, and dedication of principals provide the mobilizing force behind any school reform effort; and

Whereas the celebration of ''National Principals Month'' would honor elementary school, middle school, and high school principals, and recognize the importance of principals in ensuring that every child has access to a high-quality education: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of October 2011 as ''National Principals Month''; and

(2) honors the contribution of principals in the elementary schools, middle schools, and high schools of our Nation by supporting the goals and ideals of ''National Principals Month''.

S. RES. 278

Designating September 2011 as ''National Prostate Cancer Awareness Month''

Whereas countless families in the United States live with prostate cancer;

Whereas 1 in 6 males in the United States will be diagnosed with prostate cancer in his lifetime;

Whereas prostate cancer is the most commonly diagnosed non-skin cancer and the second most common cause of cancer-related deaths among males in the United States;

Whereas in 2011, the American Cancer Society estimates that 240,890 males in the United States will be diagnosed with prostate cancer, and 33,720 males will die from the disease;

Whereas 30 percent of newly diagnosed prostate cancer cases occur in males under the age of 65;

Whereas approximately every 14 seconds, a male in the United States turns 50 years old and increases his odds of developing cancer, including prostate cancer;

Whereas African-American males suffer from a prostate cancer incidence rate that is up to 65 percent higher than White males and have double the prostate cancer mortality rate of White males;

Whereas obesity is a significant predictor of the severity of prostate cancer;

Whereas the probability that obesity will lead to death and high cholesterol levels is strongly associated with advanced prostate cancer;

Whereas males in the United States with 1 family member diagnosed with prostate cancer have a 1 in 3 chance of being diagnosed with the disease, males with 2 family members diagnosed have an 83 percent chance, and males with 3 family members diagnosed have a 97 percent chance;

Whereas screening by a digital rectal examination and a prostate-specific antigen blood test can detect the disease at the early stages, increasing the chances of survival for more than 5 years to nearly 100 percent;

Whereas only 33 percent of males survive more than 5 years if diagnosed during the late stages of the disease;

Whereas there are no noticeable symptoms of prostate cancer while it is still in the early stages, making screening critical;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatment; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of males and preserving and protecting families: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2011 as ''National Prostate Cancer Awareness Month'';

(2) declares that steps should be taken—

(A) to raise awareness about the importance of screening methods for, and treatment of, prostate cancer;

(B) to increase research funding that is commensurate with the burden of prostate cancer so that—

(i) screening and treatment for prostate cancer may be improved;

(ii) the causes of prostate cancer may be discovered; and

(iii) a cure for prostate cancer may be developed; and

(C) to continue to consider ways for improving access to, and the quality of, health care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

S. RES. 279

Expressing support for the designation of September 24, 2011, as ''Worldwide Day of Play''

Whereas according to the Centers for Disease Control and Prevention, since 1980, obesity prevalence among children has almost tripled and approximately 12,500,000, or 17 percent, of children and adolescents in the United States are obese;

Whereas according to the American Academy of Pediatrics study entitled ''The Importance of Play in Promoting Healthy Child Development and Maintaining Strong Parent-Child Bonds''—

(1) play is essential to development because play contributes to the cognitive, physical, social, and emotional well-being of children and youth;

(2) play offers an ideal opportunity for parents to engage fully with children; and

(3) despite the benefits derived from play for both children and parents, time for free play has been significantly reduced for some children and youth in the United States;

Whereas Worldwide Day of Play is the centerpiece of The Big Help, the long-term commitment of Nickelodeon to empower children and families by providing the tools and information children and families need to take action on the issues children and families care about;

Whereas in each of the 50 States and in 13 countries, including at United States military bases around the globe, children and families celebrate Worldwide Day of Play;

Whereas on September 24, 2011, Nickelodeon will host the 8th annual Worldwide Day of Play;

Whereas in 2011, in collaboration with the Let's Move! campaign started by First Lady Michelle Obama and the President's Council on Fitness, Sports and Nutrition, the Nickelodeon Worldwide Day of Play will be held on the Ellipse in Washington, District of Columbia;

Whereas September 24, 2011, would be an appropriate date to designate as Worldwide Day of Play: Now, therefore, be it

Resolved, That the Senate supports the designation of September 24, 2011, as ''Worldwide Day of Play''.

S. RES. 280

Designating the week beginning September 19, 2011, as ''National Hispanic-Serving Institutions Week'' and recognizing the achievements of the Hispanic Association of Colleges and Universities

Whereas Hispanic-serving institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas Hispanic-serving institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas in 2010, there were 307 Hispanic-serving institutions in the United States, enrolling 1,348,436 Hispanic students in nonprofit postsecondary schools;

Whereas Hispanic-serving institutions are actively involved in stabilizing and improving the communities in which the Hispanic-serving institutions are located;

Whereas 54 percent of Hispanic students in the United States attend nonprofit, postsecondary Hispanic-serving institutions;

Whereas celebrating the vast contributions of Hispanic-serving institutions to the United States strengthens the culture of the United States;

Whereas the achievements and goals of Hispanic-serving institutions are deserving of national recognition;

Whereas 2011 marks the 25th anniversary of the establishment of the Hispanic Association of Colleges and Universities, an organization that works to improve the capacity of Hispanic-serving institutions in helping students across the United States succeed;

Whereas the Hispanic Association of Colleges and Universities fulfills its mission by promoting the development of member colleges and universities, improving access to, and the quality of, postsecondary educational opportunities for Hispanic students, and meeting the needs of business, industry, and government through the development and sharing of resources, information, and expertise; and

Whereas the week beginning September 19, 2011, would be an appropriate week for national recognition of Hispanic-serving institutions: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-serving institutions across the United States;

(2) recognizes the achievements of the Hispanic Association of Colleges and Universities throughout the 25 years since the establishment of the organization;

(3) designates the week beginning September 19, 2011, as ''National Hispanic-Serving Institutions Week''; and

(4) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-serving institutions.

S. RES. 281

Designating September 24, 2011, as ''National Estuaries Day''

Whereas the estuary regions of the United States comprise a significant share of the national economy, with 43 percent of the population, 40 percent of the employment, and 49 percent of the economic output of the United States located in the estuary regions of the United States;

Whereas coasts and estuaries contribute more than $800,000,000,000 annually in trade and commerce to the United States economy;

Whereas more than 43 percent of all adults in the United States visit a sea coast or estuary at least once a year to participate in some form of recreation, generating $8,000,000,000 to $12,000,000,000 in revenue annually;

Whereas more than 28,000,000 jobs in the United States are supported by commercial and recreational fishing, boating, tourism, and other coastal industries that rely on healthy estuaries;

Whereas estuaries provide vital habitat for countless species of fish and wildlife, including many that are listed as threatened or endangered;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization and erosion prevention, and the protection of coastal communities during extreme weather events;

Whereas the United States has lost more than 110,000,000 acres, or 50 percent, of the wetland of the United States since the first European settlers arrived;

Whereas bays once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can impact estuarine water quality and estuarine habitat;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) declares that it is the national policy to preserve, protect, develop, and if possible, to restore or enhance, the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 24 coastal and Great Lake States and territories of the United States contain a National Estuary Program or a National Estuarine Research Reserve System;

Whereas scientific study leads to better understanding of the benefits of estuaries to human and ecological communities;

Whereas Federal, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas September 24, 2011, has been designated as ''National Estuaries Day'' to increase awareness among all people of the United States, including Federal, State and local government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 24, 2011, as ''National Estuaries Day'';

(2) supports the goals and ideals of National Estuaries Day;

(3) acknowledges the importance of estuaries to sustaining employment and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

MEASURE PLACED ON THE CALENDAR—S. 1619

Mr. UDALL of New Mexico. Mr. President, I understand that S. 1619 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1619) to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

Mr. UDALL of New Mexico. I object to any further proceedings with respect to the bill.

The PRESIDING OFFICER. Objection having been heard, the measure will be placed on the calendar.

Mr. UDALL of New Mexico. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. The Senator from Hawaii.

THE CONTINUING RESOLUTION

Mr. INOUYE. Mr. President, the United States is considering H.R. 2608, a continuing resolution to ensure our vital Federal programs can continue in operation while the Congress completes action on our appropriations bills for this fiscal year.

As all of my colleagues are aware, I do not welcome the reality that we once again need to approve of stopgap measures as we prepare to begin the next fiscal year, but, unfortunately, that is the position we are in now. The acrimonious and time-wasting debate on raising the debt ceiling has led us to this place. Put simply, we have no choice but to pass this short-term measure.

I wish to point out, however, that unlike last year, we see this as a short-term need, not a long-term remedy, because even though there was neither an agreement on spending levels nor an allocation to the Appropriations Committee for discretionary spending until the August recess commenced, I am happy to inform my colleagues that the Senate Appropriations Committee has completed its work on 11 of the 12 bills required to fund our Federal agencies. In the past 3 weeks, the Appropriations Committee has met to review and favorably approve 10 bills for fiscal year 2012. Eight of those bills were reported out of committee in an overwhelmingly bipartisan vote, and by that I mean something like 29 to 1. The Senate has received five of these bills from the House. The Appropriations Committee is ready to take up any of these bills on the floor when time allows.

In the interim, enacting a continuing resolution is essential before the Congress goes on recess. The bill passed by the House provides the bare-bones minimum required to ensure that government functions will be continued without interruption. It also includes a few critical legislative provisions to sustain vital programs which otherwise would be terminated. There were many more items which the administration and Members of this body would have wished to include, but the House did not agree to include them. The House CR also provides a limited amount of disaster funding, which has been addressed by others.

I want to state for the record that I am particularly disturbed at the position of the House that fiscal year 2011 emergency disaster assistance would be offset by canceling the advanced technology vehicle program. It has long been a tradition of the Congress to approve disaster assistance without need for offset. Others will likely come to the Senate floor to challenge that remark. They will point out that in many, if not most, emergency supplementals the Congress has recommended using rescissions to offset the cost of the bill. They are correct, but as usual the details tell the true story.

The Appropriations Committee annually reviews unobligated balances that remain in programs and those that are unnecessary are recommended for rescission or reapplication to other programs. However, in the case of disaster assistance, I challenge my colleagues to review all appropriations bills for the past decade and find a single instance where the committee paid for disasters by rescinding funds from other programs. No one would find an example because, quite simply, there are not any. Equally important, as noted above, year after year the Congress rescinds unobligated funds, but only when they are no longer needed. In the case of the remaining balances for the advanced technology vehicle programs, these funds are needed. Hardly a day goes by that someone does not come to the floor and note the need for job creation. Here is a program that is creating good jobs with a future. Investing in new technologies to make our Nation more competitive in the international marketplace is exactly the type of program where Federal Government intervention makes sense. The notion that our Republican colleagues in the House would propose rescinding $1.5 billion in funding from this program in the current economic climate borders on the nonsensical.

Finally, I would note that today's balances in the disaster relief fund are now at $175 million. Our people are in need of assistance now. The Congress cannot wait any longer to address this need. All of my colleagues should come together in a bipartisan agreement to strip out the ATV offset, approve meaningful disaster assistance today, and return this bill to the House for reconsideration. I hope we have the good sense to resolve this matter.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

MORNING BUSINESS

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

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

NATIONAL PUBLIC LANDS DAY

Mr. REID. Mr. President, I rise today in recognition of the 18th annual National Public Lands Day, which will be celebrated on Saturday, September 24. I am pleased to acknowledge the efforts of volunteers across our Nation who will come together to improve and restore one of America's most valuable treasures, our public lands.

National Public Lands Day started in 1994 with 700 volunteers working in just a few locations. This year over 180,000 volunteers will come together to work at more than 2,000 locations across all 50 States. These people come from all walks of life, holding a shared interest in protecting our public lands for the enjoyment of future generations. National Public Lands Day provides an annual opportunity for the American public to devote a day to conservation and to give back to the public lands that give so much to us.

Our Nation has a proud tradition of conservation. When Yellowstone National Park was established in 1872, it was the world's first national park. The idea of a national park was an American invention of historic proportions that led the way for global conservation efforts. President Teddy Roosevelt, one of our earliest and most energetic conservationists, dedicated 194 million acres of national parks and national preserves over the course of his Presidency. As we look ahead to enhance our Nation's conservation agenda, Secretary of the Interior Ken Salazar has enlisted Congress to identify the ''crown jewels'' of public lands that will be part of our legacy for future generations.

Public lands make up more than one-third of our country, and are places of continuous discovery, where we go to find ourselves, to uncover our history,

and to explore for resources that help improve our quality of life. Our public lands provide wide open spaces, deep forests, dramatic vistas, and opportunities for solitude that not only fulfill us individually, but form a fundamental part of the American character. Our public lands are part of who we are and the diversity of their uses, like the diversity of their landscapes, reflects our identity. In many areas, they provide timber, ore, and forage that are the economic bedrock of rural America. In other areas, Congress has designated them as wilderness, places ''untrammeled by man, where man is a visitor who does not remain.''

Nevada boasts some of the most rugged and diverse landscapes in the United States. From the vast Black Rock Desert of northwestern Nevada, to the alpine peaks of Mount Rose overlooking the shores of Lake Tahoe, to the imposing buttes and sagebrush plains of the Sheldon National Wildlife Refuge, and the Mojave Desert floor covered in Joshua trees and yucca plants. Over the past quarter century, home grown conservation advocates have worked to protect and preserve 68 wilderness areas consisting of 3.4 million acres, an area approximately the size of Connecticut. These advocates continue to work towards protection of the most special places in the Silver State. Currently, there are strong grassroots efforts underway to protect the high alpine lakes and thick aspen groves of the Pine Forest Range in Humboldt County as well as the rich archeological resources and spectacular red rock formations in the Gold Butte area just a short drive from Las Vegas.

Our public lands also provide a consistently reliable source of natural resources that fuel our national economy. In northern Nevada, mining is a way of life. Although Nevada was well known for silver during the 19th century, miners working in the Silver State now produce almost 80 percent of the gold in the United States, much of which comes from public lands. Nevada also has a rich history of ranching for both sheep and cattle and grazing on federal lands helps feed this family tradition. Throughout the state the burgeoning renewable energy industry on public lands has provided a variety of new job-creating economic opportunities. Harnessing the solar, wind, and geothermal resources in Nevada and throughout the country will bolster our country's economic and energy security for decades and centuries to come.

I recognize and thank the thousands of Federal employees who manage these lands year-round. The Bureau of Land Management, Forest Service, Fish and Wildlife Service, National Park Service, and other federal land management agencies ensure that public lands in Nevada and across the Nation meet the changing needs of our communities. They provide a vital, though rarely reported, service to our Nation.

I would also like to acknowledge and thank the many Nevadans that will spend September 24 improving our public lands undertaking 19 projects across the State from the Big Rocks Wilderness Area in Caliente to Daggett Summit Trail in Stateline. In northern Nevada, volunteers will be working to improve our public lands at the Mill Creek Campground. These people will spend their day installing new fire rings, barbeques and lantern hooks as well as cleaning the debris from the stream and placing rocks in parking and camping areas.

The focus of National Public Lands Day this year is highlighting the opportunities public lands offer young people through the Youth in the Great Outdoors Initiative, launched by the U.S. Department of the Interior. This initiative will engage youth from all backgrounds in exploring, connecting with and preserving America's natural and cultural heritage. National Public Lands Day is also relaying the health benefits of outdoor recreation by encouraging families to develop more active lifestyles on our public lands.

The preservation of our public lands is a priority for me. Our public lands are part of what makes the United States a great Nation. I voice my gratitude to all who will participate in National Public Lands Day this year.

REMEMBERING CORPORAL LORENZA GAYLES

Mr. MCCONNELL. Mr. President, I rise to honor a brave member of the U.S. Marine Corps and a fellow Kentuckian who was lost to his family and friends 45 years ago when he was killed in action in Vietnam. A very moving article in tribute to this man, CPL Lorenza Gayles, appeared in the Middlesboro Daily News recently, and I wanted to give this article and this fine young man's story the attention it deserves.

Born in Lynch, KY, on December 28, 1946, as the fourth child of David and Virginia Gayles, Lorenza moved with his family to Middlesboro as a baby and grew up with many friends. He was a good student, was popular with his schoolmates, and known for his sense of humor. His sister Lelia remembers young Lorenza was ''just a charming little boy.''

Lorenza, called ''Rennie'' by his friends, attended the Lincoln School, the only school in Middlesboro for African-American children in those days of segregation. He was a talented athlete who played football, baseball, and had an exceptional gift for basketball. Bill Smith, a longtime friend of the Gayles family, remembers Rennie as ''a solid guy with a good head on his shoulders.'' When segregation in the area ended, Lorenza went to Middlesboro High School, where he graduated in 1964.

Knoxville College offered Rennie a scholarship to play basketball after high school, but Rennie turned them down and chose to enlist with the Marine Corps instead. His older brother David was serving in the U.S. Air Force, and his brother Bobby was already in Vietnam with the Army. Within 2 years Rennie had risen to the rank of corporal and took his duties as a marine very seriously.

Alvin Simpson, a fellow Marine recruit who went through basic training with Rennie and later wrote a memoir about his experiences, said this: ''There was no question who could outfight whom; I knew, he knew, and the entire platoon knew Lorenza was the real deal.''

Corporal Lorenza Gayles was deployed to Vietnam on June 21, 1966. On September 3 of that year, while on reconnaissance patrol, he was on point with his squad when they walked into an ambush. Corporal Gayles was killed instantly. He was 19 years old.

Several weeks later his parents were presented with Corporal Gayles's posthumously awarded Purple Heart Medal. Corporal Gayles is buried in the Lynch Cemetery in Middlesboro.

''When Rennie was killed in action in Vietnam,'' the author of this article writes, Mr. President, ''I remember my mother saying, 'that poor little Gayles boy.' This is something that I have carried with me my entire life.''

That is the author of this article speaking. Forty-five years later, this author's memories still affect him, and I think anyone who reads this piece will be affected too. CPL Lorenza Gayles's life may not have been long, but he made an indelible mark on the people who love and remember him.

I ask unanimous consent that the entire article remembering CPL Lorenza Gayles, a proud marine and a brave Kentucky hero who deserves all of our respect, be printed in the RECORD.

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

[From the Middlesboro Daily News, Sept. 2, 2011]

FORGOTTEN MARINE

(Editor's Note: This article was written by a Daily News reader who wishes to honor the memory of one of Middlesboro's finest—Lorenza Gayles—yet remain anonymous.)

''Once upon a time in America, when I was colored, two adventurous, young boys, both black, but from very different backgrounds; one boy was from Ky., the other boy hailed from Northern Ohio. The kid from Ky. was killed September 3, 1966, in South Vietnam. His name was Lorenza Gayles, he was twenty years old when he was killed, he was my friend. I loved him then—and I love him more today.''

—From ''Together We Served'' By Alvin L. Simpson.

To most, Rennie Gayles is a public housing development in Middlesboro. To others, he was a son, a brother and a friend; but most importantly to me, he was Corporal Lorenza Gayles, United States Marine. Though I didn't know him, and was only five years old at the time of his death, his life and death have always held a special meaning to me.

Born in Lynch, Ky., on December 28, 1946, he was the fourth child of David and Virginia Gayles. Soon after his birth, the Gayles family moved to Middlesboro where he and his

older brothers and sister were raised in a loving home by parents that worked very hard to provide for their children. Rennie, as he was affectionately known, grew up like most of us. He had many friends, loved playing basketball, just a normal childhood growing up. He is described by his sister Lelia as ''just a charming little boy.''

Rennie attended school at the Lincoln School in Middlesboro, long since gone. In the days of segregation, it was the only school in Middlesboro for black children. He was a good student, very popular among his classmates and known for his sense of humor. Bill Smith, a longtime friend of the Gayles family, described Rennie as ''a solid guy with a good head on his shoulders.''

Rennie was also a very talented athlete who played football, baseball, and was an especially gifted basketball player. With the end of segregation, he then attended Middlesboro High School, where he graduated in 1964.

Offered a scholarship by Knoxville College to play basketball, he declined. Instead, young Gayles enlisted in the United States Marine Corps. With his older brother David serving in the U.S. Air Force, and Bobby serving in Vietnam in the U.S. Army, I suppose he felt he was obligated to enlist. He received his basic training at Parris Island, South Carolina, and upon completion was stationed at Camp Lejeune, North Carolina. He later transferred to a Marine base in California. He quickly rose through the ranks and became a corporal in just two years. He was an attentive soldier and took his obligation to the Corps very seriously. He was a ''textbook'' Marine. Tough, no-nonsense and cared deeply about those he served with.

''Everybody in our platoon knew the outstanding recruit was a black kid from Middlesboro, Ky., Lorenza Gayles,'' writes Alvin Simpson, author of ''Distant Shore: A Memoir,'' and fellow Marine recruit in basic training with Rennie.

''There was no question who could outfight whom; I knew, he knew, and the entire platoon knew Lorenza was the real deal.''

With the war in Vietnam escalating, Rennie was deployed on June 21, 1966. Just over two months after arriving in Vietnam, while on a reconnaissance patrol, Rennie was on point (front man in the squad) when he and the other members of his squad walked into an ambush. He was killed instantly.

THE WAR

With the war in Vietnam so many years behind us, many have tried to put it out of their minds. But for those who served and the family members who lost loved ones there, it haunts them every day. Deemed an unpopular war, many returning Vietnam veterans were scorned, cursed, called ''baby killers,'' and spat upon. The truth is, no war is popular. War is, sometimes, just a necessary evil. This great nation has long carried the obligation to protect and defend those who cannot defend themselves against oppressions that exist in this world. And to the over 58,000 soldiers that died and 1,300 still listed as missing in action, we owe our eternal gratitude.

As a child growing up in the 1960s and early 1970s, the war in Vietnam to me was sitting beside my father watching the nightly news with Walter Cronkite. With the end of each broadcast came the body count, the dead, the wounded and the missing in action. Today, newscasts are filled with coverage of brave men and women memorialized who have given their lives, and those troops returning from Iraq and Afghanistan as they are met at airports across the country by cheering crowds and hailed as heroes and glorified as they should be. They have dedicated their lives to protect and serve this nation as soldiers, and are prepared to give their lives for it.

We owe the same gratitude to those who served in Vietnam. We all know someone who served there and the memories of these heroes are fleeting. These men and women served with the same courage and dedication as do the brave soldiers of today. We see them every day. Take just a moment to thank them for their service and their sacrifice; just a pat on the back and a thank you would mean so much. Most of all, take a moment to remember, honor and mourn those who gave their lives for this great nation. Our community lost too many fine young men in Vietnam and it's up to us to pass on their heritage so that they are not forever lost to posterity. Remember that many of these men and women sacrificed their ambitions so that we wouldn't have to. They died for the very freedoms we enjoy every day.

When Rennie was killed in action in Vietnam I remember my mother saying ''that poor little Gayles boy.'' This is something that I have carried with me my entire life. And with the passing of time and generations we owe it to them to carry on their memories. This tall, handsome, young Marine with his broad beaming smile, with his whole life ahead of him, he was one of those men.

Rennie Gayles is not just a housing project; United States Marine Corporal Lorenza Gayles was a guardian of freedom.

REMEMBRANCE

Forty-five years ago, on September 3, 1966, just before your twentieth birthday, in a country, half a world away from home, in the Quang Nam Province of South Vietnam defending your nation with a profound sense of duty and exemplary conduct becoming a United States Marine, you made the ultimate sacrifice. Every day of my life I will thank God for you, I will honor you, and I will remember you . . . Semper Fi

On October 26, 1966, Corporal Lorenza Gayles was posthumously awarded the Purple Heart. It was presented to his parents by Major F.C. Fisher, U.S.M.C. Corporal Gayles is buried in the Lynch Cemetery in Middlesboro.

Sincerest appreciation to those who contributed to this article: Rennie's brother, Bobby Gayles of Middlesboro; Bill Smith, U.S. Army (Ret.), of Middlesboro; sister Lelia Gayles-Cammon, Tuscaloosa, Alabama; Alvin L. Simpson of Columbus, Ohio, for your friendship, encouragement, service to our nation and loving tribute to your friend; and a special thanks to Sgt. Timothy Moos and the United States Marine Corps.

DREAM ACT

Mr. DURBIN. Mr. President, 10 years ago, I introduced the DREAM Act, legislation that would allow a select group of immigrant students with great potential to contribute more fully to America.

The DREAM Act would give these students a chance to earn legal status if they came to the U.S. as children, are long-term U.S. residents, have good moral character, graduate from high school, and complete 2 years of college or military service in good standing.

The DREAM Act would make America a stronger country by giving these talented immigrants the chance serve in our military and contribute to our economy.

Tens of thousands of highly-qualified, well-educated young people would enlist in the Armed Forces if the DREAM Act becomes law.

And studies have found that DREAM Act participants would contribute literally trillions of dollars to the U.S. economy during their working lives.

These young people have overcome great obstacles to succeed. They are valedictorians, star athletes, honor-roll students, and ROTC leaders. Now they want to give back to their country. The DREAM Act would give them that chance.

For the last 10 years I have been working on the DREAM Act, there has been one constant: strong support from the faith community. The DREAM Act is supported by almost every religious group you can imagine: Catholic, Methodist, Episcopal, Lutheran, and Evangelical Christians; Orthodox, Conservative, and Reform Jews; and Muslims, Hindus, and Sikhs.

The faith community supports the DREAM Act because it is based on a fundamental moral principle that is shared by every religious tradition—it is wrong to punish children for the actions of their parents.

These students were brought to this country as children. They grew up here pledging allegiance to the American flag and singing the only national anthem they've ever known. They are American in their hearts and they should not be punished for their parents' decision to bring them here.

For the next several weeks, people of faith all across this country will show their support for the DREAM Act by celebrating the first-ever ''DREAM Sabbath.''

On the DREAM Sabbath, at churches, synagogues, mosques, and temples around the country, Americans of many religious backgrounds will offer prayers for the immigrant students who would be eligible for the DREAM Act. At many of these events, these DREAM Act students will tell their stories.

The DREAM Sabbath will take place over several weekends in September and October, and so far, there are more than 320 DREAM Sabbath events planned, in 44 States.

In June, when I announced the DREAM Sabbath, I was joined by religious leaders from a great variety of faith traditions, including: Cardinal Theodore McCarrick, a good friend who has been a leader in the fight for immigration reform for many years; Bishop Minerva Carcaño, the first Hispanic woman to be elected bishop in the Methodist Church; Reverend Samuel Rodriguez, the president of the Nation's largest Hispanic Christian organization, with more than 30,000 member churches; Reverend Derrick Harkins, the pastor of one of the most prominent African-American churches in our Nation's Capitol, who was representing the National Association of Evangelicals; Bishop Richard Graham of the Evangelical Lutheran Church in America; Bishop David Jones of the Episcopal Church; Rabbi Lisa

Grushcow of the Hebrew Immigrant Aid Society; and Imam Mohamed Magid, the head of the Nation's largest Muslim organization.

The DREAM Sabbath events reflect this great religious diversity. Let me give you just a few examples of the congregations who are observing the DREAM Sabbath: the First Presbyterian Church of Cheyenne, WY; the Central United Methodist Church in Fairmont, WV; the Unitarian Church of Lincoln, NE; Galloway Memorial Episcopal Church in Elkin, NC; Grace United Methodist Church in Missoula, MT; Trinity Episcopal Church in Winner, SD; the Texas Catholic Conference of Bishops; the Florida Catholic Conference of Bishops; and the following Catholic dioceses, just to name a few: Cincinnati, OH; Cleveland, OH; Davenport, IA; Evansville, IN; and Salt Lake City, UT. Just last night, in Tucson AZ, the DREAM Sabbath was recognized at the National Hispanic Evangelical Immigration Summit, a gathering of 1,200 Evangelical ministers. This summit was convened by Reverend Sam Rodriguez and the National Hispanic Christian Leadership Conference and I want to thank them for their leadership.

In my home State of Illinois, I plan to observe the DREAM Sabbath at a number of places, including: Anshe Sholom B'nai Israel Congregation, a Modern Orthodox temple, where, by the way, Chicago Mayor Rahm Emanuel is a congregant; Old St. Pats Church, my home parish in Chicago; and the Church of the Holy Spirit in Schaumberg.

I would like to invite all of my colleagues and everyone listening today to participate in the DREAM Sabbath. If you are interested in becoming part of this important national movement, you can visit www.dreamsabbath.org for more information or call my office at 202–224–2152.

The DREAM Sabbath will put a human face on the plight of undocumented students who grew up in this country and help build support for passage of the DREAM Act.

DREAM Act students need our prayers, but they need more than that—they need our help to pass the DREAM Act.

These young people are American in their hearts. They are willing to serve our country, if we would only give them a chance. Passing the DREAM Act is the right thing to do and it will make America stronger.

HUNGER AWARENESS

Mr. DURBIN. Mr. President, I rise today to speak on behalf of the over 50 million people, including over 17 million children in the United States, who face the day not knowing if they will have enough to eat.

Millions of families live each day not knowing if and how they will put food on the table.

Rather than thinking about what the next meal will be, these parents worry if there will be a next meal.

Rather than concentrate on homework, these children are trying not to think about their hunger pangs.

According to the USDA in 2010, 14.5 percent of households—or 1 in 6 Americans—experienced hunger. This is the highest level of hunger in our Nation since the government began tracking food insecurity in 1995.

No State or county is immune to the reality of hunger. In Illinois' three wealthiest congressional districts an average of 13.2 percent of people—or nearly 281,000 people—experienced hunger in 2009.

Hunger is a reality in all of our communities. We see it in the long lines at our food pantries. We have heard from seniors forced to choose between groceries and medication. And children are in our schools who have not had a decent meal since the previous day's school lunch.

The U.S. Census Bureau reported this month that more than 1.82 million people lived in poverty in Illinois last year. That's up from 1.69 million in 2009—making 2010 the third straight year the poverty rate in Illinois has risen.

According to Feeding America in Illinois, nearly 1.9 million people—including over 740,000 children—are food insecure and often rely on safety net programs for their next meal.

Hunger is a symptom of poverty, and where this is poverty we see greater demand for emergency food programs and support. Federal food assistance programs have responded to the growing need by helping low and middle-class families, children, and seniors maintain a healthy diet.

Throughout the country, food banks and pantries that rely on Federal assistance are the front line of the fight against hunger—providing emergency food assistance to hungry families.

Unfortunately, business at food banks has never been better. Over the past 2 years, Illinois food banks have seen a 50 percent increase in requests for food assistance. In 2009, Illinois food banks provided food to 1 in 10 residents.

The Supplemental Nutrition Assistance Program, formerly known as food stamps, is one of the Nation's most important antihunger programs. SNAP has provided over 46 million Americans with essential food assistance.

In Illinois, 1.8 million people—that is 1 in 7 residents—rely on SNAP benefits to buy the food they need.

The benefits of SNAP reach far beyond helping households maintain a healthy diet. SNAP is a powerful tool in fighting poverty, and has lifted nearly 2.5 million children out of poverty, more than any other government program.

According to the USDA's Economic Research Service, $5 of SNAP benefits can generate $9 in economic activity through retail demand, farm production, and jobs.

At a time when families are having trouble making ends meet, food stamps meet a basic human need.

The people using food banks or food stamps to get by are people you know—your neighbor and coworker.

I recently heard from a single mother of a 4-year old daughter who receives emergency food assistance from the Eastern Illinois Food Bank.

This young mother is also a full-time college student, who plans to use her education to provide a better life for her family.

Without the extra support from food stamps, this woman says she would have to drop out of college and work at a minimum wage job just to make ends meet.

She credits food stamps for not only providing food assistance, but for allowing her to get an education so she can move her family out of poverty.

As Congress works to rein in our Nation's debt, we will hear from all sides. The millions of Americans who rely on safety net antihunger programs like SNAP will not have the loudest voice in the debate or big PR firms, but we can't forget them.

We must protect Federal food assistance programs. These programs are not a giveaway or a handout. They are strengthening our economy and improving the lives of vulnerable families, children, and seniors at their time of need.

MORETOWN POST OFFICE

Mr. LEAHY. Mr. President, I would like to bring to the attention of the Senate a notable development in the community of Moretown, VT. Moretown is located near the confluence of the Mad River and the Winooski River, just down the road from my home in Middlesex, and the community was hit particularly hard by the flooding caused by Tropical Storm Irene. Homes were flooded, the town offices were inundated, and the Moretown School was damaged. Bridges were washed away, cutting the town off from central Vermont's highway system, and leaving some residents stranded. But through this disaster, the town pulled together, in yet another of the many stories that can be told of the great resilience shown by Vermonters in the storm's terrible aftermath.

As flood waters rose, the postmaster in charge of the Moretown Post Office, Naomi Tilton, and the two carriers who work in the Moretown Post Office managed to save every piece of mail from the rising flood waters. Every single piece of mail in their charge. Water eventually filled the entire post office lobby, and as water damage left by the flooding in Moretown demonstrated, as much as 8 feet of water filled the first floors of structures surrounding the post office.

When my staff visited the Moretown Post Office a week later, workers had already begun renovating the building.

They had shoveled out the mud and muck deposited by the river, and they had torn out the mold-prone sheetrock. Yet even in disrepair, the post office was not in disarray or disorder: The Moretown Post Office continued to operate. A sign made out of a plain sheet of white paper directed customers to the side of the erstwhile post office, up a set of crooked stairs and into an office on the second floor. In that makeshift temporary post office, customers could still buy stamps, pick up their mail, and share their stories of survival and community togetherness.

The postal employees of Moretown did all this on their own time, outside of normal business hours, and on their own initiative. I understand that Ms. Tilton's manager was stranded dozens of miles to the south in Rochester, VT, a town similarly cut off from the outside world. Professionalism and dedication to the community motivated the employees of the Moretown Post Office to keep the area's postal system working. Their efforts offered a glimmer of hope to their neighbors as the community realized the extent of the devastation caused by the flood and the tremendous effort it would take to rebuild Moretown. And what a powerful testament to the currency in modern times of the proud tradition of this Nation's venerable postal system and its dedicated public servants.

The Moretown Post Office is just one story of the hundreds of stories I would like to tell to remind everyone how determined we are to recover from Tropical Storm Irene. The determination of our Moretown postal workers reminds us all of what it means to be a Vermonter and an American.

REMEMBERING SUVASH DARNAL

Mr. LEAHY. Mr. President, I have spoken over the years about the political transformation that has been taking place in Nepal since 2005, from a corrupt, autocratic monarchy to an emerging democracy.

That process has moved forward by fits and starts, plagued by political infighting and the seeming inability of political and ethnic factions to unite for the good of the people. We are struggling with partisanship and divisiveness in this country, so I understand the problem, but Nepal is at a historic crossroads and cannot afford for this process to fail.

Key issues that were at the heart of the internal armed conflict, such as impunity for crimes against civilians by both sides, have not been addressed. Shielding perpetrators of gross violations of human rights from punishment is incompatible with a democratic society based on the rule of law.

There are many other challenges, like reform of the army, demobilization of former Maoist combatants, improving literacy, building effective, transparent government institutions, and reducing poverty. The United States is helping, but Nepal's competing political leaders must point the way forward by making the necessary compromises.

Today I want to speak briefly about caste discrimination, which is at the core of Nepal's feudalistic history. I do so by paying tribute to an extraordinary leader of Nepal's Dalit community, Suvash Darnal, who was tragically killed in a motor vehicle accident in Virginia on August 15, 2011.

Mr. Darnal was only 31 years old when he died, but he had already achieved far more than most people, even people with every advantage, do in a much longer life.

Mr. Darnal was of humble beginnings, with nothing but hardship and unfairness to look forward to. Yet he managed to overcome daunting obstacles to become a respected leader with boundless energy, a quenchless thirst for knowledge, extraordinary vision, and a tireless determination to help improve the lives of his people.

As I have said before in this Chamber, Nepal's democracy cannot succeed without the inclusion of minority castes, including Dalits, in political and economic decisionmaking. Mr. Darnal devoted himself passionately to that cause through journalism, research, and advocacy.

He was an inspiring example of why caste discrimination has no place in the 21st century, and his death is a tragic loss not only for Dalits but for all of Nepal. He had the humility, integrity, intellect, and dedication to his people that Nepal needs in its leaders, and I hope others of his generation are inspired by his life and work to continue his legacy.

Mr. President I ask unanimous consent to have printed in the RECORD an August 16 article in the Kathmandu Post about Mr. Darnal.

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

[From the Kathmandu Post, Aug. 16, 2011]

BIDUSHI DHUNGEL, ''PALPALI FLAME''

The tragic death of 31-year-old Dalit activist and media entrepreneur Suvash Darnal is a huge setback to Nepal's Dalit movement. Well known for being the founder of Nepal's first ever Dalit-focused media organisation, Jagaran Media, co-founder of the Collective Campaign for Peace and most recently, the Dalit-focused think tank, Samata Foundation, Darnal made undeniable contributions to a burgeoning rights-sensitive society.

Born in Mujhung in Palpa, and one of four siblings, Suvash was schooled ''by accident,'' at a local school that just happened to be in close proximity to his home. He was never told to go to school, nor did he initially see it as necessary, ''it just kind of happened,'' he would say. Darnal's perseverance meant that he became the first Dalit to pass the SLC from his village. That achievement, and the positive reaction it garnered from the upper echelons of society that once treated him as untouchable, gave him the motivation to work harder.

But behind every success story, there is a long, hard struggle. Looking at Suvash in his last years, one could never guess that he'd come to Kathmandu with nothing except the fire of convictions. He spent months selling watches immersed in a bucket of water on the Ratna Park roadside. And having made a few contacts here and there, Darnal ventured into writing for small media houses. The ideas for the foundations of the Jagaran Media Centre came in these days. It was to be the largest Dalit-led media outlet in South Asia. Even now, Jagaran media has a radio station that produces a radio magazine that is broadcast throughout India and Nepal.

These were turbulent times. By the time the media centre was established and running smoothly, King Gyanendra took over and attempted to reverse the course of history. Public outrage was growing and so was the demand for the return of democracy. At this crucial juncture, Darnal and his close friend founded the Collective Campaign for Peace (COCAP). ''I wanted to play my part in what I knew would be a momentous time in Nepal's history,'' said Darnal. He often recalled those days saying that at the heart of the uprising, it became an unofficial ''secretariat'' for the civil democratic movement in Nepal.

It was after this that Darnal set off to undertake the most mammoth of his life's work. He realised that democracy would be of little use to Dalit society unless there was a way to bridge the gap between politics and caste. This was where Darnal's deep frustrations with society resided. The idea that discourse at the policy level was necessary gave way to the Samata Foundation. Initially called the Nepal Center for Dalit Studies, late in 2009, the name was changed and became an officially registered organisation.

The Samata Foundation is now the hub of Dalit research. Last year, under Darnal's direction, Samata held Nepal's first ever International Dalit conference. An avid reader and fan of B.R. Ambedkar, Darnal had set out to establish caste-based policies in the country. His book, A Land of Our Own: Conversations with Dalit Members of the Constituent Assembly, came out in 2009. Although enthused by the 2008 elections that ushered in some 40 Dalit Constituent Assembly (CA) members, it didn't take long for Darnal to realise it wasn't going to be enough. He often said that it was only natural that the Dalit CA members wouldn't be educated, but that it was then his task to give them the information and competence to stand out and be clear about their demands. In this endeavour, he decided to publish a Nepali translation of Ambedkar's book. The translation was done by Dalit leader and CA member Aahuti, and was published earlier this year. Darnal held a special prominence in his head and heart for the personality and works of Ambedkar and the translation of the book and its subsequent publishing was a source of joy to him.

The Dalit movement has a long history in this country, but with Suvash Darnal it rose to new heights. From raising national awareness to travelling abroad for guest lectures, Darnal had the conviction to make Nepali society aware, not only of the harsh realities of caste, but of the repercussions of its perception in politics and society. Suvash's Samata Foundation was in the process of achieving precisely this. The organisation is now without its founder, and the Dalit movement without a capable leader. The work he undertook was as much professional to him as it was personal, and that's what allowed for his success. Suvash Darnal's close friends refer to him as very much of a family man. And with only a few close friends, he maintained very close ties with his family. He is survived by his wife and two year old daughter.

VETERANS HEALTH CARE FACILITIES CAPITAL IMPROVEMENT ACT

Mrs. MURRAY. Mr. President, I rise today in support of H.R. 2646, as amended, the Veterans Health Care Facilities Capital Improvement Act of 2011. I urge our colleagues to support this bipartisan legislation, which would allow for new construction projects in five States and Puerto Rico and would extend several VA programs, including vital homeless programs.

Last year, Congress passed, and the President signed into law, Public Law 112–10, Department of Defense and Full-Year Continuing Appropriations Act, and provided an advanced appropriation of fiscal year 2012 funding for veterans' health care. Enacting H.R. 2646, as amended, would avoid interruptions in VA programs and would allow VA to use the full amount of funding provided through Public Law 112–10.

VA has worked tirelessly to get veterans off the streets and into housing. Their efforts are commendable, but there is still work to be done. H.R. 2646, as amended, contains critical extensions to many of VA's programs to end homelessness among veterans. This bill would allow VA to continue to operate the drop-in resource centers that help connect homeless veterans to services; provide grants to transitional housing programs for the most vulnerable homeless veterans, such as the frail elderly, terminally ill, women with children, and seriously mentally ill; and continue its street outreach and emergency care services for homeless veterans. These programs are on the front line of VA's services for homeless veterans.

One of the best ways to end veteran homelessness is to prevent it from happening. This bill would support VA's homelessness prevention and rapid rehousing programs by extending the Supportive Services for Veteran Families Program, a critical resource for stopping homelessness before it begins. H.R. 2646, as amended, also extends the Homeless Veterans' Reintegration Program, which helps homeless veterans find and maintain employment. Extending these programs will decrease the number of veterans who may become homeless in these tough economic times.

VA has a long list of construction projects that have yet to be funded. H.R. 2646, as amended, would allow VA to make critical upgrades to its facilities and infrastructure to ensure that we can provide care to veterans in a safe environment. For instance, this bill would allow VA to begin a $51 million project to seismically strengthen the nursing tower and community living center at the VA Puget Sound Healthcare System in Seattle, WA. Built in 1985, this building does not meet the current seismic code for Washington State. Located in an area of high seismic activity, it is vital that this building be upgraded so that the VA Puget Sound Healthcare System can continue to deliver world-class healthcare to veterans in a safe environment.

We must allow VA to continue work on projects such as seismic corrections in San Juan, PR; construction of new Polytrauma and Blind Rehabilitation Centers in Palo Alto, CA; medical center improvements and cemetery expansion in St. Louis, MO; and additional parking facilities and nurse education opportunities to ongoing projects in Fayetteville, AR and Orlando, FL, respectively. Additionally, it would authorize VA to lease space for outpatient clinics in Columbus, GA; Fort Wayne, IN; Mobile, AL; Salem, OR; San Jose, CA; South Bend, IN; and Springfield, MO.

This bill helps us honor the legacy of heroic veterans by dedicating VA medical facilities in their names. With the endorsement of every member of the Texas congressional delegation, the West Texas VA Health Center in Big Spring, TX, would be renamed in honor of George H. O'Brien, a hometown hero. With similar support from the Colorado Congressional delegation, the Telehealth Clinic in Craig, CO, would be renamed in honor of MAJ William Edward Adams.

Our Nation's veterans have sacrificed much in their service to this country, we must make sure they receive the care and benefits they earned.

TRIBUTE TO MIKE DAVIDSON

Mr. ROCKEFELLER. Mr. President, I rise to commend and thank Mike Davidson for his decades of extraordinarily dedicated and consequential service to our Nation, most recently as the general counsel for the Senate Select Committee on Intelligence over the past 8 years.

Many others have praised the wise, discerning, and sound counsel that has characterized every step of Mike's distinguished career, from his time in the Peace Corps in Kenya in the mid-1960s throughout his decades of service since then: as a litigator for the NAACP Legal Defense Fund, as a professor of clinical law at the State University of New York at Buffalo, as chief staff counsel for the U.S. Court of Appeals for the District of Columbia, as the first legal counsel of the Senate, and, following his first retirement from the Senate in 1995, as counsel for several important public initiatives—including, most prominently, serving as general counsel for the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001.

This exceptionally distinguished record speaks for itself, and in 2003 it led me to recruit Mike back to full-time service in the Senate. As the Intelligence Committee's vice chairman at the time, I asked Mike to serve as the committee's minority counsel, a position he held from 2003 through 2006. When I became the committee's chairman in 2007, I asked Mike to undertake the duties of general counsel. He agreed to take on this role, and he continued to serve me and the committee well throughout the 2 years that I was chairman. After I passed on the gavel to Senator DIANNE FEINSTEIN in 2009, Mike stayed on for nearly 3 more years, until his quiet retirement earlier this month.

Throughout this time on the committee, Mike's calm and unflappable presence; his evenhanded, understated, and fair approach to even the most contentious issues; his painstaking attention to detail and unfailing memory; and, above all, his dedication to the law and to the security interests of the United States, have served this committee and our Nation well. Day in and day out, we knew we could rely on Mike's counsel. Whether it was a situation involving routine oversight or a matter of great sensitivity and historical importance—of which there were many during those years, including our investigations into the intelligence regarding weapons of mass destruction in Iraq, our efforts to end the CIA's coercive interrogations, our drafting and passing the landmark Foreign Intelligence Surveillance Act Amendments Act of 2008, among others—Mike Davidson's legal acumen and advice were invariably excellent, and also indispensable to the work of the committee.

My colleagues and I trusted Mike's judgment implicitly. His example of dedicated public service and his exceptional day-to-day performance on the job earned our respect and admiration, and it inspired a generation of staff who had the privilege to work alongside him.

We will miss Mike dearly, but his legacy will remain a part of the Senate Select Committee on Intelligence for years to come. We wish him well in his second retirement, even as we leave the light on for him just in case he decides to serve again.

NATIONAL PROSTATE CANCER AWARENESS MONTH

Mr. JOHNSON of South Dakota. Mr. President, today I rise to recognize September as National Prostate Cancer Awareness Month. Prostate cancer is one of the most common types of cancer in men. Approximately one in six men will be diagnosed with this disease during their lifetime and it is estimated that over 240,000 men will be diagnosed with and over 33,000 men will die from the disease this year. While no cure has been found, early detection presents our best chance at saving lives. Public awareness of prostate cancer is improving but statistics demonstrate that more can be done to make awareness and early detection of this disease a national priority.

The odds of successfully treating this disease improve with early detection, and health experts recommend that men begin receiving yearly screenings at age 50 or sooner for those men at

high risk for the disease. In fact, studies have found that approximately 98 percent of men diagnosed with early stage prostate cancer are still living 10 years later, while only 18 percent of those diagnosed at advanced stages of the disease survive the first decade. More than 2 million men in the United States who have been diagnosed with prostate cancer at some point in their lives are still alive today. National Prostate Cancer Awareness Month is a reminder that early detection is vital in successfully treating this disease and, through screening, we truly can save lives.

I am proud to add my voice to those who are working to fight prostate cancer, and I take this opportunity to recognize the families, professionals and advocates who work day after day to be a powerful voice for prostate cancer patients. I commend them on their tireless efforts to raise awareness of the risks, to promote early detection and treatment, and to further our efforts to understand and eliminate this disease. I urge all citizens to promote the use of early detection screening tests and to help advance the search for a cure of prostate cancer while supporting those individuals and families who face this devastating disease.

I appreciate this opportunity to increase awareness about the importance of early detection in our efforts to defeat prostate cancer and express my support for those Americans fighting the battle against this disease.

CHILD AND FAMILY SERVICES IMPROVEMENT AND INNOVATION ACT

Mr. WYDEN. Mr. President, I rise today in support of the Child and Family Services Improvement and Innovation Act, which this Chamber adopted late last night by unanimous consent. The bill demonstrates that improving the lives of vulnerable children remains a national priority. In the midst of deficit panels and continuing resolutions and fear of government shutdown, Congress came together to pass this bipartisan, bicameral legislation and that is illustrative of our concern for the needs of children.

This legislation also reinforces our recognition of the need for flexibility and accountability. We must enable public agencies to be responsible stewards of public funds, manage performance, innovate and enhance their ability to achieve positive outcomes. The underlying law we reauthorized could not be more aptly named: Promoting Safe and Stable Families. I am particularly pleased that this bill continues to stress the importance of kinship care. This is something I know a little bit about. In the 1996 welfare reform bill, I successfully fought for the inclusion of an amendment with, Senator COATS, to ensure that relatives be given preference over stranger caregivers when the state determined where to place a child who had been removed from the home. Having worked with senior citizens and with the Gray Panthers before I came to Congress, I often heard the frustration of grandparents whose grandchildren—as far as they knew—disappeared into the state child protection system and literally vanished from their families' lives. I realized the immense potential in making it easier for grandparents and other family members to care for children and introduced legislation to recognize that. We ought to have policies that make it easier, instead of more difficult, for families to come together to raise their children. And as we continue to rethink our child welfare system, we need to rededicate ourselves to looking to families, including extended families, for solutions. When children are separated from their parents, it is usually a painful and traumatic experience. Reading over the RECORD from that fight in 1996 reminded me just how far we have come since then to recognize that fact.

The following year, in 1997, other provisions of my kinship bill were included in the Adoptions and Safe Families Act. And subsequent bills passed by this Chamber, including the 2008 Fostering Connections to Success and Increasing Adoptions Act, furthered our progress promoting kinship care by allowing relative caregivers to receive foster care payments just as a stranger would. We know that sometimes, all the goodness in a grandparent's heart can't buy their grandchild basketball shoes or school books. And I am grateful to Senators BAUCUS and HATCH for continuing to draw attention to the value of kinship care. The bill we passed last night again moves the ball forward by rewarding States for operating kinship guardianship programs as well as kinship navigator programs that help brothers and sisters stay connected should they enter the child welfare system.

Slowly but surely, we are learning what works—and we are learning it from States. Through innovative approaches like kinship care, we have dramatically reduced the number of children in foster care. In roughly a decade, the number of children in foster care has declined about 20 percent, and that's something to be proud of. But we must continue our goal of safely reducing the number of youth in care, while constantly asking ourselves, ''what comes next?''

Earlier this year I introduced the Promoting Accountability and Excellence in Child Welfare Act, legislation that took a number of ideas from the States and from the advocates and from experts in Oregon and around the country for ways to improve the well-being of all vulnerable children and their families, just like we did last night. And one thing we can all agree on is that our Federal spending must drive positive outcomes. It is time we develop some consensus as to what those outcomes are, though. When we talk about child welfare, we typically measure success in terms of reducing the number of days a child spends in foster care. But what about those children who never enter foster care but still are involved in the juvenile justice system? Or aren't attending class regularly? Or don't have access to health care? And what about the child that, for one unfortunate reason or another, spends the majority of her childhood in foster care and ages out of that system at age 18? How do we gauge whether we have lived up to our responsibility, as a society, of preparing that child for adulthood?

My bill gets at these very issues. It seeks to improve the well-being of all at risk children and their families by tracking outcomes on the individual level. Importantly, it asks States to be the pioneers by telling us what will work, and then proving it. If we don't check up on vulnerable kids until they are in foster care, or worse—until they are in the emergency room or in prison—we are missing opportunities not only to save the government money, but missing opportunities to save lives and preserve families. My bill also asks for a report to Congress on recommendations on how to update Federal foster care financing so that eligibility is no longer tied to the obsolete AFDC program.

When the Child and Family Services Improvement and Innovation Act passed out of the Finance Committee earlier this month, I withdrew two amendments to ensure its passage move quickly. And I was pleased to have the assurances of Chairman BAUCUS that we could work together to further explore this idea of child well-being through a roundtable in the Finance Committee as well as take the lead on a request to the GAO asking for policy options to modernize Federal child welfare financing. I commend the chairman and ranking member as well as congressional leadership for their hard work to ensure passage of this bipartisan bill and I look forward to continuing to work together to improve the lives of vulnerable children and their families.

TRADE ADJUSTMENT ASSISTANCE

Mr. WHITEHOUSE. Mr. President, the job market these days is tough. I have heard from countless Rhode Islanders who have worked all their life, but who have lost their jobs and are now struggling to make ends meet. Sadly, many of these jobs have been lost because big companies are taking advantage of cheaper labor overseas.

We should take action to stop this pattern, and I have introduced legislation to end tax giveaways to companies that ship jobs overseas that I hope we will pass. In the meantime, we need to do everything we can to help those displaced workers get back on their feet.

Therefore, I am pleased that the Senate has acted to extend the Trade Adjustment Assistance Program for American workers who have lost their

jobs due to the effects of international trade. TAA benefits are designed to help displaced workers transition back into the job market, and that is precisely what we need during this prolonged period of high unemployment. In my State of Rhode Island, the unemployment rate has been over 10 percent for 30 straight months and currently stands at 10.6 percent.

TAA benefits will help advance our economic recovery and get Americans back to work. In the past 2 years, over 1,400 Rhode Islanders have been helped by the job training services provided through, and the readjustment allowances have offered those workers a modest bridge until they can get back on their feet.

I have said throughout the economic downturn that we need to stand up for people who have lost their jobs through no fault of their own, and this is especially true for trade-displaced workers. President Kennedy made this point when he signed TAA into law in 1962. He said then, regarding the effects of U.S. trade policy on our workers, that ''those injured . . . should not be required to bear the full brunt of the impact. Rather, the burden of economic adjustment should be borne in part by the federal government.''

I know that American workers can compete and succeed in the global markets when given a level playing field. But for too long, our policy has been to encourage cheaper imports from countries with lax environmental standards and few protections for their workers.

TAA benefits help workers in the manufacturing and service sectors to adjust to a rapidly changing global economy. This legislation will ensure that this help remains available, especially with so many people still out of work in Rhode Island and throughout the country.

ADDITIONAL STATEMENTS

BECHTEL BWX TECHNOLOGIES IDAHO LLC

• Mr. CRAPO. Mr. President, today I recognize Bechtel BWX Technologies Idaho LLC's, BBWI, legacy at the Advanced Mixed Waste Treatment Project, AMWTP.

Under the leadership of Jeff Mousseau, appointed manager of the project in November 2007, and with the commitment and dedication of the skilled workforce, the AMWTP has flourished. Jeff Mousseau led the Bechtel team efficiently and safely to exceed benchmarks. AMWTP went from being 3 years behind to more than 3 years ahead of scheduled requirements to move waste out of Idaho. No other site in the U.S. Department of Energy, DOE, Complex has enabled the permanent disposal of as much radioactive waste at the DOE Waste Isolation Pilot Plant more safely and compliantly than AMWTP.

The company's dedicated employees have achieved a record of removing the waste safely. BBWI employees have worked more than 12.4 million hours and 2,839 days without a lost-time injury. In 2010 and 2008, the company earned national safety awards that included an Occupational Excellence Award, Perfect Record Award, Safety Leadership Award and Million Hours Worked Award. In 2007, the company earned the first-ever Integrated Safety Management Systems verification following assumption of the AMWTP contract. The company's safety achievements have also been recognized through the 2005 DOE Electrical Safety Challenge; 2008 Bechtel Safety Achievement Award in recognition of achieving more than five million job hours without a lost-time injury; 2008 Secretary of Energy's Appreciation Award for Electrical Safety; and 2009 Voluntary Protection Program verification.

BBWI has also been an active and involved corporate partner to Idaho. Through its community contributions, the company has supported civic, arts, cultural and education organizations and initiatives that have strengthened the fabric of many communities and improved the quality of life for many Idahoans. BBWI has been supportive of Idaho small businesses; more than 80 percent of its contracts for materials and services are awarded to small businesses. In 2009, DOE recognized BBWI with its Small Business Achievement Award and, in 2006, with DOE's Mentor Protégé award for the company's relationship with North Wind.

It is a privilege to acknowledge a job well done. The significant achievements of BBWI's workforce and Jeff Mousseau's leadership have resulted in the project being ahead of schedule and under budget with a recognized safety record. Thank you for your remarkable service.•

REMEMBERING J. ROBB BRADY

• Mr. CRAPO. Mr. President, I rise today to honor the life of a distinguished Idahoan, J. Robb Brady. I join his family and friends in mourning his passing and paying tribute to his legacy.

Robb Brady is well known for his work as a journalist and publisher of the Idaho Falls Post Register, my hometown newspaper. Starting at the Post Register in 1941, he advanced in his field and served as publisher for more than 10 years. Throughout his career, he was a respected and knowledgeable voice. He earned a reputation as being a professional and principled journalist who was devoted to his wife of 69 years, Rose, his family, work and community. His talent and dedication have been noted by many who worked with him. He was also known for being humble, committed and compassionate.

In addition to his exemplary hard work, Robb Brady demonstrated a commitment to the community and maintaining Idaho's natural resources. He supported local charitable efforts, including his purchase and donation of the Idaho Fall's Haven shelter. As an outdoorsman, who backpacked and camped with his family, Robb Brady had an appreciation for our natural resources, and he worked to conserve them.

With Robb Brady's passing, we have lost a kind and valued member of our community, but his example will not be forgotten. He has left an indelible mark in the lives of the many people who knew him, worked with him and learned from him. I extend my condolences and prayers to his family, friends and loved ones. Robb Brady's legacy will endure as a significant contribution to Idaho's strength and history.•

TRIBUTE TO JUDGE GREENE

• Mr. ROCKEFELLER. Mr. President, today I wish to note a special occasion next week, the unveiling of a portrait at the U.S. Court of Appeals for Veterans Claims to honor a dedicated public servant and a keen legal mind, Judge William P. Greene, Jr.

Judge Greene is a prime example of an American who has dedicated himself to the well being of our country and its veterans. He was born in Bluefield, WV, a small coal town in the Appalachian mountains. His grandfather worked on the rail cars transporting coal, but also was a school teacher and instilled in his family the value of education and hard work. Judge Greene's father continued that example, working on the railroads while pursuing a degree from Bluefield State College—an institution originally founded to train African-American teachers who would then instruct in the segregated schools. Judge Greene's parents both graduated from that institution and went on to teach in their community. His father was then drafted after the attack on Pearl Harbor and went on to become a commissioned officer and serve with the famed ''Buffalo Soldiers''—the only African American infantry unit to see combat in Europe during World War II. Judge Greene's affinity and pride for the Buffalo Soldiers became a life-long passion, as demonstrated by his involvement in the construction and dedication of the Buffalo Soldier Monument in Fort Leavenworth, KS. In the portrait being unveiled, one of Judge Greene's many Buffalo Soldier paintings can be seen in the background.

As a result of his father's military career, Judge Greene moved a number of times during his formative years, and learned from an early age to get along with a wide variety of people under varying circumstances. He subsequently put those skills and abilities to good use as a citizen, a servicemember, and a leader in the legal field.

Before joining the U.S. Court of Appeals for Veterans Claims, Judge Greene graduated with a bachelor of arts in political science from West Virginia State College, where he participated in Army ROTC and accepted an

Army Commission. He was designated to serve with the Armor Branch, but while awaiting orders to jump school, Judge Greene was offered acceptance to the U.S. Army Judge Advocate General's Corps on the condition that he take the LSAT and be admitted to a law school which was scheduled to start in just a few weeks. Three years later he received his law degree from Howard University School of Law, passed the West Virginia Bar, and became an officer in the Army JAG Corps. He married his West Virginia childhood sweetheart and spent the next 25 years serving his country and gaining lifelong respect for the men and women in uniform. He received countless awards and honors for his service and expertise in both the law and the military, and he repeatedly demonstrated his great ability to bridge racial tensions and brings more African Americans into the Judge Advocate General's Corps.

As he is known to say when speaking publically, one of Judge Greene's life mottos is: ''When opportunity knocks, you can't say 'wait, let me pack my bags.' '' So when in 1993 another opportunity presented itself, Greene took it, and left the Army to serve as an immigration judge for the U.S. He worked tirelessly in that position, handling thousands of immigration matters in the 3 years he served in that capacity.

Then, opportunity knocked again. It was a proud day in 1997, when President Clinton appointed Judge Greene to the Court of Appeals for Veterans Claims. Until 1988, the Veterans Administration, now the U.S. Department of Veterans Affairs, was the only Federal agency that was not subject to judicial review. In a long overdue decision, the Senate Committee on Veterans' Affairs created the U.S. Court of Appeals for Veterans Claims with my full support. Veterans deserved judicial oversight and the creation of the court was a major accomplishment during his first term in the Senate. As a skilled attorney and a veteran, Judge Greene brought a keen understanding of veterans' issues to the bench. He served as the court's chief judge from 2005 to 2010, and was known for his character and leadership during a time of tremendous growth and change at the court.

Although he officially retired last year, his commitment to hard work continues and Judge Greene currently serves as a senior judge on the Court of Appeals for Veterans Claims. Judge William P. Greene, Jr., is a soldier, a jurist, and an American to be respected, and I am proud to recognize and honor his service today.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:14 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 81. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 2608.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1619. A bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3378. A communication from the Under Secretary of Defense (Policy), Department of Defense, transmitting, pursuant to law, a report relative to Taiwan's Air Defense Force; to the Committee on Armed Services.

EC–3379. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ethiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC–3380. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XA659) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3381. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Decrease for the Common Pool Fishery'' (RIN0648–XA652) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3382. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XA673) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3383. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XA685) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3384. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish, Other Flatfish, Sharks, and Skates in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XA672) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3385. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Octopus in the Bering Sea and Aleutian Islands'' (RIN0648–XA683) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3386. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XA680) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3387. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska'' (RIN0648–XA684) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3388. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish, Pacific Ocean Perch, and Pelagic Shelf Rockfish for Vessels Participating in the Rockfish Entry Level Fishery'' (RIN0648–XA678) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3389. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Shark Management Measures'' (RIN0648–BA69) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3390. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Herring Fishery; Regulatory Amendment'' (RIN0648–BA79) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3391. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2011 Summer Flounder, Scup, and Black Sea Bass Specifications; Correction'' (RIN0648–XY82) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3392. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Clemson, SC'' ((RIN2120–AA66)(Docket No. FAA–2011–0394)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3393. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France (ECF) Model EC120B Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–0859)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3394. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Amendment of Parts 1, 73 and 76 of the Commission's Rules Regarding Practice and Procedure: Broadcast Applications and Proceedings; Radio Broadcast Services: Fairness Doctrine and Digital Broadcast Television Redistribution Control; Multichannel Video and Cable Television Service: Fairness Doctrine, Personal Attacks, Political Editorials and Complaints Regarding Cable Programming Service Rates'' (DA 11–1432) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

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. HELLER (for himself, Mr. CORNYN, Mr. COBURN, and Mr. KYL):

S. 1622. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mr. SCHUMER, and Mrs. SHAHEEN):

S. 1623. A bill to provide a processing extension for emergency mortgage relief payments, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN of Massachusetts (for himself and Mr. KERRY):

S. 1624. A bill to provide for the economical production of various United States coins; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCAIN:

S. 1625. A bill to restore the financial solvency of the United States Postal Service and to ensure the efficient and affordable nationwide delivery of mail; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN of Ohio (for himself, Mr. THUNE, Mr. DURBIN, and Mr. LUGAR):

S. 1626. A bill to amend the Food, Conservation, and Energy Act of 2008 to reform agricultural programs by establishing the aggregate risk and revenue management program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida (for himself, Mr. SCHUMER, and Mr. REID):

S. 1627. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Finance.

By Mr. AKAKA (for himself, Mr. CARPER, Mr. CARDIN, and Mr. COONS):

S. 1628. A bill to provide for improvements in the Federal hiring process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND (for herself and Mr. GRAHAM):

S. 1629. A bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. LANDRIEU (for herself and Mr. COCHRAN):

S. 1630. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow for a more effective recovery from disasters, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 1631. A bill to authorize the establishment in the Department of Veterans Affairs of a center for technical assistance for non-Department health care providers who furnish care to veterans in rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. LEAHY, and Mr. CARDIN):

S. 1632. A bill to amend the Internal Revenue Code of 1986 to provide a look back rule in the case of federally declared disasters for determining earned income for purposes of the child tax credit and the earned income credit, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Mr. BURR, and Mr. MENENDEZ):

S. Res. 276. A resolution expressing support for the goals and ideals of National Infant Mortality Awareness Month of 2011; considered and agreed to.

By Mr. FRANKEN (for himself, Mr. LUGAR, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mr. CARDIN, Mrs. MURRAY, Mr. WARNER, and Mrs. FEINSTEIN):

S. Res. 277. A resolution recognizing the month of October 2011 as ''National Principals Month''; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. CARDIN, Mr. INHOFE, Mr. WICKER, Mr. BROWN of Massachusetts, Mr. KERRY, Mr. SHELBY, Mr. CRAPO, Mr. JOHNSON of South Dakota, Mr. LEE, Mr. CHAMBLISS, Mr. AKAKA, Mrs. BOXER, Mr. KIRK, Mr. WYDEN, Mr. JOHANNS, and Mr. BLUNT):

S. Res. 278. A resolution designating September 2011 as ''National Prostate Cancer Awareness Month''; considered and agreed to.

By Mrs. GILLIBRAND (for herself and Ms. AYOTTE):

S. Res. 279. A resolution expressing support for the designation of September 24, 2011, as ''Worldwide Day of Play''; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. BEGICH, Mr. REED, Mrs. MURRAY, Mrs. BOXER, Mr. BINGAMAN, Mr. NELSON of Florida, Mr. COONS, Mrs. GILLIBRAND, and Mrs. HUTCHISON):

S. Res. 280. A resolution designating the week beginning September 19, 2011, as ''National Hispanic-Serving Institutions Week'' and recognizing the achievements of the Hispanic Association of Colleges and Universities; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Mr. BROWN of Massachusetts, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. KERRY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Ms. SNOWE, Mr. WARNER, Mr. WEBB, and Mr. WYDEN):

S. Res. 281. A resolution designating September 24, 2011, as ''National Estuaries Day''; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 282. A resolution to authorize testimony in Kanelos v. County of Mohave, et al. and Zanna, et al. v. Mohave County, et al; considered and agreed to.

By Mr. NELSON of Florida (for himself, Ms. STABENOW, Mr. BROWN of Ohio, Mrs. HUTCHISON, Mr. VITTER, Mr. AKAKA, Mr. PRYOR, Mr. LIEBERMAN, and Mr. DURBIN):

S. Con. Res. 29. A concurrent resolution authorizing the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal, collectively, to Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., in recognition of their significant contributions to society; considered and agreed to.

ADDITIONAL COSPONSORS

S. 170

At the request of Mrs. BOXER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 170, a bill to provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac.

S. 431

At the request of Mr. PRYOR, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Virginia (Mr. WARNER) 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. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor 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. 1094

At the request of Mr. MENENDEZ, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109–416).

S. 1133

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1133, a bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes.

S. 1203

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1203, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 1211

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1211, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 1280

At the request of Mr. ISAKSON, the name of the Senator from New York (Mr. SCHUMER) 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. 1369

At the request of Mr. CRAPO, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1369, 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. 1392

At the request of Ms. COLLINS, the name of the Senator from Utah (Mr. HATCH) 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. 1421

At the request of Mr. PORTMAN, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Oregon (Mr. WYDEN), the Senator from Hawaii (Mr. AKAKA) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1421, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 1551

At the request of Mr. KIRK, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1551, a bill to establish a smart card pilot program under the Medicare program.

S. 1584

At the request of Mr. BENNET, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1584, a bill to provide for additional quality control of drugs.

S. 1585

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1585, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 1588

At the request of Mr. WEBB, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1588, a bill to protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes.

S. 1595

At the request of Mr. HATCH, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1595, a bill to prohibit funding for the United Nations in the event the United Nations grants Palestine a change in status from a permanent observer entity before a comprehensive peace agreement has been reached with Israel.

S. 1597

At the request of Mr. BROWN of Ohio, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1597, a bill to provide assistance for the modernization, renovation, and repair of elementary school and secondary school buildings in public school districts and community colleges across the United States in order to support the achievement of improved educational outcomes in those schools, and for other purposes.

S. 1606

At the request of Mr. PORTMAN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1606, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents.

S. 1616

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1616, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. RES. 232

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. Res. 232, a resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

S. RES. 241

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 241, a resolution expressing support for the designation of November 16, 2011, as National Information and Referral Services Day.

S. RES. 251

At the request of Mr. CARPER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 251, a resolution expressing support for improvement in the collection, processing, and consumption of recyclable materials throughout the United States.

S. RES. 253

At the request of Mr. HOEVEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 253, a resolution designating

October 26, 2011, as ''Day of the Deployed''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. MCCAIN:

S. 1625. A bill to restore the financial solvency of the United States Postal Service and to ensure the efficient and affordable nationwide delivery of mail; to the Committee on Homeland Security and Governmental Affairs.

Mr. MCCAIN. Mr. President, today I rise to introduce the Postal Reform Act of 2011, which will restore the financial health and long-term viability of the United States Postal Service, USPS. This bill is the companion to the bill Representative ISSA introduced in the House of Representatives in June of this year. I would like to thank him for his leadership on this important issue.

According to the USPS, by 2020, they are expecting to face up to a $238 billion shortfall. Even with dramatic cost savings of $12 billion and workforce reduction of 110,000 postal employees in the past four years, the Postal Service is expected to end this fiscal year with a $10 billion loss.

First-Class mail, which makes up more than half of the Postal Service revenues, continues to fall at alarming rates and shows no signs of ever recovering. This combined with 80 percent labor costs and labor contracts that contain ''no-layoff' clauses points to the fact that the Postal Service is broken.

Congress can no longer enact temporary fixes that avert financial crisis for only a brief period. Congress, the Postal Service, labor unions, and the mailing community must be willing to lay everything on the table and make hard choices now to save the Postal Service for the future. I believe the Postal Reform Act of 2011 will do just that.

Two key provisions in this bill alone would save the Postal Service billions of dollars annually. First, the bill would create a Postal Service Financial Responsibility and Management Assistance Authority, which is modeled after the District of Columbia control board Congress created to address the fiscal crises the city was facing in the mid 1990s. This authority, triggered by a USPS default on its Federal obligations, would replace the Postal Board of Governors with mandates to cut costs, and put the USPS back on the path to financial solvency.

The second key provision would create a Commission on Postal Reorganization that would use a BRAC like process to consolidate and close post offices and mail processing facilities. According to the Postal Service the ''current mail processing network has a capacity of over 250 billion pieces of mail per year when mail volume is now 160 billion pieces of mail. Right-sizing the network is vital to the future of the Postal Service and its customers.'' Congress, however, continues to put up political road blocks that prevent these closings and consolidations. This proposal will take the politics out of the process and allow the USPS to right-size its operations.

Other provisions in the bill would require arbitrators to take into account the financial health of the Postal Service if labor contracts move to arbitration. It would also exempt USPS from the Davis-Bacon Act, the Service Contract Act, and other wage rules that increase USPS contracting costs.

The bill would require certain types of mail that Postal Service loses money on to cover their cost. In Fiscal year 2010, USPS lost nearly $1.7 billion on these type of ''underwater'' postal products that failed to cover their costs. For example, the Periodicals class of mail, which includes newspapers and magazines, has not covered its costs for 14 consecutive years, generating total losses of $4.3 billion over that period.

The bill also contains common sense language that would mandate that USPS employees pay the same health and life insurance premium percentage as other Federal workers. This is estimated to save the Postal Service $700 million annually.

Finally, this bill will allow the Postal Service to move to 5–day delivery, at a savings of anywhere from $1.7 to $3.1 billion annually.

We can no longer choose to support temporary fixes to the Postal Service. If we continue to act in this irresponsible way, the American taxpayer will be the one that ultimately suffers in the form of higher postage prices and taxpayer bailouts. We must make hard choices now so future generations of Americans will have a viable Postal Service.

By Mr. AKAKA (for himself, Mr. CARPER, Mr. CARDIN, and Mr. COONS):

S. 1628. A bill to provide for improvements in the Federal hiring process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today, along with Senators CARPER, CARDIN, and COONS, I am introducing the Federal Hiring Process Improvement Act of 2011. This bill will help agencies fix the broken recruitment and hiring process in the Federal Government. I am pleased that Representative SARBANES is also introducing a companion bill in the House today and I thank him for his work and his commitment to the Federal workforce.

Every day, talented people interested in working for their government are turned away from Federal service because of the frustrating and antiquated hiring process. Too many Federal agencies have built barriers for new workers, done too little to recruit the right candidates, and invented an evaluation process that discourages qualified candidates.

In the past, many agencies have tried to find exceptions to the competitive hiring process, rather than making sure the competitive process works. The competitive hiring process should be our most effective tool to ensure that the Federal workforce is composed of the most qualified and able individuals, who are appointed through a fair and open process that is free from political interference. As agencies face budget reductions and restricted hiring, it is critical that they are able to attract top-notch candidates who are up to the challenge of meeting agency missions with limited resources. We must strengthen the competitive hiring process so that agencies do not look for ways to avoid it.

As Chairman of the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, I have held multiple hearings on the hiring process and worked closely with the administration on its reform efforts. While the administration has been making some good progress, we still hear stories of talented individuals who seek employment with the Federal Government, only to grow frustrated with the archaic hiring process and find work elsewhere.

Applying for a job in the Federal Government should be accessible and straightforward. Agencies still require too much information upfront from candidates instead of an approach that requires more information as the employee moves through the process. The Federal Hiring Process Improvement Act will require agencies to streamline their hiring practices. Agencies will be required to stop using the dreaded ''knowledge, skills, and ability'' essays and accept resumes and cover letters, as is standard in the private sector. Additionally, the bill requires job postings to be written in plain writing, so that candidates can readily understand what the job is and how to apply, and candidates would be notified of their status at key points in the process. Agencies will have to speed their hiring processes to average no more than 80 days.

Agencies need to continuously reassess their needs and strategies in order to maximize their recruitment and hiring efforts. This bill requires agencies to develop strategic workforce plans that include hiring projections and identify critical skills gaps. It also requires agencies to measure the effectiveness of hiring efforts and reforms.

The Federal Government is the largest employer in the United States, and Federal service is a noble profession. Within the next 5 years, the Federal Government is expected to face one of the largest retirement waves in the Nation's history, making the development of a new generation of workers even more vital. Agency leadership must make reforming the recruitment and hiring process a top priority. I urge my colleagues to support this important bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1628

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 ''Federal Hiring Process Improvement Act of 2011''.

SEC. 2. DEFINITION.

In this Act, the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code; and

(2) shall not include the Government Accountability Office.

SEC. 3. STRATEGIC WORKFORCE PLAN.

(a) IN GENERAL.—

(1) DEVELOPMENT OF PLAN.—Not later than 180 days after the date of enactment of this Act and in every subsequent year, the head of each agency, in consultation with the Office of Personnel Management and the Office of Management and Budget, shall develop a strategic workforce plan as part of the agency performance plan required under section 1115 of title 31, United States Code, to include—

(A) hiring projections, including occupation and grade level;

(B) long-term and short-term strategic human capital planning to address critical skills deficiencies;

(C) recruitment strategies to attract highly qualified candidates from diverse backgrounds;

(D) streamlining the hiring process to conform with the provisions in this Act; and

(E) a specific analysis of the contractor workforce, whether the balance between work being performed by the Federal workforce and the contractor workforce should be adjusted, and the capacity of the agency to manage employees who are not Federal employees and are doing the work of the Government.

(2) INCLUSION IN PERFORMANCE PLAN.—Section 1115(a) of title 31, United States Code, is amended—

(A) in paragraph (5), by striking ''and'' after the semicolon;

(B) in paragraph (6), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(7) include the strategic workforce plan developed under section 3 of the Federal Hiring Process Improvement Act of 2011.''.

(b) HIRING PROJECTIONS.—Agencies shall make hiring projections made under strategic workforce plans available to the public, including on agency websites.

(c) SUBMISSION TO THE OFFICE OF PERSONNEL MANAGEMENT.—Each agency strategic workforce plan shall be submitted to the Office of Personnel Management.

(d) GOVERNMENTWIDE STRATEGIC WORKFORCE PLAN.—Based on the agency plans submitted under subsection (a), the Office of Personnel Management shall—

(1) develop a governmentwide strategic workforce plan updated at least annually to include the contents described under subsection (a)(1) on a governmentwide basis; and

(2) make such plan available to the President, Congress, and the public.

SEC. 4. FEDERAL ANNOUNCEMENTS OF VACANT POSITIONS.

(a) TARGETED ANNOUNCEMENTS.—In consultation with the Chief Human Capital Officers Council, the head of each agency shall—

(1) take steps necessary to identify highly qualified applicant pools with diverse backgrounds before posting announcements of vacant positions;

(2) seek to develop relationships with targeted and diverse applicant pools to encourage applications for high-quality applicants; and

(3) post announcements of vacant positions for a reasonable period of time.

(b) PUBLIC NOTICE REQUIREMENTS.—The requirements of subsection (a) shall not supersede public notice requirements.

(c) PLAIN WRITING REQUIREMENT.—

(1) DEFINITION.—In this subsection, the term ''plain writing'' has the meaning given under section 3 of the Plain Writing Act of 2010 (5 U.S.C. 301 note).

(2) REQUIREMENT.—All Federal announcements of vacant positions for competitive positions shall be written in plain writing in accordance with the Plain Writing Act of 2010 (5 U.S.C. 301 note).

(d) CONTACT INFORMATION.—Announcements of vacant positions shall include contact information for applicants to seek further information.

SEC. 5. APPLICATION PROCESS AND NOTIFICATION REQUIREMENTS.

(a) APPLICATION PROCESS.—Not later than 180 days after the date of enactment of this Act and in consultation with the Office of Personnel Management and the Office of Management and Budget, the head of each agency shall ensure that processes are implemented to—

(1) ensure that positions that are on the announcements of vacant positions are open for a reasonable period of time as determined by the head of the agency to allow applicants from diverse backgrounds time to submit an application;

(2) allow applicants to submit a cover letter, resume, and answers to brief questions, such as questions relating to United States citizenship and veterans status, to complete an initial application;

(3) not require lengthy writing requirements such as knowledge, skills, and ability essays as part of an initial application;

(4) allow applicants to submit application materials in a variety of formats, including word processing documents and portable document format;

(5) not require any applicant to provide a social security number or any other personal identifying information unnecessary for the initial review of an applicant for a position;

(6) not require the submission of additional material in support of an application, such as educational transcript, proof of veterans status, and professional certifications, unless necessary to complete the hiring process;

(7) provide for a valid, position-related assessment process to help identify the best candidates for the position to be filled and which does not place an unreasonable burden upon applicants;

(8) ensure that applicants are given a reasonable amount of time after the closing date of the announcement of a vacant position to provide additional necessary information; and

(9) include the hiring manager in all parts of the hiring process, including—

(A) targeted recruitment;

(B) drafting the announcement of the vacant position;

(C) review of the initial applications;

(D) interviewing the applicants; and

(E) the final decisionmaking process.

(b) NOTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—In consultation with the Chief Human Capital Officers Council, the head of each agency shall ensure there are mechanisms under which each applicant for a vacant position shall receive timely notification of the status of each application or provide the applicant the ability to check on the status of each application.

(2) NOTIFICATION.—A timely notification to an applicant under this subsection shall be made upon—

(A) receipt of an application by the employing agency;

(B) determination of the qualification of the applicant for the position;

(C) referral to the selecting official, or when a decision is made not to refer the applicant; and

(D) selection of an applicant.

(3) APPLICANTS NOT SELECTED.—The agency shall notify any applicant who is not offered employment that the applicable position is not open, not later than 10 business days after the date on which—

(A) the selected candidate has accepted an offer of employment; or

(B) the announcement of the vacant position has been cancelled.

SEC. 6. AGENCY HIRING PROCEDURES.

(a) ELIMINATION OF THE RULE OF THREE; MULTIPLE SELECTIONS FROM ONE CERTIFICATE.—

(1) IN GENERAL.—Chapter 33 of title 5, United States Code, is amended by striking section 3317 and inserting the following:

''§ 3317. Competitive service; certification and selection using numerical ratings

''(a) CERTIFICATIONS.—The Office of Personnel Management, or an agency to which the Office has delegated examining authority under section 1104(a)(2), shall certify a sufficient number of names from the top of the appropriate register or list of eligibles for an appointing authority who has requested a certificate of eligibles to consider when filling a position in the competitive service.

''(b) SELECTIONS.—

''(1) IN GENERAL.—An appointing authority shall select for appointment from the eligibles available for appointment on the certificate provided under subsection (a), unless objection to 1 or more of the individuals certified is made to, and sustained by, the Office of Personnel Management or the relevant agency for proper and adequate reason.

''(2) OTHER APPOINTING AUTHORITIES.—Not later than 240 days after the date of issuance of a certificate under subsection (a), other appointing authorities may select from that certificate for similar positions in the same occupational series and at the same grade level without any additional posting under section 3327.

''(c) PREFERENCE ELIGIBLES.—

''(1) PASS OVERS.—

''(A) IN GENERAL.—If an appointing authority proposes to pass over a preference eligible on a certificate in order to select an individual who is not a preference eligible, that appointing authority shall submit a statement of reasons to the Office of Personnel Management for passing over the preference eligible.

''(B) REASONS FOR PASS OVERS.—

''(i) RECORD.—The Office shall make the reasons submitted by the appointing authority part of the record of the preference eligible and may require the submission of more detailed information from the appointing authority in support of the passing over of the preference eligible.

''(ii) REVIEW.—The Office shall—

''(I) review the reasons submitted by the appointing authority; and

''(II) determine the sufficiency or insufficiency of the reasons, taking into account any response received by the Office from the preference eligible based on the reasons made available under or paragraph (3).

''(C) FINDINGS.—After the Office has completed the review under subparagraph (B) of the proposed passover, the Office shall send its findings to the appointing authority and to the preference eligible. The appointing authority shall comply with the findings of the Office.

''(2) PREFERENCE ELIGIBLES.—In the case of a preference eligible not described under paragraph (3)(A), upon the request of that preference eligible (or the representative of that preference eligible) the Office of Personnel Management shall provide a copy of—

''(A) the reasons for the proposed pass over submitted by the appointing authority under paragraph (1)(A); and

''(B) the findings of the Office under paragraph (1)(C).

''(3) PREFERENCE ELIGIBLES WITH CERTAIN DISABILITIES.—

''(A) NOTIFICATIONS.—In the case of a preference eligible described under section 2108(3)(C) who has a compensable service-connected disability of 30 percent or more, the appointing authority shall provide notification to the preference eligible of—

''(i) the proposed pass over;

''(ii) the reasons for the proposed pass over; and

''(iii) the right of the preference eligible to respond to those reasons to the Office of Personnel Management or the relevant agency not later than 15 days after the date of the receipt of the notification.

''(B) TIMING OF NOTIFICATIONS.—The appointing authority shall provide notification to the preference eligible under subparagraph (A) at the same time the appointing authority provides notification to the Office of Personnel Management under paragraph (1).

''(C) DEMONSTRATION OF NOTIFICATIONS.—Before completing the review under paragraph (1) with respect to a preference eligible described under section 2108(3)(C) who has a compensable service-connected disability of 30 percent or more, the Office shall require a demonstration by the appointing authority that a timely notification under subparagraph (A) was sent to the last known address of the preference eligible.

''(4) NONDELEGATION OF FUNCTIONS.—In the case of a preference eligible described under paragraph (3), the functions of the Office of Personnel Management under this subsection may not be delegated.

''(d) REEMPLOYMENT.—If the names of preference eligibles are on a reemployment list appropriate for the position to be filled, a nominating or appointing authority may appoint from a register of eligibles established after examination only an individual who qualifies as a preference eligible under section 2108(3)(C) through (G).

''(e) REGULATIONS.—The Office of Personnel Management shall prescribe regulations to carry out this section, including regulations for the establishment of mechanisms, such as advanced determination of score, for identifying the eligibles who will be considered for appointment.''.

(2) COMPETITIVE SERVICE; SELECTION FROM CERTIFICATES.—

(A) REPEAL.—Section 3318 of title 5, United States Code, is repealed.

(B) TECHNICAL AND CONFORMING AMENDMENT.—Section 3304(a)(3) of title 5, United States Code, is amended by striking ''3318'' and inserting ''3317''.

(3) COMPETITIVE SERVICE; SELECTION USING CATEGORY RATING.—Section 3319 of title 5, United States Code, is amended—

(A) by striking the section heading and inserting the following:

''§ 3319. Competitive service; selection using category rating'';

(B) in subsection (c)(2) by striking ''section 3317(b) or 3318(b)'' and inserting ''section 3317(c)'';

(C) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(D) by inserting after subsection (c) the following:

''(d) Not later than 240 days after the date a certificate under this section is issued, other appointing authorities may select from that certificate for similar positions in the same occupational series and at the same grade level in accordance with subsection (c) without any additional posting under section 3327.''.

(4) EXCEPTED SERVICE; GOVERNMENT OF THE DISTRICT OF COLUMBIA; SELECTION.—Section 3320 of title 5, United States Code, is amended by striking ''sections 3308-3318'' and inserting ''sections 3308 through 3319''.

(b) REPORTING AND POSTING EMPLOYMENT OPPORTUNITIES.—

(1) GOVERNMENTWIDE LIST OF VACANT POSITIONS.—Section 3330 of title 5, United States Code, is repealed.

(2) CIVIL SERVICE POSITIONS LIST.—Chapter 33 of title 5, United States Code, is amended by striking section 3327 and inserting the following:

''§ 3327. Civil service positions list

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency'—

''(A) means an Executive agency as defined under section 105; and

''(B) includes the Government Printing Office; and

''(2) the term 'covered position' means a position—

''(A) in the competitive service (other than a position established for a period not exceeding 18 months); or

''(B) a position in the Senior Executive Service.

''(b) VACANT COVERED POSITIONS.—Subject to regulations prescribed under subsection (e), each agency shall promptly provide notification to the Office of Personnel Management of vacant covered positions in the agency for which the agency seeks applications from individuals who are not employees of that agency.

''(c) LIST.—

''(1) ESTABLISHMENT AND MAINTENANCE.—The Office of Personnel Management shall establish and maintain a comprehensive list of vacant positions within each agency for which applications are currently being accepted or will soon be accepted.

''(2) CONTENTS AND AVAILABILITY.—The list established and maintained under this subsection shall—

''(A) include—

''(i) a brief description of each position, including the title, expected duration, location, and rate of pay of the position;

''(ii) the period during which applications will be accepted;

''(iii) application procedures, including who may apply, and procedures for obtaining additional information;

''(iv) the conditions under which applicants may be considered; and

''(v) any other information the Office considers appropriate; and

''(B) be made available to the public, in such form as the Office requires in regulations prescribed under subsection (e).

''(d) FEES.—

''(1) CHARGING.—The Office of Personnel Management may charge fees to agencies for services provided under this section and for related Federal employment information.

''(2) RETAINING AND USE.—The Office shall retain fees collected under this subsection to pay the costs of providing the services and information.

''(e) REGULATIONS.—The Office of Personnel Management shall prescribe regulations to carry out this section.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by striking the items relating to sections 3317 through 3330 and inserting the following:

''3317. Competitive service; certification and selection using numerical ratings.

''[3318. Repealed.]

''3319. Competitive service; selection using category rating.

''3320. Excepted service; government of the District of Columbia; selection.

''3321. Competitive service; probationary period.

''[3322. Repealed.]

''3323. Automatic separations; reappointment; reemployment of annuitants.

''3324. Appointments to positions classified above GS–15.

''3325. Appointments to scientific and professional positions.

''3326. Appointments of retired members of the armed forces to positions in the Department of Defense.

''3327. Civil service positions list.

''3328. Selective Service registration.

''3329. Appointments of military reserve technicians to positions in the competitive service.

''[3330. Repealed.]''.

SEC. 7. TRAINING.

Not later than 120 days after the date of enactment of this Act—

(1) in consultation with the Chief Human Capital Officers Council, the Office of Personnel Management shall develop and notify agencies of a training program for human resources professionals to implement the requirements of this Act; and

(2) each agency shall develop and submit to the Office of Personnel Management a plan to implement the training program.

SEC. 8. REDUCTION IN THE LENGTH OF THE HIRING PROCESS.

(a) AGENCY PLANS.—Unless the Office of Personnel Management certifies an agency already has a plan in effect, the head of each agency shall develop a plan to reduce the length of the hiring process, which shall include an analysis of the current hiring process performed in accordance with standards established by the Office of Personnel Management.

(b) REQUIREMENTS.—To the extent practical, each agency shall fill identified vacancies not later than an average of 80 calendar days after the date of identification of the vacancy.

(c) REPORTS.—Each agency shall submit an annual report to Congress on the average period of time required to fill each position, and whether such positions are cancelled or reopened.

SEC. 9. MEASURES OF FEDERAL HIRING EFFECTIVENESS.

(a) IN GENERAL.—Each agency shall measure and collect information on indicators of hiring effectiveness relating to—

(1) recruiting and hiring, including the—

(A) ability to reach and recruit highly qualified talent from diverse talent pools;

(B) use and impact of each hiring authority and flexibility to recruit most qualified applicants, including the use of student internships and scholarship programs as a talent pool for permanent hires;

(C) use and impact of special hiring authorities and flexibilities to recruit diverse candidates, including veteran, minority, and disabled candidates;

(D) age, educational level, and source of applicants;

(E) length of time between the time a position is advertised and the time a first offer of employment is made;

(F) length of time between the time a first offer of employment for a position is made and the time a new hire starts in that position;

(G) number of internal and external applicants for Federal positions;

(H) number of positions filled compared to the specific number in the annual workforce

plan of the agency, with specific reference to mission-critical occupations or areas of critical shortage deficiencies; and

(I) number of offers accepted compared to the number of offers made for permanent positions;

(2) hiring manager assessment, including—

(A) manager satisfaction with the quality of the applicants interviewed and new hires;

(B) manager satisfaction with the match between the skills of newly hired individuals and the needs of the agency;

(C) manager satisfaction with the hiring process and hiring outcomes;

(D) any mission-critical deficiency closed by new hires and the connection between mission-critical deficiencies and annual agency performance; and

(E) manager satisfaction with the length of time to fill a position;

(3) applicant satisfaction with the hiring process, including—

(A) the clarity of the announcement of the vacant position;

(B) the reasons for withdrawal of any application;

(C) the user-friendliness of the application process;

(D) communication regarding status of application; and

(E) the timeliness of hiring decision; and

(4) new hire assessment, including—

(A) new hire satisfaction with the hiring process, including—

(i) the clarity of the announcement of the vacant position;

(ii) the user-friendliness of the application process;

(iii) communication regarding status of application; and

(iv) the timeliness of hiring decision;

(B) satisfaction with the onboarding experience, including—

(i) the timeliness of onboarding after the hiring decision;

(ii) the welcoming and orientation processes; and

(iii) being provided with timely and useful new employee information and assistance;

(C) new hire attrition;

(D) investment in training and development for employees during their first year of employment; and

(E) other indicators and measures as required by the Office of Personnel Management.

(b) REPORTS.—

(1) IN GENERAL.—Each agency shall submit on an annual basis and in accordance with regulations prescribed under subsection (c) the information collected under subsection (a) to the Office of Personnel Management.

(2) AVAILABILITY OF RECRUITING AND HIRING INFORMATION.—Each year the Office of Personnel Management shall provide the information submitted under paragraph (1) in a consistent format to allow for a comparison of hiring effectiveness and experience across demographic groups and agencies to—

(A) Congress before that information is made publicly available; and

(B) the public on the website of the Office not later than 90 days after the submission of the information under paragraph (1).

(c) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall prescribe regulations directing the methodology, timing, and reporting of the data described in subsection (a).

SEC. 10. REGULATIONS.

(a) IN GENERAL.—Except as provided under section 9(c), not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall prescribe regulations as necessary to carry out this Act.

(b) CONSULTATION.—The Director of the Office of Personnel Management shall consult the Chief Human Capital Officers Council in the development of regulations under this section.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 276—EXPRESSING SUPPORT FOR THE GOALS AND IDEALS OF NATIONAL INFANT MORTALITY AWARENESS MONTH OF 2011

Mr. CARDIN (for himself, Mr. BURR, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 276

Whereas ''infant mortality'' refers to the death of a baby before his or her first birthday;

Whereas the United States ranks 41st among industrialized countries in the rate of infant mortality;

Whereas high rates of infant mortality are especially prevalent in communities with large minority populations, high rates of unemployment and poverty, and limited access to safe housing and medical providers;

Whereas premature birth is a leading cause of infant mortality;

Whereas according to the Institute of Medicine of the National Academies, premature birth costs the United States more than $26,000,000,000 annually;

Whereas infant mortality can be substantially reduced through community-based services such as outreach, home visitation, case management, health education, and interconceptional care;

Whereas support for community-based programs to reduce infant mortality can result in lower future spending on medical interventions, special education, and other social services that may be needed for infants and children who are born with a low birth weight;

Whereas the Department of Health and Human Services, through the Office of Minority Health, has implemented the ''A Healthy Baby Begins With You'' campaign;

Whereas the Maternal and Child Health Bureau of the Health Resources and Services Administration has provided national leadership on the issue of infant mortality;

Whereas public awareness and education campaigns on infant mortality are held during the month of September each year; and

Whereas September 2011 has been designated as ''National Infant Mortality Awareness Month'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Infant Mortality Awareness Month 2011;

(2) supports efforts to educate people in the United States about infant mortality and the factors that contribute to infant mortality;

(3) supports efforts to reduce infant deaths, low birth weight, pre-term births, and disparities in perinatal outcomes;

(4) recognizes the critical importance of including efforts to reduce infant mortality and the factors that contribute to infant mortality as part of prevention and wellness strategies; and

(5) calls upon the people of the United States to observe National Infant Mortality Awareness Month with appropriate programs and activities.

SENATE RESOLUTION 277—RECOGNIZING THE MONTH OF OCTOBER 2011 AS ''NATIONAL PRINCIPALS MONTH''

Mr. FRANKEN (for himself, Mr. LUGAR, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mr. CARDIN, Mrs. MURRAY, Mr. WARNER, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 277

Whereas the National Association of Secondary School Principals and the National Association of Elementary School Principals have declared the month of October 2011 as ''National Principals Month'';

Whereas principals are educational visionaries, instructional and assessment leaders, disciplinarians, community builders, budget analysts, facilities managers, and administrators of legal and contractual obligations;

Whereas principals work collaboratively with teachers and parents to develop and implement a clear mission, high curriculum standards, and performance goals;

Whereas principals create school environments that facilitate great teaching and learning and continuous school improvement;

Whereas the vision, actions, and dedication of principals provide the mobilizing force behind any school reform effort; and

Whereas the celebration of ''National Principals Month'' would honor elementary school, middle school, and high school principals, and recognize the importance of principals in ensuring that every child has access to a high-quality education: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of October 2011 as ''National Principals Month''; and

(2) honors the contribution of principals in the elementary schools, middle schools, and high schools of our Nation by supporting the goals and ideals of ''National Principals Month''.

SENATE RESOLUTION 278—DESIGNATING SEPTEMBER 2011 AS ''NATIONAL PROSTATE CANCER AWARENESS MONTH''

Mr. SESSIONS (for himself, Mr. CARDIN, Mr. INHOFE, Mr. WICKER, Mr. BROWN of Massachusetts, Mr. KERRY, Mr. SHELBY, Mr. CRAPO, Mr. JOHNSON of South Dakota, Mr. LEE, Mr. CHAMBLISS, Mr. AKAKA, Mrs. BOXER, Mr. KIRK, Mr. WYDEN, Mr. JOHANNS, and Mr. BLUNT) submitted the following resolution; which was considered and agreed to:

S. RES. 278

Whereas countless families in the United States live with prostate cancer;

Whereas 1 in 6 males in the United States will be diagnosed with prostate cancer in his lifetime;

Whereas prostate cancer is the most commonly diagnosed non-skin cancer and the second most common cause of cancer-related deaths among males in the United States;

Whereas in 2011, the American Cancer Society estimates that 240,890 males in the United States will be diagnosed with prostate cancer, and 33,720 males will die from the disease;

Whereas 30 percent of newly diagnosed prostate cancer cases occur in males under the age of 65;

Whereas approximately every 14 seconds, a male in the United States turns 50 years old

and increases his odds of developing cancer, including prostate cancer;

Whereas African-American males suffer from a prostate cancer incidence rate that is up to 65 percent higher than White males and have double the prostate cancer mortality rate of White males;

Whereas obesity is a significant predictor of the severity of prostate cancer;

Whereas the probability that obesity will lead to death and high cholesterol levels is strongly associated with advanced prostate cancer;

Whereas males in the United States with 1 family member diagnosed with prostate cancer have a 1 in 3 chance of being diagnosed with the disease, males with 2 family members diagnosed have an 83 percent chance, and males with 3 family members diagnosed have a 97 percent chance;

Whereas screening by a digital rectal examination and a prostate-specific antigen blood test can detect the disease at the early stages, increasing the chances of survival for more than 5 years to nearly 100 percent;

Whereas only 33 percent of males survive more than 5 years if diagnosed during the late stages of the disease;

Whereas there are no noticeable symptoms of prostate cancer while it is still in the early stages, making screening critical;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatment; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of males and preserving and protecting families: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2011 as ''National Prostate Cancer Awareness Month'';

(2) declares that steps should be taken—

(A) to raise awareness about the importance of screening methods for, and treatment of, prostate cancer;

(B) to increase research funding that is commensurate with the burden of prostate cancer so that—

(i) screening and treatment for prostate cancer may be improved;

(ii) the causes of prostate cancer may be discovered; and

(iii) a cure for prostate cancer may be developed; and

(C) to continue to consider ways for improving access to, and the quality of, health care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

SENATE RESOLUTION 279—EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 24, 2011, AS ''WORLDWIDE DAY OF PLAY''

Mrs. GILLIBRAND (for herself and Ms. AYOTTE) submitted the following resolution; which was considered and agreed to:

S. RES. 279

Whereas according to the Centers for Disease Control and Prevention, since 1980, obesity prevalence among children has almost tripled and approximately 12,500,000, or 17 percent, of children and adolescents in the United States are obese;

Whereas according to the American Academy of Pediatrics study entitled ''The Importance of Play in Promoting Healthy Child Development and Maintaining Strong Parent-Child Bonds''—

(1) play is essential to development because play contributes to the cognitive, physical, social, and emotional well-being of children and youth;

(2) play offers an ideal opportunity for parents to engage fully with children; and

(3) despite the benefits derived from play for both children and parents, time for free play has been significantly reduced for some children and youth in the United States;

Whereas Worldwide Day of Play is the centerpiece of The Big Help, the long-term commitment of Nickelodeon to empower children and families by providing the tools and information children and families need to take action on the issues children and families care about;

Whereas in each of the 50 States and in 13 countries, including at United States military bases around the globe, children and families celebrate Worldwide Day of Play;

Whereas on September 24, 2011, Nickelodeon will host the 8th annual Worldwide Day of Play;

Whereas in 2011, in collaboration with the Let's Move! campaign started by First Lady Michelle Obama and the President's Council on Fitness, Sports and Nutrition, the Nickelodeon Worldwide Day of Play will be held on the Ellipse in Washington, District of Columbia;

Whereas September 24, 2011, would be an appropriate date to designate as Worldwide Day of Play: Now, therefore, be it

Resolved, That the Senate supports the designation of September 24, 2011, as ''Worldwide Day of Play''.

SENATE RESOLUTION 280—DESIGNATING THE WEEK BEGINNING SEPTEMBER 19, 2011, AS ''NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK'' AND RECOGNIZING THE ACHIEVEMENTS OF THE HISPANIC ASSOCIATION OF COLLEGES AND UNIVERSITIES

Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID of Nevada, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. BEGICH, Mr. REED of Rhode Island, Mrs. MURRAY, Mrs. BOXER, Mr. BINGAMAN, Mr. NELSON of Florida, Mr. COONS, Mrs. GILLIBRAND, and Mrs. HUTCHISON) submitted the following resolution; which was considered and agreed to:

S. RES. 280

Whereas Hispanic-serving institutions play an important role in educating many underprivileged students and helping those students attain their full potential through higher education;

Whereas Hispanic-serving institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas in 2010, there were 307 Hispanic-serving institutions in the United States, enrolling 1,348,436 Hispanic students in nonprofit postsecondary schools;

Whereas Hispanic-serving institutions are actively involved in stabilizing and improving the communities in which the Hispanic-serving institutions are located;

Whereas 54 percent of Hispanic students in the United States attend nonprofit, postsecondary Hispanic-serving institutions;

Whereas celebrating the vast contributions of Hispanic-serving institutions to the United States strengthens the culture of the United States;

Whereas the achievements and goals of Hispanic-serving institutions are deserving of national recognition;

Whereas 2011 marks the 25th anniversary of the establishment of the Hispanic Association of Colleges and Universities, an organization that works to improve the capacity of Hispanic-serving institutions in helping students across the United States succeed;

Whereas the Hispanic Association of Colleges and Universities fulfills its mission by promoting the development of member colleges and universities, improving access to, and the quality of, postsecondary educational opportunities for Hispanic students, and meeting the needs of business, industry, and government through the development and sharing of resources, information, and expertise; and

Whereas the week beginning September 19, 2011, would be an appropriate week for national recognition of Hispanic-serving institutions: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Hispanic-serving institutions across the United States;

(2) recognizes the achievements of the Hispanic Association of Colleges and Universities throughout the 25 years since the establishment of the organization;

(3) designates the week beginning September 19, 2011, as ''National Hispanic-Serving Institutions Week''; and

(4) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-serving institutions.

SENATE RESOLUTION 281—DESIGNATING SEPTEMBER 24, 2011, AS ''NATIONAL ESTUARIES DAY''

Mr. WHITEHOUSE (for himself, Mr. BROWN of Massachusetts, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. KERRY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED of Rhode Island, Ms. SNOWE, Mr. WARNER, Mr. WEBB, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 281

Whereas the estuary regions of the United States comprise a significant share of the national economy, with 43 percent of the population, 40 percent of the employment, and 49 percent of the economic output of the United States located in the estuary regions of the United States;

Whereas coasts and estuaries contribute more than $800,000,000,000 annually in trade and commerce to the United States economy;

Whereas more than 43 percent of all adults in the United States visit a sea coast or estuary at least once a year to participate in some form of recreation, generating $8,000,000,000 to $12,000,000,000 in revenue annually;

Whereas more than 28,000,000 jobs in the United States are supported by commercial and recreational fishing, boating, tourism, and other coastal industries that rely on healthy estuaries;

Whereas estuaries provide vital habitat for countless species of fish and wildlife, including many that are listed as threatened or endangered;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization and erosion prevention, and the protection of coastal communities during extreme weather events;

Whereas the United States has lost more than 110,000,000 acres, or 50 percent, of the wetland of the United States since the first European settlers arrived;

Whereas bays once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can impact estuarine water quality and estuarine habitat;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) declares that it is the national policy to preserve, protect, develop, and if possible, to restore or enhance, the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 24 coastal and Great Lake States and territories of the United States contain a National Estuary Program or a National Estuarine Research Reserve System;

Whereas scientific study leads to better understanding of the benefits of estuaries to human and ecological communities;

Whereas Federal, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas September 24, 2011, has been designated as ''National Estuaries Day'' to increase awareness among all people of the United States, including Federal, State and local government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 24, 2011, as ''National Estuaries Day'';

(2) supports the goals and ideals of National Estuaries Day;

(3) acknowledges the importance of estuaries to sustaining employment and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

SENATE RESOLUTION 282—TO AUTHORIZE TESTIMONY IN KANELOS V. COUNTY OF MOHAVE, ET AL. AND ZANNA, ET AL. V. MOHAVE COUNTY, ET AL.

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 282

Whereas, in the cases of *Kanelos* v. *County of Mohave*, et al., Civ. No. 10–8099 (D. Ariz.) and *Zanna*, et al. v. *Mohave County*, et al., Civ. No. 10–8149 (D. Ariz.), pending in federal district court in Arizona, the defendants have requested that a declaration be submitted by Gina Gormley, an employee of Senator John McCain;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, that Gina Gormley is authorized to testify in the cases of *Kanelos* v. *County of Mohave*, et al. and *Zanna*, et al. v. *Mohave County* et al., except concerning matters for which a privilege should be asserted.

SENATE CONCURRENT RESOLUTION 29—AUTHORIZING THE USE OF THE ROTUNDA OF THE UNITED STATES CAPITOL FOR AN EVENT TO PRESENT THE CONGRESSIONAL GOLD MEDAL, COLLECTIVELY, TO NEIL A. ARMSTRONG, EDWIN E. ''BUZZ'' ALDRIN, JR., MICHAEL COLLINS, AND JOHN HERSCHEL GLENN, JR., IN RECOGNITION OF THEIR SIGNIFICANT CONTRIBUTIONS TO SOCIETY

Mr. NELSON of Florida (for himself, Ms. STABENOW, Mr. BROWN of Ohio, Mrs. HUTCHISON, Mr. VITTER, Mr. AKAKA, Mr. PRYOR, Mr. LIEBERMAN, and Mr. DURBIN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 29

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

SECTION 1. USE OF THE ROTUNDA OF THE UNITED STATES CAPITOL TO PRESENT THE CONGRESSIONAL GOLD MEDAL.

(a) AUTHORIZATION.—The rotunda of the United States Capitol is authorized to be used on November 16, 2011 for the presentation of the Congressional Gold Medal, collectively, to Neil A. Armstrong, Edwin E. ''Buzz'' Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., in recognition of their significant contributions to society.

(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.

AMENDMENTS SUBMITTED AND PROPOSED

SA 655. Mr. REID proposed an amendment to the bill H.R. 2608, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

SA 656. Mr. REID proposed an amendment to the bill H.R. 2608, supra.

SA 657. Mr. REID proposed an amendment to amendment SA 656 proposed by Mr. REID to the bill H.R. 2608, supra.

SA 658. Mr. REID proposed an amendment to the bill H.R. 2608, supra.

SA 659. Mr. REID proposed an amendment to amendment SA 658 proposed by Mr. REID to the bill H.R. 2608, supra.

SA 660. Mr. REID proposed an amendment to amendment SA 659 proposed by Mr. REID to the amendment SA 658 proposed by Mr. REID to the bill H.R. 2608, supra.

TEXT OF AMENDMENTS

SA 655. Mr. REID proposed an amendment to the bill H.R. 2608, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the amendment of the Senate, insert the following:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2012, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2011 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2011, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Department of Defense Appropriations Act, 2011 (division A of Public Law 112–10).

(2) The Full-Year Continuing Appropriations Act, 2011 (division B of Public Law 112–10).

(b) The rate for operations provided by subsection (a) is hereby reduced by 1.503 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2011 or prior years; (2) the increase in production rates above those sustained with fiscal year 2011 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2011.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to

section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2011.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2012, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable appropriations Act for fiscal year 2012 without any provision for such project or activity; or (3) November 18, 2011.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2012 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2011, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2011, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2011 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2011, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. (a) Except as provided in subsection (b), each amount incorporated by reference in this Act that was previously designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress. Section 101(b) of this Act shall not apply to any amount so designated.

(b) Subsection (a) shall not apply to amounts for ''Department of Justice—Federal Bureau of Investigation—Salaries and Expenses''.

SEC. 115. During the period covered by this Act, discretionary amounts appropriated for fiscal year 2012 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts made available by this Act for ''Department of Defense—Operation and Maintenance—Operation and Maintenance, Air Force'' may be used by the Secretary of Defense for operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That the authority made by this section shall continue in effect through the date specified in section 106(3) of this Act: *Provided further*, That section 9014 of division A of Public Law 112–10 shall not apply to funds appropriated by this Act.

SEC. 117. Notwithstanding section 101, funds made available in title IX of division A of Public Law 112–10 for ''Overseas Contingency Operations'' shall be available at a rate for operations not to exceed the rate permitted by H.R. 2219 (112th Congress) as passed by the House of Representatives on July 8, 2011.

SEC. 118. The authority provided by section 127b of title 10, United States Code, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 119. The authority provided by section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2412), as extended by section 1204(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4623), shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 120. Notwithstanding section 101, amounts are provided for ''Defense Nuclear Facilities Safety Board—Salaries and Expenses'' at a rate for operations of $29,130,000.

SEC. 121. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds under the heading ''District of Columbia Funds'' for such programs and activities under title IV of H.R. 2434 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under ''District of Columbia Funds—Summary of Expenses'' as included in the Fiscal Year 2012 Budget Request Act of 2011 (D.C. Act 19–92), as modified as of the date of the enactment of this Act.

SEC. 122. Notwithstanding section 101, amounts are provided for the necessary expenses of the Recovery Accountability and Transparency Board, to carry out its functions under title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), at a rate for operations of $28,350,000.

SEC. 123. (a) Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

(b) Notwithstanding section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)), the Small Business Technology Transfer Program shall continue in effect through the date specified in section 106(3) of this Act.

(c) Notwithstanding section 9(y)(6) of the Small Business Act (15 U.S.C. 638(y)(6)), the pilot program under section 9(y) of such Act shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 124. Section 8909a(d)(3)(A)(v) of title 5, United States Code, is amended by striking ''September 30, 2011'' and inserting the date specified in section 106(3) of this Act.

SEC. 125. Notwithstanding any other provision of this Act, effective on the date of the enactment of this Act, of the unobligated balances remaining available to the Department of Energy pursuant to section 129 of the Continuing Appropriations Resolution, 2009 (division A of Public Law 110–329), $500,000,000 is rescinded, $774,000,000 is hereby transferred to and merged with ''Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief'', and $226,000,000 is hereby transferred to and merged with ''Corps of Engineers-Civil—Flood Control and Coastal Emergencies'': *Provided*, That the amounts made available by this section for the Corps of Engineers-Civil shall be for emergency expenses for repair of damage caused by the storm and flood events occurring in 2011: *Provided further*, That the amounts transferred by this section shall remain available until expended: *Provided further*, That each amount transferred by this section is designated as an emergency pursuant to section 3(c)(1) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 126. (a) Notwithstanding section 101, amounts are provided for ''Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief'' at a rate for operations of $2,650,000,000: *Provided*, That the Secretary of Homeland Security shall provide a full accounting of disaster relief funding requirements for such account for fiscal year 2012 not later than 15 days after the date of the enactment of this Act, and for fiscal year 2013 in conjunction with the submission of the President's budget request for fiscal year 2013.

(b) The accounting described in subsection (a) for each fiscal year shall include estimates of the following amounts:

(1) The unobligated balance of funds in such account that has been (or will be) carried over to such fiscal year from prior fiscal years.

(2) The unobligated balance of funds in such account that will be carried over from such fiscal year to the subsequent fiscal year.

(3) The amount of the rolling average of non-catastrophic disasters, and the specific data used to calculate such rolling average, for such fiscal year.

(4) The amount that will be obligated each month for catastrophic events, delineated by

event and State, and the total remaining funding that will be required after such fiscal year for each such catastrophic event for each State.

(5) The amount of previously obligated funds that will be recovered each month of such fiscal year.

(6) The amount that will be required in such fiscal year for emergencies, as defined in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)).

(7) The amount that will be required in such fiscal year for major disasters, as defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)).

(8) The amount that will be required in such fiscal year for fire management assistance grants, as defined in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187).

SEC. 127. Any funds made available pursuant to section 101 for the Department of Homeland Security may be obligated at a rate for operations necessary to sustain essential security activities, such as: staffing levels of operational personnel; immigration enforcement and removal functions, including sustaining not less than necessary detention bed capacity; and United States Secret Service protective activities, including protective activities necessary to secure National Special Security Events. The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 128. The authority provided by section 532 of Public Law 109–295 shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 129. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 130. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this Act for ''October 4, 2011''.

SEC. 131. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 132. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (42 U.S.C. 1701 note), concerning Service First authorities, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 133. Notwithstanding section 101, section 1807 of Public Law 112–10 shall be applied by substituting ''$374,743,000'' for ''$363,843,000'' and ''$10,900,000'' for ''$3,000,000''.

SEC. 134. The second proviso of section 1801(a)(3) of Public Law 112–10 is amended by striking ''appropriation under this subparagraph'' and inserting ''appropriations made available by this Act''.

SEC. 135. Notwithstanding section 101, amounts are provided for ''Federal Mine Safety and Health Review Commission—Salaries and Expenses'' at a rate for operations of $14,510,000.

SEC. 136. Sections 399AA(e), 399BB(g), and 399CC(f) of the Public Health Service Act (42 U.S.C. 280i(e), 280i–1(g), 280i–2(f)) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 137. Notwithstanding section 101, section 2005 of division B of Public Law 112–10 shall be applied by substituting ''$0'' for each dollar amount.

SEC. 138. The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011'' in section 7 of such Act of 1945.

SEC. 139. Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 140. Commitments to guarantee loans incurred under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed a rate for operations of $25,000,000,000: *Provided*, That total loan principal, any part of which is to be guaranteed, may be apportioned through the date specified in section 106(3) of this Act, at $80,000,000 multiplied by the number of days covered in this Act.

SEC. 141. (a) RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.—

(1) IN GENERAL.—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A (b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(2) RULE OF CONSTRUCTION.—This section shall be deemed to be a ''renewal resolution'' for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

(b) EFFECTIVE DATE.—This section shall take effect on July 26, 2011.

(c) APPLICABILITY.—This section shall not be subject to any other provision of this Act.

SEC. 142. Effective on the date of the enactment of this Act, of the unobligated balances remaining available for ''Department of Energy—Energy Programs—Title 17-Innovative Technology Loan Guarantee Program'' pursuant to title IV of division A of Public Law 111–5, $100,000,000 is rescinded.

This Act may be cited as the ''Continuing Appropriations Act, 2012''.

SA 656. Mr. REID proposed an amendment to the bill H.R. 2608, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the amendment of the Senate, insert the following:

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2012, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2011 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2011, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Department of Defense Appropriations Act, 2011 (division A of Public Law 112–10).

(2) The Full-Year Continuing Appropriations Act, 2011 (division B of Public Law 112–10).

(b) The rate for operations provided by subsection (a) is hereby reduced by 1.503 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2011 or prior years; (2) the increase in production rates above those sustained with fiscal year 2011 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2011.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2011.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2012, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable appropriations Act for fiscal year 2012 without any provision for such project or activity; or (3) November 18, 2011.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2012 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for

fiscal year 2011, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2011, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2011 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2011, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. (a) Except as provided in subsection (b), each amount incorporated by reference in this Act that was previously designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress. Section 101(b) of this Act shall not apply to any amount so designated.

(b) Subsection (a) shall not apply to amounts for ''Department of Justice—Federal Bureau of Investigation—Salaries and Expenses''.

SEC. 115. During the period covered by this Act, discretionary amounts appropriated for fiscal year 2012 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts made available by this Act for ''Department of Defense—Operation and Maintenance—Operation and Maintenance, Air Force'' may be used by the Secretary of Defense for operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: *Provided*, That the authority made by this section shall continue in effect through the date specified in section 106(3) of this Act: *Provided further*, That section 9014 of division A of Public Law 112–10 shall not apply to funds appropriated by this Act.

SEC. 117. Notwithstanding section 101, funds made available in title IX of division A of Public Law 112–10 for ''Overseas Contingency Operations'' shall be available at a rate for operations not to exceed the rate permitted by H.R. 2219 (112th Congress) as passed by the House of Representatives on July 8, 2011.

SEC. 118. The authority provided by section 127b of title 10, United States Code, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 119. The authority provided by section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2412), as extended by section 1204(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4623), shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 120. Notwithstanding section 101, amounts are provided for ''Defense Nuclear Facilities Safety Board—Salaries and Expenses'' at a rate for operations of $29,130,000.

SEC. 121. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds under the heading ''District of Columbia Funds'' for such programs and activities under title IV of H.R. 2434 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under ''District of Columbia Funds—Summary of Expenses'' as included in the Fiscal Year 2012 Budget Request Act of 2011 (D.C. Act 19–92), as modified as of the date of the enactment of this Act.

SEC. 122. Notwithstanding section 101, amounts are provided for the necessary expenses of the Recovery Accountability and Transparency Board, to carry out its functions under title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), at a rate for operations of $28,350,000.

SEC. 123. (a) Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

(b) Notwithstanding section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)), the Small Business Technology Transfer Program shall continue in effect through the date specified in section 106(3) of this Act.

(c) Notwithstanding section 9(y)(6) of the Small Business Act (15 U.S.C. 638(y)(6)), the pilot program under section 9(y) of such Act shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 124. Section 8909a(d)(3)(A)(v) of title 5, United States Code, is amended by striking ''September 30, 2011'' and inserting the date specified in section 106(3) of this Act.

SEC. 125. (a) Notwithstanding any other provision of this Act, effective on the date of the enactment of this Act, there is appropriated—

(1) an additional amount for ''Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief'', $774,000,00, to remain available until expended; and

(2) an additional amount for ''Corps of Engineers-Civil—Flood Control and Coastal Emergencies'', $226,000,00, to remain available until expended.

(b) The amount made available by this section for the Corps of Engineers—Civil shall be for emergency expenses for repair of damage caused by the storm and flood events occurring in 2011.

(c) Each amount in this section is designated as an emergency pursuant to section 3(c)(1) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 126. (a) Notwithstanding section 101, amounts are provided for ''Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief'' at a rate for operations of $2,650,000,000: *Provided*, That the Secretary of Homeland Security shall provide a full accounting of disaster relief funding requirements for such account for fiscal year 2012 not later than 15 days after the date of the enactment of this Act, and for fiscal year 2013 in conjunction with the submission of the President's budget request for fiscal year 2013.

(b) The accounting described in subsection (a) for each fiscal year shall include estimates of the following amounts:

(1) The unobligated balance of funds in such account that has been (or will be) carried over to such fiscal year from prior fiscal years.

(2) The unobligated balance of funds in such account that will be carried over from such fiscal year to the subsequent fiscal year.

(3) The amount of the rolling average of non-catastrophic disasters, and the specific data used to calculate such rolling average, for such fiscal year.

(4) The amount that will be obligated each month for catastrophic events, delineated by event and State, and the total remaining funding that will be required after such fiscal year for each such catastrophic event for each State.

(5) The amount of previously obligated funds that will be recovered each month of such fiscal year.

(6) The amount that will be required in such fiscal year for emergencies, as defined in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)).

(7) The amount that will be required in such fiscal year for major disasters, as defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)).

(8) The amount that will be required in such fiscal year for fire management assistance grants, as defined in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187).

SEC. 127. Any funds made available pursuant to section 101 for the Department of Homeland Security may be obligated at a rate for operations necessary to sustain essential security activities, such as: staffing levels of operational personnel; immigration enforcement and removal functions, including sustaining not less than necessary detention bed capacity; and United States Secret Service protective activities, including protective activities necessary to secure National Special Security Events. The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 128. The authority provided by section 532 of Public Law 109–295 shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 129. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 130. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this Act for ''October 4, 2011''.

SEC. 131. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 132. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (42 U.S.C. 1701 note), concerning Service First authorities, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 133. Notwithstanding section 101, section 1807 of Public Law 112–10 shall be applied by substituting ''$374,743,000'' for ''$363,843,000'' and ''$10,900,000'' for ''$3,000,000''.

SEC. 134. The second proviso of section 1801(a)(3) of Public Law 112–10 is amended by striking ''appropriation under this subparagraph'' and inserting ''appropriations made available by this Act''.

SEC. 135. Notwithstanding section 101, amounts are provided for ''Federal Mine Safety and Health Review Commission—Salaries and Expenses'' at a rate for operations of $14,510,000.

SEC. 136. Sections 399AA(e), 399BB(g), and 399CC(f) of the Public Health Service Act (42 U.S.C. 280i(e), 280i–1(g), 280i–2(f)) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 137. Notwithstanding section 101, section 2005 of division B of Public Law 112–10 shall be applied by substituting ''$0'' for each dollar amount.

SEC. 138. The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011'' in section 7 of such Act.

SEC. 139. Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2011''.

SEC. 140. Commitments to guarantee loans incurred under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed a rate for operations of $25,000,000,000: *Provided*, That total loan principal, any part of which is to be guaranteed, may be apportioned through the date specified in section 106(3) of this Act, at $80,000,000 multiplied by the number of days covered in this Act.

SEC. 141. (a) RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.—

(1) IN GENERAL.—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A (b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(2) RULE OF CONSTRUCTION.—This section shall be deemed to be a ''renewal resolution'' for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

(b) EFFECTIVE DATE.—This section shall take effect on July 26, 2011.

(c) APPLICABILITY.—This section shall not be subject to any other provision of this Act.

This Act may be cited as the ''Continuing Appropriations Act, 2012''.

SA 657. Mr. REID proposed an amendment to amendment SA 656 proposed by Mr. REID to the bill H.R. 2608, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; as follows:

At the end, add the following new section:

Section ____

This Act shall become effective 4 days after enactment.

SA 658. Mr. REID proposed an amendment to the bill H.R. 2608, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; as follows:

At the end, add the following new section:

Section ____

This Act shall become effective 3 days after enactment.

SA 659. Mr. REID proposed an amendment to amendment SA 658 proposed by Mr. REID to the bill H.R. 2608, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; as follows:

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

SA 660. Mr. REID proposed an amendment to amendment SA 659 proposed by Mr. REID to the amendment SA 658 proposed by Mr. REID to the bill H.R. 2608, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; as follows:

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

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 23, 2011, at 10 a.m.

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

EXECUTIVE SESSION

NOMINATIONS DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the HELP Committee be discharged from further consideration of PN–924, 567 nominations in the Public Health Service received by the Senate on September 8, 2011, beginning with Aysha Z. Akhtar and ending with Mykah N. Wynter; that the nominations be confirmed 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 the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate consider the following nominations: Calendar Nos. 371, 372, 373, 374, 375, 376, 377, 378, 379, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc; that 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; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF DEFENSE

Ashton B. Carter, of Massachusetts, to be Deputy Secretary of Defense.

IN THE AIR FORCE

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 brigadier general

Col. Timothy J. Leahy

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Rebecca J. McCormick-Boyle

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Raquel C. Bono

IN THE AIR FORCE

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. Jan-Marc Jouas

IN THE ARMY

The following named officer for appointment as The Surgeon General, 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 3036:

To be lieutenant general

Maj. Gen. Patricia D. Horoho

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Douglas J. Venlet

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) David C. Johnson

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Donald E. Gaddis

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Mark R. Whitney

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Cindy L. Jaynes

IN THE AIR FORCE

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. Judith A. Fedder

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael T. Flynn

IN THE AIR FORCE

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. Scott M. Hanson

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 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Clyde D. Moore, II

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. Cecil E.D. Haney

IN THE ARMY

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 12203 and 12211:

To be brigadier general

Col. Robert F. Thomas

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Allyson R. Solomon

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Gary W. Keefe

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Colonel Frederik G. Hartwig
Colonel Donald L. Johnson
Colonel Kenneth W. Wisian

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brigadier General Joseph G. Balskus
Brigadier General William S. Hadaway, III
Brigadier General Mark R. Kraus
Brigadier General Catherine S. Lutz

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. James L. Terry

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. William T. Grisoli

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. Margaret W. Boor

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 12203 and 12211:

To be brigadier general

Col. Raphael G. Peart

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 12203 and 12211:

To be major general

Brig. Gen. Terry M. Haston

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Michael S. Rogers

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Frank C. Pandolfe

IN THE AIR FORCE

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Colonel Randall R. Ball
Colonel John P. Bartholf
Colonel Steven J. Berryhill
Colonel Gretchen S. Dunkelberger
Colonel Greg A. Haase
Colonel Scott L. Kelly
Colonel Maureen McCarthy
Colonel Mark A. McCauley
Colonel Marsa L. Mitchell
Colonel Harry D. Montgomery, Jr.
Colonel Jon K. Mott
Colonel Brian C. Newby
Colonel David W. Newman
Colonel David Snyder
Colonel Dean L. Winslow

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Raymond V. Mason

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; and to be a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

To be lieutenant general

Maj. Gen. Terry A. Wolff

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN789 AIR FORCE nominations (75) beginning DAVID B. BARKER, and ending ANGELA M. YUHAS, which nominations were received by the Senate and appeared in the Congressional Record of July 20, 2011.

PN913 AIR FORCE nominations (4) beginning MARK W. DUFF, and ending BRYAN A. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2011.

PN914 AIR FORCE nominations (4) beginning CHAD J. CARDA, and ending BARRY J. VAN SICKLE, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2011.

PN926 AIR FORCE nomination of Christopher J. Oleksa, which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN927 AIR FORCE nomination of Arthur L. Bouck, which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN928 AIR FORCE nomination of Tamala L. Gulley, which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN929 AIR FORCE nomination of Michael H. Heuer, which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

IN THE ARMY

PN877 ARMY nominations (6) beginning LARRY W. DOTSON, and ending DAMIAN K. WADDELL, which nominations were received by the Senate and appeared in the Congressional Record of August 2, 2011.

PN878 ARMY nomination of Jack M. Markusfeld, which was received by the Senate and appeared in the Congressional Record of August 2, 2011.

PN879 ARMY nomination of Stephen R. Taylor, which was received by the Senate and appeared in the Congressional Record of August 2, 2011.

PN880 ARMY nomination of Hal D. Baird, which was received by the Senate and appeared in the Congressional Record of August 2, 2011.

PN930 ARMY nomination of James E. Orr, which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN931 ARMY nominations (9) beginning STEVEN A. CHAMBERS, and ending JAMES P. WALDRON, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN932 ARMY nominations (7) beginning SUSAN M. CAMORODA, and ending GERSON S. VALLES, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN942 ARMY nomination of Hyun S. Sim, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN943 ARMY nomination of Olga Betancourt, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN944 ARMY nomination of Michael C. Freidl, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN945 ARMY nomination of Natacha L. Miller, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN946 ARMY nomination of Benjamin D. Owen, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN947 ARMY nominations (5) beginning HEIDI J. COX, and ending MARK A. RICH, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN948 ARMY nominations (4) beginning COLIN A. BITTERFIELD, and ending ANDREAS W. WOOTEN, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN949 ARMY nominations (26) beginning RICHARD J. ALLINGER, and ending MARGARET A. YOUNGBLOOD, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN950 ARMY nominations (8) beginning BRIAN R. BENJAMIN, and ending MARK D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN951 ARMY nominations (11) beginning TERESE B. ACOCELLA, and ending GARY L. WILLIAMSON, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN952 ARMY nominations (51) beginning MICHAEL D. ALPERIN, and ending DAVID S. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN953 ARMY nominations (19) beginning CLAYTON T. ABE, and ending TERRENCE A. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN954 ARMY nominations (6) beginning GEORGE V. HANKEWYCZ, and ending HENRY K. THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN955 ARMY nominations (15) beginning JOHN F. BOWLEY, and ending MAUREEN E. WEBER, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN972 ARMY nomination of Kelly A. Cricks, which was received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN973 ARMY nomination of Damian G. McCabe, which was received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN974 ARMY nomination of John R. Pendergrass, which was received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN975 ARMY nominations (3) beginning ROBERT D. BLACK, and ending TRUDY A. SALERNO, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN976 ARMY nominations (4) beginning JAMES A. CHRISTENSEN, and ending KATHLEEN A. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN977 ARMY nominations (7) beginning MATTHEW J. CONDE, and ending VICTOR M. PALOMARES, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN978 ARMY nominations (34) beginning LEE A. ADAMS, and ending MARK A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN979 ARMY nominations (3) beginning KATHIE S. CLARK, and ending NANCY L. MCLAUGHLIN, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN980 ARMY nominations (8) beginning LYNN R. GAYLORD, and ending VICKI L. NOLIN, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN981 ARMY nominations (3) beginning NATHAN W. BLACK, and ending TROY G. DANDERSON, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

IN THE MARINE CORPS

PN237 MARINE CORPS nominations (610) beginning PAUL M. ABOUD, and ending RICHARD M. ZJAWIN, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 2011.

PN936 MARINE CORPS nomination of John L. Hyatt, Jr., which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

IN THE NAVY

PN372 NAVY nomination of Paul E. Schoenbucher, Jr., which was received by the Senate and appeared in the Congressional Record of March 30, 2011.

PN881 NAVY nomination of John N. Desverreaux, which was received by the Senate and appeared in the Congressional Record of August 2, 2011.

PN915 NAVY nomination of David D. Dinkins, which was received by the Senate and appeared in the Congressional Record of September 6, 2011.

PN933 NAVY nomination of Kevin J. Oliver, which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN934 NAVY nominations (3) beginning MICHAEL FORTUNATO, and ending MATTHEW T. WELLOCK, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN935 NAVY nominations (484) beginning JOSEPH H. ADAMS, II, and ending JEREMY S. YARBROUGH, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN956 NAVY nominations (242) beginning DAMON M. ARMSTRONG, and ending MARISOL C. ZIEMBA, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN957 NAVY nominations (39) beginning JAMES P. ALDERETE, II, and ending SETH T. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN958 NAVY nominations (131) beginning SAAD M. ALAZIZ, and ending MICHAEL A. ZUNDEL, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN959 NAVY nominations (22) beginning MICHAEL W. BLOOMROSE, and ending CHRISTOPHER P. TOSCANO, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN960 NAVY nominations (131) beginning HECTOR ACEVEDO, and ending JAY ZULUETA, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN961 NAVY nominations (72) beginning JAVIER ARAUJO, and ending RAYMOND C. YAU, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN962 NAVY nominations (25) beginning THOMAS T. COOK, and ending LEROY C. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN963 NAVY nominations (36) beginning ADNAN S. AHSAN, and ending REBECCA L. WALDRAM, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN964 NAVY nominations (9) beginning FABIO O. AUSTRIA, JR., and ending DONNA L. SMOAK, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORIZATION OF TESTIMONY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 282, submitted earlier today.

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

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 282) to authorize testimony in Kanelos v. Mohave, et al., and Zanna, et al. v. Mohave County, et al.

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

Mr. REID. Mr. President, this resolution concerns a request for testimony in related civil actions pending in Arizona Federal district court. In these actions, plaintiffs claim that Arizona local officials hosting a Senator McCain town hall meeting allegedly violated plaintiffs' rights by prohibiting their distribution of political literature at the meeting and subsequently enacting a policy limiting the use of county facilities to the conduct of official government business. The defendants have requested a declaration from a member of Senator MCCAIN's staff who witnessed relevant events. Senator MCCAIN would like to cooperate with this request. This resolution would authorize testimony in connection with these actions.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider laid upon the table, without any intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 282) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 282

Whereas, in the cases of *Kanelos* v. *County of Mohave*, et al., Civ. No. 10–8099 (D. Ariz.) and *Zanna*, et al. v. *Mohave County*, et al., Civ. No. 10–8149 (D. Ariz.), pending in federal district court in Arizona, the defendants have requested that a declaration be submitted by Gina Gormley, an employee of Senator John McCain;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it *Resolved*, That Gina Gormley is authorized to testify in the cases of *Kanelos* v. *County of Mohave*, et al. and *Zanna*, et al. v. *Mohave County* et al., except concerning matters for which a privilege should be asserted.

ORDERS FOR MONDAY, SEPTEMBER 26, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3:30 p.m., Monday, September 26; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; and that following morning business, the Senate resume consideration of the motion to concur with respect to the House message to accompany H.R. 2608, which is the vehicle for the continuing resolution and the FEMA funding, with the time until 5:30 p.m. equally divided and controlled between the two leaders or their designees; further, that the second-degree filing deadline for the motion to concur be at 5 p.m. on Monday.

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. Monday on the motion to invoke cloture on the motion to concur in the House message to accompany H.R. 2608 with an amendment, which is basically a 6-week continuing resolution to fund the government, together with FEMA.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 26, 2011, AT 3:30 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn under the previous order, with the understanding that the vote at 5:30 Monday will be continued more than the normal time, but people need to be reasonable. We cannot leave it open forever.

There being no objection, the Senate, at 3:59 p.m., adjourned until Monday, September 26, 2011, at 3:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MAURICE A. JONES, OF VIRGINIA, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE RONALD C. SIMS, RETIRED.

DEPARTMENT OF THE TREASURY

MATTHEW S. RUTHERFORD, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MARY JOHN MILLER.

DISCHARGED NOMINATIONS

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH AYSHA Z. AKHTAR AND ENDING WITH MYKAH N. WYNTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2011.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 23, 2011:

DEPARTMENT OF DEFENSE

ASHTON B. CARTER, OF MASSACHUSETTS, TO BE DEPUTY SECRETARY OF DEFENSE.

IN THE AIR FORCE

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 brigadier general

COL. TIMOTHY J. LEAHY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. REBECCA J. MCCORMICK-BOYLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. RAQUEL C. BONO

IN THE AIR FORCE

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. JAN-MARC JOUAS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE SURGEON GENERAL, 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 3036:

To be lieutenant general

MAJ. GEN. PATRICIA D. HOROHO

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DOUGLAS J. VENLET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DAVID C. JOHNSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DONALD E. GADDIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MARK R. WHITNEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CINDY L. JAYNES

IN THE AIR FORCE

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. JUDITH A. FEDDER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL T. FLYNN

IN THE AIR FORCE

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. SCOTT M. HANSON

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. CLYDE D. MOORE II

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. CECIL E. D. HANEY

IN THE ARMY

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 12203 AND 12211:

To be brigadier general

COL. ROBERT F. THOMAS

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. ALLYSON R. SOLOMON

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. GARY W. KEEFE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL FREDERIK G. HARTWIG
COLONEL DONALD L. JOHNSON
COLONEL KENNETH W. WISIAN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIGADIER GENERAL JOSEPH G. BALSKUS

BRIGADIER GENERAL WILLIAM S. HADAWAY III
BRIGADIER GENERAL MARK R. KRAUS
BRIGADIER GENERAL CATHERINE S. LUTZ

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JAMES L. TERRY

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. WILLIAM T. GRISOLI

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. MARGARET W. BOOR

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 12203 AND 12211:

To be brigadier general

COL. RAPHAEL G. PEART

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 12203 AND 12211:

To be major general

BRIG. GEN. TERRY M. HASTON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MICHAEL S. ROGERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. FRANK C. PANDOLFE

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL RANDALL R. BALL
COLONEL JOHN P. BARTHOLF
COLONEL STEVEN J. BERRYHILL
COLONEL GRETCHEN S. DUNKELBERGER
COLONEL GREG A. HAASE
COLONEL SCOTT L. KELLY
COLONEL MAUREEN MCCARTHY
COLONEL MARK A. MCCAULEY
COLONEL MARSA L. MITCHELL
COLONEL HARRY D. MONTGOMERY, JR.
COLONEL JON K. MOTT
COLONEL BRIAN C. NEWBY
COLONEL DAVID W. NEWMAN
COLONEL DAVID SNYDER
COLONEL DEAN L. WINSLOW

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RAYMOND V. MASON

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; AND TO BE A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

To be lieutenant general

MAJ. GEN. TERRY A. WOLFF

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH DAVID B. BARKER AND ENDING WITH ANGELA M. YUHAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 20, 2011.

AIR FORCE NOMINATIONS BEGINNING WITH MARK W. DUFF AND ENDING WITH BRYAN A. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2011.

AIR FORCE NOMINATIONS BEGINNING WITH CHAD J. CARDA AND ENDING WITH BARRY J. VAN SICKLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2011.

AIR FORCE NOMINATION OF CHRISTOPHER J. OLEKSA, TO BE COLONEL.

AIR FORCE NOMINATION OF ARTHUR L. BOUCK, TO BE MAJOR.

AIR FORCE NOMINATION OF TAMALA L. GULLEY, TO BE MAJOR.

AIR FORCE NOMINATION OF MICHAEL H. HEUER, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH LARRY W. DOTSON AND ENDING WITH DAMIAN K. WADDELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 2, 2011.

ARMY NOMINATION OF JACK M. MARKUSFELD, TO BE COLONEL.

ARMY NOMINATION OF STEPHEN R. TAYLOR, TO BE MAJOR.

ARMY NOMINATION OF HAL D. BAIRD, TO BE COLONEL.

ARMY NOMINATION OF JAMES E. ORR, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH STEVEN A. CHAMBERS AND ENDING WITH JAMES P. WALDRON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2011.

ARMY NOMINATIONS BEGINNING WITH SUSAN M. CAMORODA AND ENDING WITH GERSON S. VALLES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2011.

ARMY NOMINATION OF HYUN S. SIM, TO BE COLONEL.

ARMY NOMINATION OF OLGA BETANCOURT, TO BE MAJOR.

ARMY NOMINATION OF MICHAEL C. FREIDL, TO BE MAJOR.

ARMY NOMINATION OF NATACHA L. MILLER, TO BE MAJOR.

ARMY NOMINATION OF BENJAMIN D. OWEN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH HEIDI J. COX AND ENDING WITH MARK A. RICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATIONS BEGINNING WITH COLIN A. BITTERFIELD AND ENDING WITH ANDREAS W. WOOTEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATIONS BEGINNING WITH RICHARD J. ALLINGER AND ENDING WITH MARGARET A. YOUNGBLOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATIONS BEGINNING WITH BRIAN R. BENJAMIN AND ENDING WITH MARK D. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATIONS BEGINNING WITH TERESE B. ACOCELLA AND ENDING WITH GARY L. WILLIAMSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATIONS BEGINNING WITH MICHAEL D. ALPERIN AND ENDING WITH DAVID S. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATIONS BEGINNING WITH CLAYTON T. ABE AND ENDING WITH TERRENCE A. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATIONS BEGINNING WITH GEORGE V. HANKEWYCZ AND ENDING WITH HENRY K. THOMAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATIONS BEGINNING WITH JOHN F. BOWLEY AND ENDING WITH MAUREEN E. WEBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

ARMY NOMINATION OF KELLY A. CRICKS, TO BE MAJOR.

ARMY NOMINATION OF DAMIAN G. MCCABE, TO BE MAJOR.

ARMY NOMINATION OF JOHN R. PENDERGRASS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ROBERT D. BLACK AND ENDING WITH TRUDY A. SALERNO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2011.

ARMY NOMINATIONS BEGINNING WITH JAMES A. CHRISTENSEN AND ENDING WITH KATHLEEN A. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2011.

ARMY NOMINATIONS BEGINNING WITH MATTHEW J. CONDE AND ENDING WITH VICTOR M. PALOMARES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2011.

ARMY NOMINATIONS BEGINNING WITH LEE A. ADAMS AND ENDING WITH MARK A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2011.

ARMY NOMINATIONS BEGINNING WITH KATHIE S. CLARK AND ENDING WITH NANCY L. MCLAUGHLIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2011.

ARMY NOMINATIONS BEGINNING WITH LYNN R. GAYLORD AND ENDING WITH VICKI L. NOLIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2011.

ARMY NOMINATIONS BEGINNING WITH NATHAN W. BLACK AND ENDING WITH TROY G. DANDERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 15, 2011.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH PAUL M. ABOUD AND ENDING WITH RICHARD M. ZJAWIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 3, 2011.

MARINE CORPS NOMINATION OF JOHN L. HYATT, JR., TO BE MAJOR.

IN THE NAVY

NAVY NOMINATION OF PAUL E. SCHOENBUCHER, JR., TO BE CAPTAIN.

NAVY NOMINATION OF JOHN N. DESVERREAUX, TO BE CAPTAIN.

NAVY NOMINATION OF DAVID D. DINKINS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF KEVIN J. OLIVER, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH MICHAEL FORTUNATO AND ENDING WITH MATTHEW T. WELLOCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2011.

NAVY NOMINATIONS BEGINNING WITH JOSEPH H. ADAMS II AND ENDING WITH JEREMY S. YARBROUGH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2011.

NAVY NOMINATIONS BEGINNING WITH DAMON M. ARMSTRONG AND ENDING WITH MARISOL C. ZIEMBA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

NAVY NOMINATIONS BEGINNING WITH JAMES P. ALDERETE II AND ENDING WITH SETH T. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

NAVY NOMINATIONS BEGINNING WITH SAAD M. ALAZIZ AND ENDING WITH MICHAEL A. ZUNDEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

NAVY NOMINATIONS BEGINNING WITH MICHAEL W. BLOOMROSE AND ENDING WITH CHRISTOPHER P. TOSCANO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

NAVY NOMINATIONS BEGINNING WITH HECTOR ACEVEDO AND ENDING WITH JAY ZULUETA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

NAVY NOMINATIONS BEGINNING WITH JAVIER ARAUJO AND ENDING WITH RAYMOND C. YAU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

NAVY NOMINATIONS BEGINNING WITH THOMAS T. COOK AND ENDING WITH LEROY C. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

NAVY NOMINATIONS BEGINNING WITH ADNAN S. AHSAN AND ENDING WITH REBECCA L. WALDRAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

NAVY NOMINATIONS BEGINNING WITH FABIO O. AUSTRIA, JR. AND ENDING WITH DONNA L. SMOAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 14, 2011.

PUBLIC HEALTH SERVICE

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH AYSHA Z. AKHTAR AND ENDING WITH MYKAH N. WYNTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2011.

EXTENSIONS OF REMARKS

104TH ANNIVERSARY OF THE CROATIAN SONS LODGE NUMBER 170

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate the Croatian Sons Lodge Number 170 of the Croatian Fraternal Union on the festive occasion of its 104th Anniversary and Golden Member banquet on Sunday, October 2, 2011.

This year, the Croatian Fraternal Union will hold this gala at the Croatian Center in Merrillville, Indiana. Traditionally, the anniversary celebration entails a formal recognition of the Union's Golden Members, those who have achieved fifty years of membership. This year's honorees who have attained fifty years of membership include: Geraldine M. Doll, Marko Frankovich, Anthony R. Glibota, Sharon Haynes, Domenica Jaksa, Mary Ann Maggi, Thomas D. Meeks, Mary Ann Pala, Dennis R. Pollack, Mary Kay Rhodes, Judy A. Rodriguez, Anthony A. Samanich, Lorna Gail Scott, Patricia C. Tonkovich, Dennis Tuskan, Diana M. Voyt, and Katherine M. Zarth.

These loyal and dedicated individuals share this prestigious honor with approximately 324 additional Lodge members who have previously attained this important designation.

This memorable day will begin with a mass at Saint Joseph the Worker Croatian Catholic Church in Gary, Indiana, with the Reverend Father Stephen Loncar officiating. The banquet will begin at 1 p.m.

Mr. Speaker, I urge you and my other distinguished colleagues to join me in commending Lodge President John Miksich and all members of the Croatian Fraternal Union Lodge Number 170 for their loyalty and radiant display of passion for their ethnicity. The Croatian community has played a key role in enriching the quality of life and culture of Northwest Indiana. It is my hope that this year will bring renewed hope and prosperity for all members of the Croatian community and their families.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. LARRY BUCSHON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. BUCSHON. Mr. Chair, I rise today in support of the legislation before the House—H.R. 2401, the Transparency in Regulatory Analysis of Impacts on the Nation Act. Coal mining is a lifeblood industry in southwest Indiana and throughout the Midwest. We have abundant reserves of the natural resource throughout my state and the citizens of my district depend heavily on coal mining and the burning of coal for electricity. In fact, 98 percent of Indiana's power generation comes from coal.

The Environmental Protection Agency has gone to great lengths to disrupt coal production in the United States—in many cases haphazardly and without recognition of the economic and social benefits derived from coal mining and the electricity it generates.

The further hampering of our country's ability to mine and utilize coal will have drastic effects on the economy—hitting hardest those areas, like my district, that depend on coal for jobs and paychecks.

That said, there are utilities in this country that have completed or are making currently the strategic investments necessary to comply with the EPA rules this bill seeks to delay. These investments have been made at significant cost to the utility customers, who are paying higher rates as a result.

As this legislative initiative moves from House passage to Senate consideration—and negotiation between the two bodies—it is imperative we find a workable solution that both protects the investments these utilities have made and are making while maintaining the underlying intent of the bill before us.

For this reason, I plan to work toward such a solution because not doing so would leave those utilities at a significant competitive disadvantage in the marketplace—and frankly would be unfair to the customer. I am hopeful my colleagues will join me in this effort.

CONGRATULATING SGT. DAKOTA MEYER ON HIS RECEIPT OF THE CONGRESSIONAL MEDAL OF HONOR

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today in order to honor Sergeant Dakota Meyer of the United States Marine Corps and the recipient of the highest military honor our Nation can bestow, the Congressional Medal of Honor.

Born in Columbia, Sgt. Meyer's upbringing in rural southern Kentucky was quintessentially American. In high school, he distinguished himself—as an all-star on the football field and as a tutor volunteering his time to special-needs students in the classroom. Sgt. Meyer aspired to be a college football player until a chance encounter with a USMC recruiter awakened in his heart the challenge to serve his country. His eighteenth birthday found him at boot camp on Parris Island.

Sgt. Meyer served nobly in Iraq and at the conclusion of his tour there volunteered for another deployment, this time to Afghanistan. He has described the events of September 8, 2009, in the Kunar Province of northeastern Afghanistan as the ''worst'' day of his life. With that in mind, and the details of his heroism contained in the Medal Citation, I will not recount the terrible events of that day. Because of his actions, thirteen Marines and Army soldiers, as well as twenty-three Afghan soldiers made it out of an ambush to live and serve another day. And the bodies of four fallen American servicemen and a mortally wounded Army soldier—Marines 1st Lt. Michael Johnson, Gunnery Sgt. Edwin Johnson and Staff Sgt. Aaron Kenefick; Navy Corpsman 3rd Class James Layton; and Army Sgt. 1st Class Kenneth W. Westbrook—made it home to their loved ones and a grateful country.

As he received the Congressional Medal of Honor at a White House ceremony on September 16, with his usual modesty Sgt. Meyer dedicated the award to those brave men: ''The main thing that we need to get from that day is that those guys died heroes, and they are greatly missed.'' Having recently marked the tenth anniversary of the 9/11 attacks that drew us into war, as Sgt. Meyer reminds us, our Nation must commit to memory the service men and women who have sacrificed their utmost since in order to ensure the security and sovereignty of our blessed Republic.

It is impossible to convey how proud I am to join the American people as we honor Sgt. Dakota Meyer. Like him, I believe that in commemorating the events of that day in the far-off mountains of Afghanistan, we may honor those we lost while finding the strength and courage to ensure that the American dream of freedom and liberty will never dim.

TRIBUTE TO STATE SENATOR HARRY ''HAP'' MYERS

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to the memory of a remarkable man, State Senator Harry Edward ''Hap'' Myers, Jr., a lifelong resident of Mobile, Alabama and friend to many who passed away on August 3, 2011, at the age of 72.

During his lifetime, Hap was known for his unbending belief in others and in doing what was right. He was a husband, father, civil engineer, community leader and legislator.

Growing up in Mobile he attended Mary B. Austin Elementary School, Barton Academy, and graduated from Murphy High School in 1957. He received a B.A. Degree in Business Administration and a B.S. Degree in Civil Engineering from Auburn University in 1961.

Returning to Mobile, he began on a path he would follow for much of his professional life, serving and then leading the J.B. Converse

Company/BCM Engineers where he was president and CEO for two decades. Under his leadership, the company grew to become one of America's top 100 engineering firms.

Never one to be content with sitting on the sidelines when his community needed him, Hap was determined to make a difference, greeting new challenges with enthusiasm and his trademark positive attitude. He led the local business community as Chairman of the Mobile Chamber of Commerce, Chairman of the board at St. Paul's Episcopal School, and served on the Board of Regions Bank and the Mobile Area Water and Sewer Board, to name but a few of the many organizations where Hap left a lasting mark.

Having succeeded in local business and in giving his time to improve his community, Hap took the next step in 1994, entering the political arena for the first time. For anyone who knew him, there was never any doubt that he would make a fine public servant. Hap went on to be elected a Republican in the Democrat-dominated Alabama State Senate for three consecutive terms. He retired from politics in 2006. Former Governor Bob Riley summed up his political career by noting he "served for all the right reasons, and he did it with great integrity and class."

Mr. Speaker, Senator Hap Myers never put himself first and never gave up believing in and doing what was right. He will be sorely missed but leaves behind a legacy of goodness and decency as well as an example for one and all of what a true servant leader is.

I would like to ask the House to join me in extending our deepest condolences to his lovely wife, Toni, as well as his wonderful children, Hap III, Marty, and Sandy, his grandchildren, his family and many friends. You are all in our thoughts and prayers.

IN RECOGNITION OF THE 35TH ANNIVERSARY OF THE GOOD SAMARITAN SOCIETY'S DENTON VILLAGE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. BURGESS. Mr. Speaker, today I rise to commemorate the 35th anniversary of the Good Samaritan Society's Denton Village. The Good Samaritan Society operates a number of nursing homes around the country. Denton Village's inception in 1976 marked the beginning of their exceptional service offerings in long-term care and senior living complexes. The Denton Village has since expanded their services to include twin homes, assisted living, and a second senior living apartment building.

My parents lived in a duplex at Denton Village. The facilities and staff at Denton Village allowed my parents, Harry and Norma, to enjoy a more fulfilling and carefree life. When it comes to providing individualized care the people at Denton Village go above and beyond for their residents. Denton Village is a place that cares for people, and is one of the best nursing homes in Dallas Fort-Worth Area.

This anniversary is a wonderful opportunity for us to celebrate and recognize the values of the Good Samaritan Society and the delivery of those values at the Denton Village. I am truly proud to recognize everybody at Denton Village for their 35th Anniversary of excellent service, and I know the Denton community appreciates their years of service.

IN RECOGNITION OF THE OPENING AND DEDICATION OF THE UKRAINIAN VILLAGE PARK AND ANNUAL UKRAINIAN VILLAGE PARADE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the opening and dedication of the Ukrainian Village Park and Annual Ukrainian Village Parade taking place on September 24, 2011.

With a growing population of more than 50,000, the Ukrainian community has been a staple in the Greater Cleveland area for decades. In October, 2008, the City of Parma City Council became the first local government in Northeast Ohio to sponsor an ethnic neighborhood; Ukrainian Village. Ukrainian Village covers two miles along State Road and is home to Ukrainian butcher shops, credit unions, two Ukrainian Orthodox churches and now Ukrainian Village Park. The mission of Ukrainian Village is, "To preserve, empower, and advance Ukrainian Village as a thriving neighborhood by celebrating the culture and heritage of Ukrainian Americans and to collaborate with the City of Parma in creating business and economic development within its boundaries."

The Ukrainian Village Parade and Ukrainian Village Park dedication will be hosted by the City of Parma, Ukrainian Village Committee and the United Ukrainian Organizations of Ohio. The United Ukrainian Organizations of Ohio has represented more than 50 Ohio organizations since 1928. This year's Ukrainian Village celebration will commemorate the 20th anniversary of Ukraine's independence, include an annual parade and festival and feature the opening and dedication of the Ukrainian Village Park.

This year's parade will include, for the first time, all five of Parma's high school's bands; Parma Senior High School, Normandy High School, Valley Forge High School, Padua Franciscan High School and Holy Name High School. Additionally, the parade will feature church groups, civic organizations, representatives from the Polish, Hungarian, German, Irish and Slovak communities, Ukrainian Village businesses, numerous Ukrainian-American organizations, singers, dancers, school children, and His Eminence Archbishop Antony.

Mr. Speaker and colleagues, please join me as Greater Cleveland celebrates the opening and dedication of the Ukrainian Village Park and Annual Ukrainian Village Parade.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. DINGELL. Mr. Chair, today's debate is déjá vu from the debate within the House Energy and Commerce committee. Once again my colleagues and I on the Energy and Commerce Committee had the opportunity to address and protect human health and environment, while also promote and encourage innovation and job creation. These are serious issues facing our country and the EPA, issues that require serious solutions. Sadly, this bill does nothing to actually address those issues.

In addition to the lack of a well thought-out strategy, the proposed amendments to this bill would make serious changes to the Clean Air Act without any congressional hearing or testimony. None of these proposals have had serious examination by the Energy and Commerce Committee, which has jurisdiction over this matter. This is not the open and transparent legislative process that my colleagues have committed to. We cannot responsibly govern in this matter and ignore our Constitutional obligation to hold hearings, hear testimony, and give these matters the in-depth consideration major policy initiatives deserve.

As I said, there are legitimate problems with some of the proposed rules coming out of EPA, and they need to be dealt with. However, this Polish lawyer from Detroit happens to believe we would get further with a more surgical approach to dealing with these matters.

I am particularly concerned with the Utility MACT, which in its current form, could have a devastating effect on the economy of Midwestern manufacturing States, including my home State of Michigan. I am convinced that a balanced, bipartisan solution to this issue was available to us. In fact, I offered to work with all of my colleagues, both Democrats and Republicans on this matter. Sadly, my colleagues on the other side of the aisle would rather play political games rather than work on a reasonable solution to a legitimate problem.

I would note to my colleagues that we spent only one day on the failed Continuing Resolution, but will spend two days on this bill. This, I believe, demonstrates the true intention of the GOP. That is not to actually deal with a legitimate and disconcerting problem, but to spend time on their favorite whipping boy, EPA. Now, I have had my share of issues with that particular agency, but I have always sought a solution—not played games to gain political points.

As such, it is my intent to vote against the TRAIN Act and the amendments proposed by the other side of the aisle. The President already indicated his strong opposition and as such, the bill before us is nothing more than veto bait. I would call on my colleagues on

both sides of the aisle to work with me on these matters in a reasonable way.

CONGRATULATING CELADON GROUP, INC.

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. ROKITA. Mr. Speaker, I rise today to recognize and congratulate an important member of Indiana's business community.

Mr. Stephen Russell founded Celadon Group, Inc., in 1985, and under his leadership, Celadon has grown to become one of the Nation's largest trucking and transportation management companies. Celadon currently operates approximately 3,100 tractors and 9,000 trailers and serves over 2,000 customers. Celadon employs nearly 4,000 people and is the largest transportation company based in Indiana. Mr. Russell serves on several industry, education, and community boards; including on the American Trucking Associations, Inc. Board, Cornell University Johnson Graduate School of Management Board, and as Chairman of the Board of Governors of the Indianapolis Museum of Art.

Mr. Russell was one of four laureates inducted into the Central Indiana Business Hall of Fame on February 17, 2011. Established by the Junior Achievement Board of Directors in 1989, the Central Indiana Business Hall of fame honors men and women who epitomize success in the business world and use their success to improve the quality of life of their fellow citizens and surrounding communities.

I congratulate him on all his hard work and success which has been honored with the induction into the Central Indiana Business Hall of Fame. I would like to thank is family for selflessly supporting Mr. Russell in his long and accomplished career as a business and community leader in Central Indiana. I am proud to honor Mr. Russell in recognition of his leadership and service to his family, employees, and community.

100-YEAR ANNIVERSARY OF R.L. TURNER HIGH SCHOOL

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. MARCHANT. Mr. Speaker, it is with great pride that I rise to celebrate the 100-year anniversary of R.L. Turner High School. As a graduate of R.L. Turner, I am honored to recognize this school as a significant part of the City of Carrollton's history.

In the fall of 1911, Carrollton High School had its first class of three students. In 1915, a two-story, red brick building was constructed for the high school. When the high school changed locations, the building became DeWitt Perry Junior High. The junior high school was named after DeWitt Clinton Perry, who donated the land to the city for the original high school.

The first Homecoming Day celebration was held on Friday, November 17, 1933. Former students from as far back as the original class reunited at the football game where the Carrollton Yellow Jackets defeated the Hutchins Tigers by a score of 13–6.

In 1937, Carrollton High School changed their mascot from the Yellow Jackets to the Lions. In 1962, to accommodate the growth in the area, Carrollton High School moved from the two-story, red brick building on Beltline Road to its current location on Josey Lane. In the same year, Carrollton High School changed its name to R.L. Turner in honor of Superintendent Robert Leon Turner.

R.L. Turner High School has received a number of distinguished awards over its rich history. In the 1990–1991 school year, the high school was honored with the Blue Ribbon National School of Excellence. In the 2000–2001 and 2009–2010 school years, the high school achieved a Recognized Rating for its academics from the Texas Education Agency. And in 2010, R.L. Turner was ranked as the top school in the district on Newsweek's list of America's Best High Schools.

Since the first class graduated in 1912, approximately 50,000 students have passed through this exceptional institution. I am very proud of R.L. Turner and its century-long commitment to educational excellence. On behalf of the 24th Congressional District of Texas, I ask my colleagues to join me in congratulating R.L. Turner on its 100-year anniversary.

CORRESPONDENCE WITH DEFENSE SECRETARY PANETTA ON THE AFGHANISTAN/PAKISTAN STUDY GROUP

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. WOLF. Mr. Speaker, I submit my correspondence with the administration on my call for an Afghanistan/Pakistan Study Group. My letters to Defense Secretary Leon Panetta of August 31, 2011, and September 15, 2011, follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 31, 2011.

Hon. LEON PANETTA,
Secretary of Defense, The Pentagon, Washington, DC.

DEAR SECRETARY PANETTA: I know you care deeply about the men and women in uniform fighting in Afghanistan. That's why I am disappointed that no one from your staff has contacted former Ambassador Peter Tomsen, an expert on Afghanistan, to meet with him, as I requested in my letter to you of August 1 (enclosed).

Ambassador Tomsen's new book, The Wars of Afghanistan, is receiving positive reviews, including the enclosed review in the recent edition of Foreign Affairs. The review praises the book as providing an in depth description of the social structure of Afghanistan and the mistakes repeated by numerous foreign countries that have tried to help establish military and political cohesion in the country. The review states, ''Whether one agrees with Tomsen, however, there is no denying that his descriptions of Afghanistan's society and politics are a valuable foundation for any discussion of how the country should be governed. * * * Given Tomsen's track record, Americans should give a respectful hearing to his call for a thorough policy reformulation—something beyond tweaks to troop numbers and counterinsurgency tactics.''

I believe this book should be required reading for you and your team at the Pentagon. Ambassador Tomsen is ready and willing to lend his expertise to this important effort and I again ask that you or your staff meet with him.

Leon, I renew my call that you use your discretion as secretary and create the Af/Pak Study Group. We owe it to the men and women serving and the families and spouses at home to ensure we have the correct strategy. After 10 years of fighting, it is time to have a fresh set of eyes examine U.S. strategy. Far from a sign of weakness, creating an independent Af/Pak study group would show the nation that we are doing everything possible to achieve our goals in this region.

I would welcome the chance to speak with you on this matter.

Best wishes,

Sincerely,

FRANK R. WOLF,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 15, 2011.

The Hon. LEON PANETTA,
Secretary of Defense, U.S. Department of Defense, The Pentagon, Washington DC.

DEAR SECRETARY PANETTA: It was good to be with you at the Pentagon on Sunday to honor the lives lost there 10 years ago in the 9/11 attacks. I want to congratulate you on a moving ceremony that showed reverence to the Pentagon employees and the passengers of American Flight 77 that perished on that awful morning. I appreciated your comments and those of Admiral Mullen. Several of my constituents died at the Pentagon and the first U.S. service member killed in Afghanistan was my constituent. I thank you and all those who have served in public office and in uniform in the 10 years we have waged war against global terrorism.

As I waited for the program to begin on Sunday, I saw you and former Defense Secretary Rumsfeld and was struck by a vivid memory from 2005 of the events surrounding the Iraq war. We were three years into the war, the security situation in Iraq was deteriorating, and our soldiers were dying every day. As a member of Congress who voted to send our troops to fight, I believed I had the added responsibility to make sure the administration was receiving the best advice possible on our Iraq strategy.

So I proposed creating the Iraq Study Group (ISG) made up of experts outside government to bring what I called ''fresh eyes'' on the target. Secretary Rumsfeld, General Pace, Secretary Rice, and NSC Chairman Hadley all came to see the value in the ISG. By your participation, I think it is fair to say you also saw its benefit, and I greatly appreciated your outstanding service on the bipartisan panel. You and the other Democratic members who gave your time during a Republican administration exemplified the true meaning of service to your country.

We are now into the 10th year of fighting in Afghanistan and the challenges we face there continue. In 2001, I was the first member of Congress, along with Rep. Joe Pitts, to visit Afghanistan after the U.S. invasion, against the wishes of the Defense Department. We saw firsthand the devastation that the Taliban had visited on Kabul as well as the remnants of the U.S. Embassy that was abandoned in 1979. I have also traveled to Pakistan and seen the difficulties that country faces combating the Afghan Taliban and other terror groups. Despite the current conditions, all my experience in this region tells me that success is possible if we formulate

the right strategy to deal with both Afghanistan and Pakistan.

As with the ISG, I believe fresh eyes are needed now to examine U.S. policy in Afghanistan and Pakistan. The security situation continues to erode as evidenced by coordinated insurgent attacks on heavily fortified U.S. and NATO compounds just this week. The Taliban still finds safe haven in the tribal wilderness of Pakistan and the ISI actively funds terrorist groups.

Given these and other concerns on the ground in Afghanistan, I continue to be puzzled why you, the Joint Chiefs of Staff and Secretary Clinton are not supporting the Af/Pak Study Group idea in the same manner that Secretary Rumsfeld and other Bush administration officials supported the ISG. Having the experience of serving on the ISG and now serving as Secretary of Defense with a Democratic president (who I acknowledge inherited the war in Afghanistan), you are in a unique position to make this group a reality. The authorization and funding for the Af/Pak Study Group in the House-passed Defense Appropriations bill gives you the authority to create this group today.

I have to tell you that I continue to be disappointed that your staff has yet to contact former Ambassador Peter Tomsen to discuss his book, The Wars of Afghanistan. His book provides insightful information on the tribal structure of both Afghanistan and Pakistan and the political allegiances that underlie all actions in the region. I believe his knowledge and experience in this region would be invaluable in formatting future policy in South Asia. I respectfully ask again, please take advantage of his work and meet with him as soon as possible.

Leon, I don't have the answers on Afghanistan. Perhaps current U.S. strategy is the best way forward. But we owe it to the men and women in uniform who have served and continue to serve there—some paying the ultimate sacrifice—to know definitively. I continue to believe that fresh eyes from outside government focused on assessing the situation is the prudent action to take. I ask that you take the advice of those who support an Af/Pak Study Group, including Jim Dobbins, General Charles Krulak, Ryan Crocker, who I spoke with prior to his appointment as ambassador to Afghanistan, and other prominent Americans with experience in this region.

I believe it would be a sign of strength to appoint a study group and let the American people know that the administration is willing to examine all possible policies to achieve a successful outcome in this troubled region.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

CENTENNIAL ANNIVERSARY OF THE REPUBLIC OF CHINA (TAIWAN)

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. BURTON of Indiana. Mr. Speaker, the United States is familiar with its own stories of brave men and women who fought to break the bonds of tyranny and form a new democracy. The walls of this chamber and the surrounding Capitol complex remind us daily of our proud history. But I want to share with you today the story of another like minded group of individuals on the other side of the world who also dared to demand freedom for their people. I rise today, Mr. Speaker, to recognize the centennial anniversary of Republic of China in Taiwan.

One hundred years ago, on October 10th, 1911, under the inspiration of Dr. Sun Yat-Sen, the Republic of China began by throwing off the bonds of the Wuchang dynasty in order to create the first Republic in Asia. This year the Republic of China (Taiwan) celebrates the centennial of its National Independence Day, also known as "Double Ten Day".

The United States and Taiwan not only share a similar story of self-determination but we continue to maintain a strong and vital friendship. The people of Taiwan have made clear through the years, their appreciation and gratitude for the support the United States has provided Taiwan through the decades. This friendship has been evidenced through investment and economic development, through cultural and social exchanges, and even through the military support shared between our two peoples. Taiwan has stood with the United States to combat global terrorism; and the people of Taiwan have always given generously in our greatest times of need. Throughout the past ten decades we have become not just allies, but great friends.

As the Republic of China (Taiwan) enters into her second century of democracy, it is just as important that the United States stand with her 23 million citizens to face the challenges of the next hundred years. Surely there will be struggles, political and economic, at home and abroad. As we continue to engage other nations around the globe, we must remember that in our Taiwanese friends we have a nation ready to stand with us in the effort to promote freedom, tolerance, and democracy.

On this very special day, the United States joins with the Taiwanese people to recognize the sacrifice of those who made Double Ten Day possible so many years ago, and we reaffirm that our friendship remains steadfast. I ask my colleagues to please join me in extending to President Ma Ying-jeou the good wishes of the United States House of Representatives on this centennial anniversary.

IN HONOR OF THE 160TH ANNIVERSARY OF ST. MICHAEL CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the 160th anniversary of St. Michael Catholic Church in Independence, Ohio.

St. Michael Catholic Church was founded in 1851 when Bishop Amadeus Rappe commissioned Father Nicholas Roupp to begin celebrating Mass in Independence, Ohio. There had recently been an influx in the area of Catholic Swiss and German immigrants. After operating for several decades as a mission church, in 1888, the Cleveland Catholic Diocese raised the community to parochial status and Father Peter Scerer became St. Michael's first pastor. After two pastors in just a couple of years, St. Michael Parish reverted back to a mission and was served by the Jesuit Fathers of St. Mary Parish.

Throughout the 20th Century, St. Michael Parish experienced many renovations and expansions. In 1900, the congregation welcomed its third pastor, Father Albert Aust. Under the leadership of Father Aust, St. Michael Parish thrived and added a new rectory, school, and in 1908, teachers from the Notre Dame Sisters. The parish later added a sister's residence in 1934, built a new school in 1950, erected a new church in 1955 and new rectory in 1968. In 1990, a new social hall and gymnasium were constructed and named Rappe Hall, in honor of Bishop Amadeus Rappe. Most recently, in 2001, St. Michael completed an interior renovation of the current church on Chestnut Road.

The St. Michael congregation will celebrate its 160th anniversary in conjunction with the annual Feast of St. Michael. This year's celebration will include an Oktoberfest dinner, arcade games, and donations will be collected for both the St. Michael School Student Council's "Jeans for January" drive and St. Vincent DePaul Society's Food Pantry.

Mr. Speaker and colleagues, please join me in honoring the 160 years of service that St. Michael Catholic Church has provided to the parishioners of Independence, Ohio.

PERSONAL EXPLANATION

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. CARSON of Indiana. Mr. Speaker, due to a previous commitment, I unavoidably missed two votes. Had I been present, I would have voted "nay" on passage of rollcall 725, and "nay" on passage of rollcall 726.

REED COLLEGE CENTENNIAL

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. BLUMENAUER. Mr. Speaker, this year one of the nation's top liberal arts colleges in the heart of my Congressional District in Portland, Oregon is celebrating its centennial. Reed College began its first classes in 1911 with 50 students—26 men and 24 women—and five faculty members and has grown to 1,400 students and 135 faculty. Committed to intellectual rigours and academic freedom, Reed has served as a groundbreaking model for liberal arts colleges over the past 100 years.

Reed's commitment to academic excellence is reflected in the student body and faculty. All students are expected to complete an original work in a major subject area—a senior thesis. A higher percentage of Reed graduates go on to earn Ph.Ds across fields than do graduates of all but three other U.S. colleges and universities. Students regularly win Fulbright, Watson, National Science Foundation, and other fellowships, and the faculty has received national recognition for its commitment to teaching.

While "Reedies"—as students call themselves—are widely known for studying—sleeping—and studying some more, they engage in a broad range of campus and civic activities. One such tradition dates back to 1913 and is

known as Canyon Day, in which students and community members come together to clean up and restore the ecosystem of the natural canyon and creek that meanders through campus.

It is said the true mark of a Reed education is not conventional success, but a certain "quality of thought, curiosity, and willingness to challenge received wisdom." For a hundred years Reed has remained a hallmark of rigorous scholarship and intellectual pursuit. I am honored to represent this distinguished institution and look forward to celebrating future landmark occasions.

MOTION TO CONCUR

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. WAXMAN. Madam Speaker, I rise in opposition to H.R. 2608, the Continuing Resolution for the 2012 fiscal year.

This year, our country has faced perhaps the worst string of natural disasters in a generation. Flooding in the Upper Midwest and Northeast, tornadoes in the Midwest and Southeast and wildfires in Texas have caused an estimating $35 billion in property damage in 2011. These disasters are yet another indication that our burning of dirty fossil fuels is causing our climate to change, resulting in more frequent and destructive severe weather events.

The government has a responsibility to aid the victims of these events by funding cleanup and recovery efforts. But the Continuing Resolution that we are considering today pays for disaster relief by slashing funding for an important clean energy technology program—undercutting the very solutions that are an essential part of combating the causes of climate change and building a clean energy, 21st century economy.

This kind of reasoning could make sense only in Washington. It makes as much sense as cutting vaccine funding to pay the costs of a measles outbreak, or cutting funds for aerial fire retardant chemical stocks in order to pay for the horrific fires in Texas.

In addition, this program, the Advanced Technology Vehicles Manufacturing Program (ATVM), has already created jobs for over 40,000 Americans. The Center for Automotive Research credited the program with bringing the production of the Ford Focus, a vehicle that gets 40 miles-per-gallon, from Mexico to Detroit. If Congress simply leaves ATVM alone, it will create employment opportunities for another 35,000 to 40,000 Americans in the heart of the manufacturing belt, by the end of the year.

In the past, Congress has always come to the aid of those affected by disaster by paying for federal recovery efforts without conditions. The Bush Administration requested supplemental emergency disaster funding on eight occasions, and each time Congress agreed, often passing these measures with large bipartisan majorities.

This time should be no different. This disaster relief offset should be removed. This is not the way we care for our fellow Americans in a disaster. We're better than that. I urge my colleagues to support continued funding for clean energy technology to create jobs and invest in a 21st century economy and oppose this bill.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. HOLT. Mr. Chair, I rise in opposition to the TRAIN Act. This misguided legislation would undermine the Environmental Protection Agency's ability to enforce the Clean Air Act and significantly limit the federal government's ability to ensure that the air we breathe is safe and pollution-free.

Some in the Majority have used the title of this legislation to refer to EPA's so-called regulatory train wreck. Well, the TRAIN Act amounts to a wrecking ball for public health protections.

Sadly, the TRAIN Act is the latest in a long line of bills from the majority that puts big polluters before the health and safety of the American people. From the Dirty Air Act that would remove EPA's statutory authority to regulate carbon pollution to legislation that removes accountability for offshore drilling operations, the majority seems intent on rolling back programs that preserve our environment, protect our public health, and grow our economy.

For forty years the Clean Air Act has been successful in protecting public health and preventing deaths from respiratory disease because it was written to follow science as science evolved. The success of the Clean Air Act is because its regulations are based in science. Legislators shouldn't pretend to be scientists.

I urge my colleagues to vote no on this bill.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. LEVIN. Mr. Chair, I rise in opposition to the TRAIN Act and urge the House to reject it.

The Clean Air Act is one of this nation's most important laws. Over the last 40 years, it has greatly reduced pollution across the length and breadth of this country, allowing all Americans to live longer, healthier lives. There is a tendency to take the steady air quality improvements our country has made for granted. In the course of my trade duties on the Ways and Means Committee, I have visited many countries. I've been to foreign cities where the air is so thick with smog that some days you can't see buildings that are just a few blocks away. The air is hard to breathe because it is thick with ozone and particulate pollution. This is not what we want here in America.

The legislation before the House today has many shortcomings. I especially object to the provisions of this bill that delay two important Clean Air rules. The bill would delay the Mercury and Air Toxics Standards Rule as well as the Cross-State Air Pollution Rule until at least 2013, and very likely much longer than that since the bill eliminates all statutory and court-ordered deadlines for both rules.

Congress ordered EPA to take action to curb mercury and other air toxics 21 years ago, and more than two decades later we're still waiting for action. This is particularly a problem in the Great Lakes region. Mercury is thrown into the air by coal-burning power plants hundreds of miles away and bioaccumulates in Great Lakes fish. Mercury is especially a health risk for pregnant women and infants because exposure to mercury has been linked to nervous system damage.

The cost of further delay of the Mercury and Air Toxics Rule is high. For each year we delay, there will be up to an additional 17,000 premature deaths; 11,000 non-fatal heart attacks; 120,000 cases of aggravated asthma, and 12,200 hospital and emergency room visits. The Republican leadership of the House appears to be comfortable with continued inaction on air toxics. I am not. We should vote this bill down.

IN HONOR OF SISTER MAUREEN DOYLE, OSU

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Sister Maureen Doyle, who is being recognized for 25 years of service as the director of the Urban Community School.

Sister Maureen Doyle was born and raised in the Cleveland area. She is an Ursuline Sister of Cleveland. Sister Maureen earned her undergraduate degree in elementary education from St. John College of Cleveland and a Masters of Education from Boston College. She began her career as an educator in 1973 and has worked for St. Charles School, St. Ann School, St. Clare School and is currently serving in her 26th year as the director of Urban Community School, UCS.

Under Sister Maureen's leadership, UCS has thrived at providing an individualized, Catholic/Christian, quality education to the children of Cleveland's Near West Side neighborhoods; primarily to those who, otherwise, might not have access to such an education. In 1987, during her first year as director, UCS was the first school in Cleveland to receive the Excellence in Education Award from the U.S. Department of Education. In 2005, Sister Maureen led UCS' transition to a new, larger

facility that accommodates 50 additional students. As a result of the expansion, UCS also added an art program, art room, science lab and full-time counseling program. Because of her dedication to the students of UCS, Sister Maureen has been awarded with the Diocese of Cleveland Catholic School Excellence Award, the YWCA Greater Cleveland Women of Achievement Award, an Honorary Degree from John Carroll University and the Irish Good Fellowship Award.

In addition to her work with UCS, Sister Maureen is an active member of the Greater Cleveland community. She has been involved with the Boys & Girls Club, City Club of Cleveland, Laurel School and St. Ignatius High School. Currently, Sister Maureen is a member of the Education Committee for the Cleveland Museum of Art and Greater Cleveland Habitat for Humanity.

Mr. Speaker and colleagues, please join me in honoring Sister Maureen Doyle as she is recognized for her contributions to the Cleveland's Near West Side community as director of the Urban Community School.

RECOGNIZING BRENDA WELBURN

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. POLIS. Mr. Speaker, I rise today to recognize the retirement of Brenda Welburn as the Executive Director of the National Association of State Boards of Education (NASBE).

Throughout Brenda's outstanding career with NASBE, she dedicated herself to supporting not only state policymakers across the 50 states but, more importantly, students all across the country.

Brenda spent many years at the helm of NASBE, serving as a critical resource for state policymakers elected and appointed to State Boards of Education. During my six years of service on the Colorado State Board, Brenda and NASBE were instrumental in supporting me and all of the board in our universally shared goal of improving public education. I will never forget how we worked together to implement the requirements of No Child Left Behind and to integrate its requirements with Colorado's education accountability systems. With Brenda's help, we managed to navigate school finance decisions while communicating the benefits of public school choice, such as online learning and charter schools, and connecting traditional K–12 programs with college and careers.

Throughout her remarkable tenure at NASBE, Brenda has served as a steady and thoughtful leader, actively assisting state board members across the country. Her influence has been felt coast to coast, and because of her steadfast commitment to establishing and maintaining effective education policies, children across the country have been given a greater chance to succeed.

Brenda, we will miss you, but we thank you for your dedicated service and congratulate you on your retirement.

CONGRATULATING TAIWAN'S CENTENNIAL NATIONAL DAY

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. ROONEY. Mr. Speaker, I rise today to congratulate the people of Taiwan as they celebrate their Centennial National Day. The day is also to commemorate the 1911 Wuchang Uprising, a milestone of China's development and a new chapter which led to the end of the Qing Dynasty.

This National Day allows the people of Taiwan to gather together and celebrate their shared heritage, and provide them the unique opportunity to honor their past and present culture and achievements. Following President Ma Ying-jeou's annual address, there will be a parade of floats from 10 counties and various government agencies. A series of cultural activities and exhibitions, including a nationwide design competition and movie festival will be featured along with a traditional puppet display.

The historic ties between the United States and Taiwan run deep, and they continue to unite us. I hope our nation will continue its efforts to promote educational and cultural exchanges so that younger generations may enjoy and continue the legacy of our important relationship.

I look forward working together to deepen our relationship, and I wish the families celebrating this occasion a safe and happy holiday.

NATIONAL DAY OF REMEMBRANCE FOR MURDER VICTIMS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. POE of Texas. Mr. Speaker, on Sunday, September 25th we recognize the National Day of Remembrance for Murder Victims.

Murder extinguishes the hopes and dreams of tens of thousands of victims each year, and an untold number of fellow Americans now live, daily, with the absence of a loved one.

Murder affects each and every one of us, and every community nationwide.

We must all work diligently to prevent the violence that destroys lives and devastates families.

A National Day of Remembrance for Murder Victims offers Americans the opportunity to honor the memories of murder victims and recognize the impact of murder on surviving family members and friends.

A join victim service programs, criminal justice officials, and concerned citizens throughout America to remember the tragedy of murder, honor the courage of survivors, and vow to do whatever we can to help survivors rebuild their lives.

On the National Day of Remembrance for Murder Victims we reaffirm this Nation's commitment to respect as well as support crime victims' rights and needs throughout the year;

And that's just the way it is.

TO ACKNOWLEDGE SEPTEMBER AS CHILDHOOD OBESITY AWARENESS MONTH

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. MORAN. Mr. Speaker, I rise today to acknowledge September as Childhood Obesity Awareness Month. Increasing awareness of this pervasive problem can help curb the increase in this epidemic and help families and children make better choices in the foods they eat and their overall lifestyle.

Over the past three decades, the rate of childhood obesity has risen to crisis proportions. According to the Centers for Disease Control and Prevention, 32 percent of children are overweight, 16 percent are obese, and 11 percent are extremely obese. In some racial and ethnic groups, in low-income populations, and among recent immigrants, the rates of obesity among children and youth are alarmingly high.

The health consequences for these children are very serious. They are at much greater risk of developing diabetes, heart disease, high blood pressure, asthma, and other diseases than their non-obese peers. Many children are subjected to ridicule and bullying that damages their emotional well-being. Beyond the tragic consequences for the children themselves are the effects on the American economy. Obese children are at risk of growing into obese adults who do not participate fully in the workforce because of employment discrimination, lost productivity due to illness and disability, and premature death. If the childhood obesity epidemic continues at its current rate, conditions related to type 2 diabetes, such as blindness, coronary artery disease, stroke, and kidney failure, may become common conditions of middle age. Health care costs for this population are likely to rise to an extent we are only now beginning to appreciate.

As a nation, we need to make sure that our young people receive a consistent message that encourages them to adopt healthful eating patterns; helps them to understand their nutritional needs; and teaches them healthy lifestyle choices, especially relating to physical activity.

We can, and we simply must, make addressing childhood obesity a national priority. Not only must we help the children who are already affected, we must not fail to protect another generation. Health is more than the absence of physical or mental illness—it is also the extent to which children and youth have the capacity to reach their full potential.

REAFFIRMING THE STRONG U.S.-ISRAEL PARTNERSHIP IN PURSUIT OF LASTING MIDDLE EAST PEACE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. COSTELLO. Mr. Speaker, I rise today to oppose Palestine's bid for statehood at the United Nations (U.N.) and to encourage the

Palestinian leadership to pursue a peace agreement with Israel through direct negotiations, as they have demonstrated their willingness to do before.

Lasting peace is possible only if an agreement is accepted by the Israeli and Palestinian people—it must not be forced on either side. I have continually shared this message with my colleagues in Congress and the international community, most recently by urging members of the European Union to stand with the U.S. and Israel in opposing Palestine's unilateral action at the United Nations.

All citizen in the region deserve a peaceful and prosperous future and I am hopeful progress will be made. However, the U.S. will not ignore the serious security threat that faces Israel. The path to peace lies in working together, not exploiting differences. I will stand with Israel to support peace through direct negotiations and urge Palestine to embrace this approach.

IN RECOGNITION OF THE GRAND OPENING OF THE BLIND REHABILITATION UNIT AT THE CLEVELAND VETERAN AFFAIRS MEDICAL CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the grand opening of the new Blind Rehabilitation Center at the Louis Stokes Cleveland Veteran Affairs Medical Center, VAMC, on September 26, 2011.

The Louis Stokes Cleveland VA Medical Center is dedicated to the quality care of all veterans. It is the fifth largest VA in the country and serves close to 95,000 veterans annually. The Louis Stokes Cleveland VA Medical Center was the first VA to receive disease specific accreditation for Inpatient Diabetes Care in 2007 and has also received a special commendation by the American College of Surgeons as a Certified Comprehensive Cancer Program.

According to the Department of Veterans Affairs, there are approximately 157,000 Veterans who are legally blind and more than one million more suffer from low vision. On September 26, 2011, the Cleveland VAMC will celebrate the grand opening of their new Blind Rehabilitation Center, BRC. The 28,000 square-foot, 15-inpatient-bed BRC will care for blind and low-vision Veterans from Ohio, Pennsylvania, Michigan, West Virginia and Kentucky. In addition to working with Veterans to regain their independence and quality of life, the BRC will offer support to the Veterans' families, helping them better understand visual impairment and providing support that will reduce caregiver burden.

Mr. Speaker and colleagues, please join me in recognizing the grand opening of the Louis Stokes Cleveland Veteran Affairs Medical Center's new Blind Rehabilitation Center.

SUPPORT OF NATIONAL HISPANIC HERITAGE MONTH FROM SEPTEMBER 15-OCTOBER 15, 2011, RECOGNIZING THE SERVICE OF LIEUTENANT COLONEL ALFRED RASCON AND THE 41 MEN OF HISPANIC HERITAGE WHO HAVE BEEN AWARDED THE MEDAL OF HONOR

HON. ROSCOE G. BARTLETT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. BARTLETT. Mr. Speaker, as we celebrate National Hispanic Heritage Month, I want to salute Army Lieutenant Colonel Alfred Rascon of Laurel, Maryland, one of the 41 men of Hispanic heritage who have received our military's highest award for valor, the Medal of Honor.

Alfred Rascon was born in Mexico, but joined the Army after graduating from high school in California. He explained, "I volunteered to join the military and serve in Vietnam [before I became a citizen] because I was always an American in my heart."

While serving as a medic, Rascon's reconnaissance platoon came under fierce enemy attack in thick jungle on March 16, 1966. Rascon repeatedly used his own body as a shield against withering fire and saved the lives of two wounded buddies and tried in vain to save the life of a third. Despite wounds from gunfire, shrapnel and a grenade explosion in his face, he raced into a hail of bullets and recovered an M–60 machine gun and ammunition. That action turned the tide of the encounter and may well have saved the lives of his entire platoon. Rascon refused evacuation before other injured buddies.

Alfred Rascon served two more combat tours in Vietnam and also served additional tours since 2001 in Iraq and Afghanistan. He continues to serve our country speaking to our youth. America is blessed by generations of immigrant Medal of Honor recipients like Alfred Rascon. They are heroes who sacrificed themselves to save the lives of others and put their newly adopted country above their own self-interest. There is no greater love than a man lay down his life for a friend.

HONORING BRETT EVERETT WOOD

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to honor Brett Everett Wood, a courageous and noble soldier, who died on September 9, 2011 at the age of 19. Army Private First Class Wood laid down his life when insurgents attacked his unit with an improvised explosive device in Kandahar Province, Afghanistan.

A 2010 graduate of Owen Valley High School who enlisted shortly after his high school graduation, Private Wood was assigned to the 1st Battalion, 5th Infantry Regiment, 1st Stryker Brigade Combat Team, 25th Infantry Division based in Fort Wainwright, Alaska. Private First Class Wood had recently returned to active duty after recovering from head wounds suffered in a previous IED blast. He was awarded a Purple Heart, Bronze Star and a Good Conduct Medal among several other military honors.

A hard worker, a proud and brave American, and a loving son, Private First Class Brett Wood leaves behind his beloved parents, Malissa and Chris Frye and Mitchell and Angela Wood. He is survived by his adored brothers Nikk Wood, Brandon Wood and Cory Poland and dearly loved sister Amber Poland. His grandparents, Charles and Evelyn Wood and Jim and Sandy Corns will long remember him.

Private First Class Brett Wood made the ultimate sacrifice for his country in Operation Enduring Freedom. To his fellow soldiers, his family and friends, and to everyone who knew and loved him, he was a dedicated member of his community who answered the higher calling to serve his country.

Mr. Speaker, during his lifetime, Brett Everett Wood enriched the lives of everyone around him by employing energy, leadership, and courage in everything he set out to do. As we bid farewell to this exceptional individual, I am reminded that freedom does indeed exact a heavy price and I ask my colleagues to join me in remembering and honoring his contributions and years of devoted service to his community and our country.

100TH ANNIVERSARY OF THE REPUBLIC OF CHINA—OR TAIWAN

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mrs. MYRICK. Mr. Speaker, October 10 marks the 100th Anniversary of The Republic of China—or Taiwan. I urge my colleagues to join me in recognizing this important occasion.

The partnership between the United States and Taiwan is vital within the international community. Both of our countries benefit from a robust trading relationship, and the support that Taiwan has shown the United States in times of need cannot be overlooked.

In recognizing the centennial of Taiwan, we are also recognizing the numerous cultural and political accomplishments of this proud nation. Within Taiwan, we see a flourishing democracy—where free speech and political discourse are encouraged—and applaud the perseverance of those who have worked to protect the civil rights of the Taiwanese people.

I ask that my colleagues join me in recognizing the accomplishments Taiwan has made over the past 100 years, and that we will all continue to foster the important relationship that exists between the United States and one of our most important Asian allies.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under

consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. HOYER. Mr. Chair, for decades public health has been the basis for how we enact emissions standards. The bill before us today, the TRAIN Act, represents a view of environmental protection that is simply off the rails.

Initially drafted to study the effect of new and proposed clean air rules, it has troublingly morphed into a bill blocking action on them indefinitely. First, it would prohibit the EPA from finalizing its rule to reduce mercury emissions. This rule had its origin in the 1990 Clean Air Act, which passed this House with a strong bipartisan vote of 401–25. An American Lung Association study earlier this year found that today 70 percent of Republicans still support stricter limits on mercury. Second, the TRAIN Act would prevent the implementation of new rules protecting communities from pollutants drifting over from out-of-state.

Clean air regulations are ultimately investments in our economy. They save us hundreds of billions of dollars each year in health costs from associated lung ailments. Even further, they incentivize the growth of clean technologies that will help us remain competitive and increase our innovation and manufacturing strength here in America.

While I oppose this bill overall, Congressmen CONNOLLY and MCNERNEY have proposed amendments that would refocus the bill where Congress's attention belongs—job creation. Their amendments would support Democrats' Make It in America plan by studying the job-creating effects of pollution controls. Additionally, Congresswoman RICHARDSON's amendment would prevent a cut in the program reauthorized just last year by voice vote that supports American-made technology to reduce diesel bus exhaust.

Now is not the time to debate the environmental protections supported overwhelmingly and on a bipartisan basis, which carry tangible health and economic benefits. Instead we should be focusing on serious steps to get more Americans back to work.

NATIONAL AMBIENT AIR QUALITY STANDARD UNDER THE CLEAN AIR ACT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. KUCINICH. Mr. Speaker, yesterday we learned that, according to Environment Ohio, the Cleveland Lorain Elyria area has the 14th smoggiest air among all large metropolitan areas in the U.S. Only a few weeks ago, the President announced he would prevent an update of the rule designed to reduce smog. The American people deserve clean air.

The Bush Administration failed to update National Ambient Air Quality Standard (NAAQS) under the Clean Air Act for ozone pollution until 2006, when a standard was issued which was much less protective of public health than his scientific advisory board recommended; 75 parts per billion (ppb) of ozone, an air pollutant that is hazardous to fragile lung tissue. The scientific advisors' recommendation was between 60 and 70 ppb, which would have avoided up to 8,000 premature deaths; 3,800 nonfatal heart attacks; and 40,000 asthma attacks every year. The science is clear.

By invoking the industry fake argument that pulling back the update will help the economy, the Obama Administration has chosen to act in contravention of the Clean Air Act, which clearly prohibits consideration of costs in setting the standards designed to protect public health.

Everyone has a right to clean air. This abdication of responsibility affects millions of Americans every day, with every breath. It disproportionately affects the most vulnerable among us, like children, the elderly, and the ill. The story of the ozone rule is aptly told by Verna Riffe Biemel, a constituent of mine. She said:

"On Aug. 4, 2010, my mother succumbed to lung disease, pulmonary fibrosis. I vividly remember the difficulty she had breathing on bad air days. In fact, during her last year, she couldn't go outside at all on those days and felt the difference inside. No one likes to see a loved one struggle to breathe. No one should have to fight for clean air. Congress owes the American public the opportunity to breathe clean air."

She is right. If the President won't do it, Congress should.

INTRODUCING THE HIRING PROCESS IMPROVEMENT ACT OF 2011

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. SARBANES. Mr. Speaker, in the coming decade, close to 50% of the federal workforce will be eligible to retire, making the development of the next generation of federal workers even more vital. Yet, as federal agencies struggle to recruit and retain the next generation of public servants, we continue to force hiring managers and prospective candidates to navigate an out-dated and bureaucratic hiring process that deters the best and brightest from pursuing careers in public service.

In short, the Federal hiring process is broken. Despite increased pressure from the Administration to improve hiring and recruitment processes:

Many federal agencies still take as long as 200 days from the date of a vacancy to hire—delays that compromise federal recruitment, jeopardize government operations and waste taxpayer dollars.

The hiring process at federal agencies involves as many as 110 discrete steps and more than 45 hand-offs between managers, administrative officers and HR specialists.

In some agencies, hiring managers are required to select from the three highest-rated candidates selected by HR specialists, making it impossible for managers to play a role in recruiting their own staff.

Rather than base initial screening decisions on applicants' resume and cover letter, candidates for federal employment must provide lengthy, essay-style responses about the applicants' knowledge, skills and abilities (KSAs).

That is why I have joined Senator AKAKA in authoring this common-sense, good government legislation to bring the federal hiring process in-line with private sector best practices by:

Requiring agencies and departments to develop a comprehensive strategic workforce plan focused on hiring, recruitment, skills deficiencies and potential process reforms;

Moving the federal government to a resume- and cover letter-based application system;

Shortening the federal hiring process to an average of 80 days after a vacancy has been posted;

Better integrating hiring managers into all stages of the hiring process and providing them with greater flexibility in final decisions; and

Requiring government wide data collection and reporting on the efficacy of the hiring process.

This legislation has a long, bipartisan history—in 2009, Senators AKAKA and VOINOVICH authored similar legislation in the Senate. In 2010, President Obama recognized the tremendous personnel challenges facing federal agencies and issued Improving the Federal Recruitment and Hiring Process, a Presidential Memorandum on federal hiring reform that includes some of the elements in our legislation. The Senate unanimously passed the Akaka-Voinovich Federal Hiring Process Improvement Act in the previous Congress, only to watch it die in the House.

Enactment of a substantive, bipartisan hiring reform bill is long past due. Our legislation seeks to codify and build upon the Administration's memorandum, while ensuring an unprecedented level of transparency in and oversight of the federal hiring process. The Washington Post called on Congress to pass the Federal Hiring Process Improvement Act in a July 2011 editorial, arguing that "today's antiquated hiring practices are thwarting a generation of inspired public servants in the making."

I would like to take this opportunity to thank Senator AKAKA for his tremendous leadership on federal hiring and recruitment issues and to thank the Partnership for Public Service for their advocacy in support of hiring reform. Whether it is a firefighter saving lives, an agent protecting our borders, a scientist pioneering new research, or a nurse caring for our veterans, we owe it to taxpayers and the next generation of public servants to build a better hiring process and to ensure that those with the desire to serve our country are able to do so.

[From the Washington Post, July 3, 2011]

THE FEDERAL GOVERNMENT IS STILL TOO SLOW TO HIRE

Less lucrative compensation and benefits aren't the only factors turning thousands of promising college graduates away from public service. The hiring process for employment in the federal government also remains impossibly long, and many recent alumni just aren't financially equipped to wait it out.

More than a year ago, President Obama launched what the administration called a "comprehensive initiative to address major, long-standing impediments to recruiting and hiring the best and the brightest into the federal civilian workforce." Mr. Obama directed the Office of Personnel Management (OPM) to institute reforms—dubbed the Pathway Programs—to streamline hiring for students as well as recent graduates. As The Post reported then, "Management Director John Berry drew a rousing ovation" when the agency announced it was replacing

cumberson ''skills essays'' with résumé-based applications.

Despite the initiative, many federal agencies still take as long as 200 days from the date of a vacancy to hire. While Christine Griffin, deputy director of OPM, told Senate panel last month that the OPM efforts had ''systemically overhauled'' the process and made the USAJOBS Web site more ''efficient and user-friendly,'' other experts disagreed. The dean of Harvard's Kennedy School of Government and the director of the National Association of Schools of Public Affairs contended that the government continues to drives away a majority of graduate degree holders.

This failing couldn't come at a worse time: The government will face its largest wave of employee retirements in the next five years, and critical posts in fields such as national security and science will need to be filled.

Luckily, there is a bipartisan answer. The Federal Hiring Process Improvement Act of 2010, co-sponsored by Sen. Daniel Akaka (D–Hawaii) and then-Sen. George Voinovich (R–Ohio), was passed unanimously by the Senate. The bill, intended to build on the president's directive, requires all agencies to limit their hiring time to 80 days, inform job candidates of their statuses in a timely manner, convert to a universal résumé application and craft job descriptions as well as announcements in plain writing.

The bill failed to pass the House, thanks to lawmakers leery of affiliating themselves with ''federal hiring'' legislation at a time when government spending is unpopular. But it makes no sense to punish recent college graduates for the excessive spending of the past.

Mr. Akaka, who chairs the subcommittee on oversight of government management and the federal workforce, is lobbying anew for ratification of his proposed reform.

His measure deserves support. It's time for the federal government to take the recruiting of human resources as seriously as successful private and nonprofit organizations do. Today's antiquated hiring practices are thwarting a generation of inspired public servants in the making.

HONORING YASHAR ALIYEV

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Ms. FOXX. Mr. Speaker, I rise today to honor the distinguished service of His Excellency Yashar Aliyev, Ambassador Extraordinary and Plenipotentiary of the Republic of Azerbaijan to the United States of America. Mr. Aliyev is completing his term as Ambassador to the United States after five years of service. Before he accepted his assignment to come to the United States in 2006, he served as Azerbaijan's Permanent Representative to the United Nations.

Ambassador Aliyev has worked tirelessly and effectively to strengthen the strategic partnership between Azerbaijan and the United States.

Through frequent and productive communications with the United States Congress, Ambassador Aliyev has helped raise awareness of the issues pertaining to Azerbaijan and foster mutual understanding between the peoples of the two countries.

I ask my colleagues to join me today in recognizing Ambassador Aliyev for his exemplary service and valuable contributions to promoting bilateral relations and in extending best wishes for continued success in his future endeavors.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. FINCHER. Mr. Chair, I come to the floor this morning to discuss an issue important to all American families living on a budget.

This Administration's overreaching regulations placed on energy are causing increases to American families' utility bills.

Families need certainty that their energy needs will be met and their energy costs will remain low.

Which is why, I have introduced America's Energy Independence Act, which prevents the EPA from enforcing the Cross-State Air Pollution rule for 10 years to keep the cost of utilities low for families.

As we all know, the Cross-State Air Pollution rule finalized by the Environmental Protection Agency on July 6, 2011, and will lead to negative increases in energy prices for families, job loss, with what benefit.

This country needs to create a stable regulatory environment, where the energy costs to families is balanced with the benefit of the regulation, allowing families to have certainty that any new rules and regulations will have their best interests in mind.

Mr. Speaker, this rule was just recently updated in 2005.

Simply put, this regulation will have a significant negative economic impact of $2.4 billion dollars a year, a cost that will be passed to families across the country, including the Eighth District of Tennessee.

The bottom line is that the EPA's Cross-State Air Pollution rule will contribute to a reduction in energy outputs, and an increase to families' utility bills.

At a time when families are struggling to make ends meet, the last action the Obama Administration should take is another multi-billion dollar regulation that kills jobs and increase costs.

That is why I would like to thank the House Committee on Energy and Commerce for including the language of H.R. 2891.

HONORING THE MAINE ARMY NATIONAL GUARD MILITARY FUNERAL HONORS PROGRAM

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the Maine Army National Guard Military Funeral Honors Program. The Maine Army National Guard Military Funeral Honors Program offers the military honors that are now an entitlement to all honorably discharged veterans.

The rendering of Military Funeral Honors is a way to show the Nation's deep gratitude to those who, in times of war and peace, have faithfully defended our country. This ceremonial paying of respect is the final demonstration a grateful Nation can provide to the veterans' families.

Established in 2003, the Maine Army National Guard Military Funeral Honors Program serves the veterans of Maine with honor and respect. The soldiers who make up the Funeral Honors Program are of the highest caliber that Maine has to offer and deserve our recognition.

Mr. Speaker, please join me in thanking the Maine Army National Guard Military Funeral Honors Program for their outstanding service for Maine's veterans and their families.

RECOGNIZING THE ACCOMPLISHMENTS OF JAKE DENHART

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. BURTON of Indiana. Mr. Speaker, I rise today to recognize the accomplishments of one of my younger constituents—Jake Denhart, who at only 16 years old has exuded a true entrepreneurial spirit. For years, Jake has been working around his neighborhood, shoveling snow and mowing lawns for small fees. He even decided to give his business a name, calling it ''Innovative Solutions.'' From what I understand, Jake has managed to put away almost $20K in savings earned from the work he has done over the years. Through his hard work, he has also earned a high level of trust with his neighbors.

Jake's hard work was also reflected on the academic front when one of his teachers at Noblesville High School, Joe Toms, nominated him to participate in the Purdue Research Park Entrepreneurship Academy, established by Purdue University. Jake was among the 50 students from the state of Indiana who was chosen to participate, based on an essay, in the week-long academy. The purpose is to provide innovative math, science, and technology-based business and life skills by having the students work in teams on a business case. Throughout the week, they have the opportunity to interact with industry leaders and successful entrepreneurs. The competing teams spend the week developing a business plan to make an ''investor pitch'' to a panel of judges. These students truly exude creativity, initiative, overall academic strength, and an interest in concepts and concerns that are relevant to entrepreneurship, which will carry them far as they embark on their future careers.

I am proud to represent such a young constituent who not only understands the value of money, but also knows how to save it. Jake's success is a measure of his strong work ethic, for which I commend him. I believe it is important to remember stories like these in such trying economic times, which keep our spirits alive—not only in Indiana, but throughout the Nation.

IN RECOGNITION OF THE 88TH ANNUAL FEAST OF ST. WENCESLAUS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the Czech Catholics of Greater Cleveland's 88th Annual Feast of St. Wenceslaus on September 24, 2011 at Our Lady of Lourdes Parish. This year's celebration will also honor the 100th anniversary of the founding of Cleveland's former Holy Family Parish.

St. Wenceslaus is the patron saint of the Czech Republic. Every year, his feast day, September 28th, is celebrated by Czech communities around the world. St. Wenceslaus was the leader of Old Bohemia during the early part of the 10th Century. During his tenure as king, St. Wenceslaus took a vow of chastity and was devoted to his Christian faith. Killed by his brother, St. Wenceslaus was later canonized as a martyr of the Christian faith.

In addition to celebrating the Feast of St. Wenceslaus, the 100th anniversary of the founding of the former Holy Family Parish will be recognized at this year's celebration. Holy Family was founded on November 6, 1911 after Father Rudolph Habrda noticed Bohemian families moving into Cleveland's Woodland Hills neighborhood. Over the years, as parishioners began to move to the suburbs, the parish school merged with St. Cecilia, Epiphany and St. Mary of Czestochowa to form Mr. Pleasant Elementary School. In 1988, the Holy Family Parish was closed.

Our Lady of Lourdes Parish is one of only two Czech congregations left in the Cleveland Catholic Diocese, along with St. John Nepomucene in Slavic Village. The Czech Catholics of Greater Cleveland will gather together on September 24th for mass and a celebration featuring the Hronek Czech Band.

Mr. Speaker and colleagues, please join me in recognition of the 88th Annual Feast of St. Wenceslaus. I offer my best wishes to the Czech Catholics of Greater Cleveland and all those who attend this joyous celebration.

TAIWAN CENTENNIAL NATIONAL DAY

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. PETRI. Mr. Speaker, I salute Taiwan on its forthcoming Centennial National Day, also known as Double-10 Day, October 10, 2011.

The Republic of China on Taiwan is a model of success for Asia. For over six decades now, the Taiwanese people have struggled to lift their island into the top ranks of the world's economies. The recently released 2010 World Competitive Yearbook finds Taiwan to have the 8th most competitive economy among the 58 countries surveyed.

Over the past year, the number of employed people has increased and the unemployment rate has dropped to an enviable 5.17 percent.

Even more important than its economic achievements, Taiwan has developed into a strong and vibrant democracy. It is a valued member of the free nations of the world, even though it is burdened with particular and unique diplomatic challenges—challenges which the Taiwanese people and government have met with courage.

On the occasion of the Republic of China's Centennial National Day, I hope there can be renewed peaceful coexistence and co-prosperity between Taiwan and the Chinese mainland. There have been many agreements reached between the two sides, including direct air and sea links, increased mutual investments, and regular negotiations over economic and other substantial issues.

Also, I offer my congratulations to Taiwan for its continued participation in the World Health Assembly meetings last May in Geneva and to its continuing commitment to safeguarding human rights and other universal values.

Congratulations to the Republic of China. I look forward to closer relations between the United States and Taiwan.

THE COME-FROM-BEHIND GRASSHOPPERS WIN IT ALL

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. COBLE. Mr. Speaker, as Major League Baseball begins its post-season push, the professional minor leagues are concluding their seasons. The citizens of the Sixth District of North Carolina are celebrating the first championship since 1982 of the Greensboro Grasshoppers of the South Atlantic League.

The Hoppers—as their fans affectionately call them—were a dramatic, come-from-behind team all season. It took the final games of the season for the Hoppers to even qualify for post-season play. Greensboro split the first two games at home in the best-of-five championship series against the Savannah Sand Gnats. When the series moved to Savannah, the Hoppers lost game three to the Sand Gnats. It has been 11 years in the ''Sally League'' since a team leading two-games-to-one failed to clinch the championship. With Savannah needing only one more win to capture the South Atlantic League title, the Hoppers were facing the end of their season, when they pulled out a heart-stopping, 11-inning win to force a fifth and deciding game.

Even in the championship game, Greensboro fell behind 2–0 early before cruising to 7–3 win to capture its first South Atlantic League championship in almost three decades. Hoppers Manager Andy Haines told the Greensboro News & Record that he could not pick a Most Valuable Player for the series. ''There's no way I could name anyone,'' Haines told the newspaper. ''We had a lot of guys contribute. It was someone different every night.''

All of the Grasshoppers can be proud of the regular season, along with the dramatic run to the title. Among those who were part of Greensboro's first championship since 1982 included: pitchers Michael Brady, Alex Caldera, Jordan Conley, Grant Dayton, James Leverton, Miguel Mejia, Robert Morey, Gregory Nappo, Mike Ojala, Chris Shafer, Rett Varner, Kyle Winters, and Brett Zawacki. The catchers were Aaron Dudley, Wilfredo Gimenez, and Jacob Realmuto. The infielders included Daniel Black, Joe Bonadonna, Mark Canha, Ryan Fisher, and Noah Perio. The outfielders were Issac Galloway, Marcell Ozuna, James Wooster, and Christian Yelich. Only one of those on the disabled list, Zachary Neal, made it onto the post-season roster, but the others contributed during the year and they included Kevin Cravey, Alan Oaks, Jay Rogers, Adam Veres, and Sean Watson.

Greensboro is one of the best-run minor league teams in the entire United States and it is because of an outstanding front office. This championship caliber group includes: Donald Moore, President/General Manager; Katie Dannemiller, Vice President, Baseball Operations; Jimmy Kesler, CFO; Tim Vangel, Assistant General Manager, Sales and Marketing; Jake Holloway, Assistant General Manager, Head Groundskeeper; Erich Dietz, Director of Ticketing; Todd Olson, Sales Associate; Murray White, Sales Associate; Joey Burridge, Sales Associate/Ticket Representative; Rosalee Brewer, Sales Associate; John Redhead, Executive Director of Business Development; Laura Damico, Director of Community and Event Development; Shawn Russell, Director of Promotions/Production; Amanda Williams, Director of Creative Services; Yunhui Bradshaw, Director of Merchandise; Chad Green, Assistant Director of Stadium Operations; Kaid Musgrave, Assistant Groundskeeper; and Bob Perry, Clubhouse Director.

Championship Skipper Andy Haines was ably assisted by Pitching Coach Willie Glen and Hitting Coach Kevin Randel. The players were kept in championship form all season long by Athletic Trainer Masa Fujimoto and Strength and Conditioning Coach Cody Clark.

On behalf of the citizens of the Sixth District of North Carolina, we congratulate Greensboro Grasshoppers owners Cooper Brantley, Wes Elingburg and Len White and everyone affiliated with the Hoppers on providing its fans with so many dramatic moments during a memorable season. All of us who love the Hoppers are basking in the glow of the first South Atlantic League Championship since 1982. We may see some of today's Grasshoppers playing for the parent club—the Florida Marlins—in the near future, but none of us will forget the 2011 season when Greensboro came from behind numerous times to win it all.

TRIBUTE TO DARRELL WALTRIP

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mrs. BLACKBURN. Mr. Speaker, on this week when NASCAR's Chase for the Cup begins, I rise today to celebrate another landmark achievement for a 3-time Cup winner and resident of Tennessee's 7th District who I am truly privileged to call a good friend. Darrell Waltrip will join the third class of inductees in the NASCAR Hall of Fame.

Darrell was born and raised in Owensboro, Kentucky, but began making his mark as a professional driver at the old Nashville Speedway in the 1970s. We are proud that Darrell and his wife, Stevie call Franklin, Tennessee home.

This much-deserved accolade caps D.W.'s legendary career which included three

NASCAR Cup series championships, 84 Cup victories, the 1989 Daytona 500, and five-time winner of The Coca-Cola 600. Darrell had 271 top-five finishes and 390 top-tens, not to mention 13 Grand National Series wins. He's been the American Driver of the Year three times, the Auto Racing Digest Driver of the Year twice, and once NASCAR's Driver of the Decade.

We've seen him race the track, we now seen him announce the sport he loves, and we look forward to watching him be enshrined into the NASCAR Hall of Fame. Mister Speaker, I rise today to honor Darrell Waltrip on this great success and ask my colleagues to join me in one hearty "Boogity, Boogity, Boogity". Way to go, D.W. It's another checkered flag for you.

RECOGNIZING THE 50TH ANNIVERSARY OF THE FOUNDING OF THE NATIONAL ASSOCIATION OF CONVENIENCE STORES

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Ms. MATSUI. Mr. Speaker, I rise today to commemorate the 50th anniversary of the founding of the National Association of Convenience Stores (NACS).

Originally founded in 1961, today NACS represents more than 3,700 companies that do business in more than 50 countries worldwide.

The convenience retailing industry in America generates $575 billion dollars in sales annually, in its more than 146,000-plus stores across the country, and employs 1.73 million Americans. The industry is growing steadily as well—sales are more than 13 times higher than what they were three decades ago. Cumulatively, the U.S. convenience store industry alone serves 160 million customers per day.

It is convenience stores that keep America's motors running. Convenience stores sell 80 percent of all fuel sales in the country, and 80 percent of convenience stores sell gasoline.

While NACS boasts the membership of 49 of the top 50 convenience store companies, the majority of its membership consists of small, independent operators that own 10 stores or less. More than half of convenience stores are owned by single-store operators. NACS helps member retailers to grow their businesses, from research and marketing to human resources and management.

NACS also helps to advocate for those issues that are vital to these small business owners. From motor fuel policy, to prevention of tobacco sales to minors, to the provision of health care for its 1.73 million employees, NACS is an industry leader in making sure their voices are heard.

Convenience stores provide a speed of transaction that is unparalleled, and the large number of locations limits travel time for consumers. Additionally, they are often the only source of food or fuel for families outside of normal business hours. The extended hours and flexibility of convenience stores mean that they play a vital role in the communities they serve and customers are able to quickly pick up what they want, when they need it.

Mr. Speaker, in recognizing the many contributions the National Association of Convenience Stores has made to our Nation and to our history, I join my colleagues in celebrating the 50th anniversary of its founding.

HONORING CHARLES KRUG WINERY OF ST. HELENA, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. THOMPSON of California. Mr. Speaker, I rise today in recognition of Charles Krug Winery, Napa Valley's oldest and most historic winemaking establishment, and among the region's most highly acclaimed and admired firms. Charles Krug will be celebrating its 150th anniversary this year and in so doing will salute the century and a half of rich traditions and extraordinary wines cultivated under the esteemed brand.

In its long, storied history, Charles Krug has played host to and benefitted greatly from the hard work and immense accomplishments of some of the most famous and brilliant Wine Country luminaries. Among them were founder Charles Krug himself, Robert Mondavi, proprietor Peter Mondavi, Sr., and the current winemakers, brothers Peter, Jr., and Marc Mondavi. Today, the winery produces a line of super-premium and reserve wines, all made with estate-grown, sustainably farmed fruit from each of Napa Valley's esteemed sub-appellations: St. Helena, Cameros, Howell Mountain and Yountville.

Charles Krug was the first outfit in the Napa Valley to implement a handful of revolutionary techniques and technologies including the use of the cider press in 1858, the differentiation of product labels by vintage and varietal, the use of glass-lined tanks and the use of French oak barrels in 1963. The winery's estate vineyards have also been the sites of some historic innovations in the field of viticulture. Krug was the first vintner to purchase and develop vineyard land in the Howell Mountain area of Napa Valley. Peter Mondavi, Sr., avoided a costly replanting of the winery's vineyards when he bucked industry and rejected recommendations to plant the AXR1 rootstock, which was later found to be vulnerable to industry-ravaging phylloxera damage. More impressive still, he was among the first vintners to develop vineyards in and around Carneros, demonstrating that Chardonnay, Pinot Noir and Merlot wines made from the grapes of this sub-appellation could reach high standards of quality.

Though Charles Krug Winery emerged as an early leader in the Napa Valley wine community, the company's commitment to serving the greater needs of the industry has always been a constant. Krug founded the St. Helena Viticultural Society in 1875, and assisted shortly thereafter with the establishment of the Napa and Sonoma Wine Company, a collaborative effort between producers to improve the quality of wine shipped to the East Coast. Today, after a century and a half's worth of work, the Charles Krug brand retains its place as one of the premier winemaking establishments in the Napa Valley region with a portfolio of wines that compete with the highest ranks of the national and international arenas.

Therefore, Mr. Speaker, it is appropriate at this time for us to congratulate and applaud the proprietors and staff of Charles Krug Winery for their outstanding and ongoing work, embodying and representing some of the best that Napa Valley and California have to offer. We wish them all much success in the future.

IN RECOGNITION OF THE DAVID WEBSTER GREENER WAY TO WORK DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. KUCINICH. Mr. Speaker, I rise to recognize September 23, 2011, as the Cleveland Metropolitan Bar Association's (CMBA) 3rd Annual "David Webster Greener Way to Work Day," and to remember David Webster, legal scholar, litigator, entrepreneur, and environmentalist, who died at age 46 from cancer on March 13, 2009, but whose achievements were many in his short life.

David Webster overcame alcoholism at a young age and went on to sponsor others in recovery. He accomplished much and saw life as an adventure. At Case Western Reserve School of Law, he graduated magna cum laude and was an editor of Law Review, where he met his wife Beth.

Upon graduation from law school, David became a commercial lawyer with broad experience in matters involving banking, commodity trading, securities, technology, real estate, intellectual property, and his passion, environmental law. Merging his knowledge of commodity trading and environmental law, he founded INHALE, which later became the Clean Air Conservancy, an organization which worked within the manufacturing economy and the commodities market to reduce air pollution by acquiring and retiring pollution allowances. Outside Magazine dubbed the Clean Air Conservancy one of the 10 best small environmental non-profits.

David Webster was an aggressive litigator who took on music giant Sony and won a judgment of more than $5 million for the late Cleveland music producer Steve Popovich over credit for Meatloaf's hottest album, "Bat out of Hell." He was a founding partner of the law firm Webster & Dubyak and was also actively involved in the Cuyahoga County Bar Association, the Federal Bar Association, and the American Bar Association. He was a driving force behind the merger of the Cuyahoga County and the Cleveland Bar Associations and was the President-elect of the merged CMBA at the time of his passing.

Mr. Speaker and colleagues, today, we observe the 3rd Annual David Webster Greener Way to Work Day. The CMBA encourages us to find a greener way to travel to and from work, whether through public transportation, biking, walking or carpooling. The CMBA will honor David's memory with a noon luncheon at the CMBA offices with a special tribute presentation. Please join me in honoring the memory of David Webster by joining with the CMBA in taking action to protect our environment.

RECOGNIZING THE ACHIEVEMENTS OF ALBERT E. TREXLER

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Albert E. Trexler of the Pennsylvania Institute of Certified Public Accountants for his 42 years of service to that organization, including his 35 years as secretary, executive director, and CEO.

Under Albert's leadership, PICPA membership has grown by 184% and its membership base expanded to include future CPAs through accounting affiliate and student membership categories. He also provided more local networking and leadership opportunities as the PICPA grew from nine to eleven chapters.

Additionally, Albert has championed advocacy efforts to include a full-time presence in Harrisburg to support implementation of CPA law changes. Included in this effort was mandatory continuing professional education to bring the Commonwealth in compliance with substantial equivalency and permit interstate mobility for PICPA members.

Further, Albert Trexler has supported industry-specific conferences and robust professional education course offerings and delivery methods to respond to the growing demands for specialized knowledge, changing membership demographics, and technical advancements.

Mr. Speaker, in light of his years of service to PICPA and a litany of outstanding accomplishments, I ask that my colleagues join me today in recognizing Albert E. Trexler on the occasion of his retirement as executive director and CEO and also on the conference upon him with the lifetime designation of PICPA Executive Director Emeritus.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Ms. LEE of California. Mr. Chair, I am proud to serve as a Representative of California's Ninth Congressional District, which has long been at the forefront of the environmental movement, including working on the critical issue of climate change, as well as fighting for renewable energy, green jobs, and environmental justice.

That is why I am speaking today against the TRAIN Act—it undermines the Clean Air Act's ability to crack down on air pollution, threatening the quality of life for our children, our families and our communities, including my constituents in the East Bay, many of whom already suffer unjustly from poor air quality.

The Clean Air Act is one of the most successful public health programs in American history—with a return of more than $30 in benefits for every dollar invested in pollution reductions over the life of this law.

The TRAIN Act is a direct attack on the Clean Air Act and its regulations. This bill blocks EPA's ability to move forward with two long overdue Clean Air Act rules—the Mercury and Air Toxics Standard and the Cross-State Air Pollution Rule—which will reduce harmful air pollution that threatens public health, especially the health of the most vulnerable populations, including children and seniors.

The Republicans' attack on the Clean Air Act and its work to dismantle the EPA will not only result in job loss but will result in poorer public health across this Nation.

Rather than the Republicans taking action to create jobs, this bill cuts funding to create green jobs.

We should move President Obama's American Jobs Act now to begin to give Americans what they want: a job.

I urge a no vote on this measure and urge the Republicans to stop playing political games and couching deregulation as job creation. Wall Street got deregulated and the result was a financial crisis. The American people do not need an environmental and public health crisis, the American people need jobs.

HONORING SCHOOLCRAFT COLLEGE

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. McCOTTER. Mr. Speaker, I rise today to pay tribute to Schoolcraft College in my hometown of Livonia, Michigan as it celebrates 50 years of serving the residents of southeastern Michigan.

In October of 1961, voters approved the formation of Northwest Wayne Community College. On February 6, 1963 the college was renamed Schoolcraft College in honor of Henry Rowe Schoolcraft, an American geographer, geologist, and ethnologist, noted for his early studies of Native American cultures, as well as for his 1832 discovery of the source of the Mississippi River.

An essential part of our community, Schoolcraft College continues to provide outstanding and affordable educational opportunities to a district reaching into three counties, sixteen municipalities and six school districts. While best known for its Culinary Arts, Nursing and Public Safety programs, Schoolcraft serves students by providing general education and transfer credits at reasonable cost.

Having served as a member of the Schoolcraft College Board of Trustees, I am impressed by the college's intelligent investment in expanding and upgrading the school's infrastructure. This has provided tremendous opportunities to educate and re-train the workforce in Southeast Michigan. In 2003, the ribbon cutting ceremony opened the VistaTech Center. A state of the art facility, it is home to Schoolcraft College's award winning culinary arts program and business development center. The Culinary Arts Department boasts four Certified Master Chefs and seven Executive Chefs. This gives Schoolcraft College a higher Certified-Master-Chef-per-student ratio than any other culinary school in the country. The VistaTech Center also is home to the American Harvest Restaurant, a student operated restaurant, where students provide exceptional gourmet cuisine and service to the local public.

In 2008, Schoolcraft hosted the grand opening for the new Biomedical Technology Center, BTC. This cutting edge building is home to several science and technology-focused programs and its growing nursing program. This building supports the mission to train our youth in promising future careers in the high tech and biomedical fields. The Biomedical Technology Center hosts truly top-notch labs: Imaging and Analysis Lab, Anatomy and Physiology Lab, Biomedical Engineering Technology Lab, Cellular and Molecular Biology Lab.

From an initial enrollment of 2,425, attendance has now grown to more than 36,000 students each year, each of whom can choose from 70 academic majors. Schoolcraft's Continuing Education and Professional Development Courses reach an additional 16,000 annually through credential programs, professional development, personal enrichment, and courses designed to further personal interests.

Mr. Speaker, Schoolcraft College has served, trained, educated and advanced the interests of our region for 50 years. As a former Schoolcraft College trustee, I ask that we congratulate them on their devoted service as an exemplary and vibrant campus, finding innovative ways to inspire students of all ages to achieve more than they ever thought possible.

MOURNING THE PASSING AND HONORING THE LIFE OF HARRY ''BUS'' YOURELL

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. LIPINSKI. Mr. Speaker, I rise to mourn the passing, and to celebrate the life of Harry "Bus" Yourell. Mr. Yourell was a man who loved his family, his community, and his country, and had a general love of life.

Mr. Yourell's public service began on December 7, 1941, the day Pearl Harbor was attacked and the day he signed up for the Marine Corps. A proud Marine, he was awarded a Bronze Star for saving an injured friend and he earned three Purple Hearts for his own injuries. Having fought bravely at Guadalcanal, Bougainville, Guam, and Iwo Jima, Mr. Yourell exemplifies the "Greatest Generation."

Mr. Yourell continued his service in 1959 when he was elected Trustee in the Village of Oak Lawn. In 1966, he became a Representative in the Illinois House and went on to serve nine terms. He also served as Worth Township Democratic committeeman, Cook County Recorder of Deeds, and Commissioner for the Metropolitan Water Reclamation District. He retired in 2006 having won 40 elections without ever losing one. An Oak Lawn street and a Water Reclamation District aeration station bear his name, and he is remembered fondly by tens of thousands of residents of Oak Lawn, Worth Township, and Cook County.

Even as a senior citizen, Mr. Yourell still exhibited a youthful love for life. He bungee

jumped in New Zealand at age 85 and was known for his love of dancing, even at his 90th birthday party. Mr. Yourell is survived by his wife, Millie, three children, five grandchildren and six great-grandchildren.

Please join me in mourning the loss of a model citizen and a loving family man, Harry "Bus" Yourell. His passion and commitment to his community and his country will continue to inspire us all for years to come.

RECOGNIZING THE TOWN OF PORT BARRE ON ITS 100TH ANNIVERSARY

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. BOUSTANY. Mr. Speaker, I would like to join the town of Port Barre in celebrating their 100th anniversary. Situated off of U.S. Highway 190 and a few miles away from Interstate 49, Port Barre is referred to as "The Birthplace of Bayou Teche."

Port Barre's history dates back to 1820 when Charles Barre purchased a large section of bayou land and used it for his business enterprises. Before the advent of railroads, steamboats provided transportation for travelers and many different types of goods. Port Barre provided its surrounding areas with a lifeline to these much needed resources. The business opportunities drew people to the area, and on June 7, 1911, Governor J. G. Sanders officially incorporated the town.

Port Barre not only brought goods and services into the area, but it has also historically been a trading region. Originally the area was used as a trading center for French colonists and Indians. The former trading post lands are still accessible to the community and visitors. Presently, the Bayou Teche RV Park allows locals and tourists to enjoy the landscape and learn the history of the site.

The town hosts a number of festivals that celebrate its Cajun heritage. The Lions Club Cracklin Festival and the Volunteer Fire Department's Pirogue and Canoe Races are two of the attractions that bring people to Port Barre to kick up their heels.

In addition to holding these unique cultural celebrations, Port Barre also boasts a successful economy. Backed by local businesses and farmers, the area still offers job opportunities and supports financial growth. I congratulate the citizens of Port Barre and am proud to be their representative in Congress.

HONORING MARGARET GRIFFIN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life of Margaret Griffin, wife of the late former Mayor of the City of Buffalo, James D. Griffin.

Mrs. Griffin was born in the early 1930s and grew up in a large Irish family in the South Buffalo neighborhood of the Old First Ward.

Margaret married James Griffin in 1968 and the couple had three children together Maureen, Megan and Thomas.

Margaret served as Buffalo's first lady for 16 years from 1978–1994, and was considered the mayor's most trusted ally.

Margaret preferred to stay out of the public spotlight and let her husband make the headlines during his time in office, but she always remained influential in her husband's decision making as they worked together to enhance the lives of the citizens of Buffalo, NY.

While her husband led the City through tumultuous years, Margaret was described by her children as "the backbone" of their family as she set as example of strength and poise to her children as they grew up in the political spotlight.

Margaret's children recall how she and her husband made a great couple, loved each other very much, and loved to laugh and reminisce with friends.

Later in her life, Margaret became "Nana Margie" and displayed the same love for her grandchildren as she did for the rest of her family.

Mr. Speaker, I ask that my colleagues join me today in remembering Margaret Griffin, a truly remarkable wife, mother, grandmother, friend, and servant of the City of Buffalo and its citizens.

I wish to extend my deepest condolences to the family of Mrs. Margaret Griffin, to her children Maureen and John Tomczak, Megan and Thomas and Colleen Griffin, to her grandchildren and surviving family and friends. Mrs. Griffin earned the respect of many and although words cannot truly express the kind and fun-loving woman that Margie was, it is my hope that the memories and stories of Mrs. Griffin can serve as a lasting tribute to her life and service to so many families throughout our great city, Buffalo, New York.

HONORING SERVICE AT MINNETONKA HOMECOMING

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. PAULSEN. Mr. Speaker, each fall, high schools across America hold homecoming parades to bring their community together and welcome back alumni. For Minnetonka High School this annual parade also gives the community an opportunity to honor its local veterans. Each year a veteran is selected to carry the American flag while riding at the front of the Minnetonka Homecoming Parade.

This year, Lyle Bennis, a long time resident of Deephaven, Minnesota, and a World War II Navy veteran is carrying the Stars and Stripes at the head of the ceremony in Excelsior.

Mr. Bennis was a Boatswain's Mate 2nd Class on the USS *Card* and USS *McCook* while serving in the European theater during WWII. Mr. Bennis's destroyer group recorded the most kills of German U-boat submarines in the Atlantic.

After victory in Europe was cemented, he was transferred to the Pacific and served in the Philippines, and finally in U.S. occupied Japan.

Lyle Bennis's service to our nation should never be forgotten. I thank him, and congratulate him for leading Minnetonka's homecoming parade.

RECOGNIZING NATIONAL CHILDHOOD OBESITY AWARENESS MONTH AND CHILDREN'S HOSPITALS

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. TIBERI. Mr. Speaker, there is no question that childhood obesity is among the most serious health problems affecting our nation's children. Indeed, approximately 17 percent of children and adolescents age 2–19 years in the United States are obese. The problem is only growing in magnitude, as over the past two decades, the prevalence of children who are obese has doubled, while the number of adolescents who are obese has tripled.

As co-chair of the Congressional Task Force on Childhood Obesity and in recognition of September as National Childhood Obesity Awareness Month, it is imperative that we begin to identify and promote solutions to the childhood obesity epidemic. One of the key places to look towards is the work of our children's hospitals.

Children's hospitals across the country are working to provide unique solutions for both treating and preventing childhood obesity. In my home district, in Columbus, Ohio, Nationwide Children's Hospital has created programs which approach the obesity epidemic from multiple angles, partnering with other organizations like the YMCA and Ohio Healthy Weight Outcomes Coalition to help foster a multi-lateral approach to addressing the epidemic.

One of these programs, the F.A.N., Fitness and Nutrition, Club was established in 2008 as part of Nationwide Children's Hospital's pediatric obesity initiative to help 3rd, 4th and 5th grade students in neighborhoods around the hospital experience fun activities to keep them fit and healthy through physical activity and education.

This month we applaud programs like F.A.N. Club and our children's hospitals, which in partnership with our local communities help ensure that children across the nation receive the tools and education necessary to prevent childhood obesity.

JOHN B. HASEMAN TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor Colonel John B. Haseman of the United States Army. I received a letter from the U.S. Defense Intelligence Agency informing me that Col. Haseman is to be a 2011 inductee into the Defense Attaché System, DAS, Hall of Fame. As a member of the U.S. Country Team, Mr. Haseman served as a military adviser to the ambassador and represented the Defense Department leadership to the ambassador's host nation.

Established in 1988, the Attaché Hall of Fame serves to honor DAS personnel who have long served our nation with the prowess and distinction befitting a member of the U.S. Military. Col. Haseman served the United

States in Indonesia from 1982 to 1985, and again from 1990 to 1994. He also served in Burma from 1987–1990.

While operating in Indonesia, Col. Haseman provided the Department of Defense with substantial information regarding numerous human rights violations. This vital information greatly influenced the decision making process concerning the policy that was to be implemented towards that country. Col. Haseman also functioned to cultivate healthy relationships with allied nations and to improve their military defense capabilities.

Col. Haseman first joined the US Army in 1963 from the University of Missouri Reserve Officer Training Corps. Throughout his career, having made the seven Army values a part of his daily life, Col. Haseman served our country with dignity and honor.

Mr. Speaker, it is my sincerest pleasure to recognize Col. John Haseman, a native of Grand Junction, Colorado. The United States and the State of Colorado owe him our undying gratitude for his selfless service over the past 48 years. I thank him very much and wish him the best of luck in all his future endeavors.

CORRESPONDENCE SUPPORTING THE AFGHANISTAN/PAKISTAN STUDY GROUP

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. WOLF. Mr. Speaker, I submit correspondence regarding the Afghanistan/Pakistan Study Group and provide the following examples of support for this important initiative from David Abshire, president of the Center for the Study of the Presidency, and a moving letter from a constituent and mother whose children have served in the military in recent years.

CENTER FOR THE STUDY OF THE PRESIDENCY AND CONGRESS,
Washington, DC, June 1, 2011.

Hon. FRANK WOLF,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR FRANK: To say that the May 2, 2011 targeted elimination of Osama bin Laden by a team of U.S. Navy SEALs was welcome news would be the understatement of the 21st century. The death of a terrorist icon that had directed the murder of thousands of American, European, and Muslim civilians has also caused almost immediate speculation as to what his demise will mean for the international mission in Afghanistan.

Within hours of President Obama's announcement of bin Laden's death, pundits and politicians from both the Right and Left are calling for a speedier withdrawal in the wake of the al-Qaeda leader's demise. However, many are concerned that such a move would risk reversing the gains that have been made by our nearly ten-year military effort and could cause Afghanistan to once again remerge as a destabilizing pariah that violates human rights and threatens international security.

As the country becomes increasingly divided over the issue of our involvement in Afghanistan, many questions have been raised regarding our relationship with Pakistan. Despite spending billions in aid and security assistance, America's approval rating in Pakistan is a mere 17%. Furthermore the discovery of Osama bin Laden in a compound located less than a mile from the Pakistan Military Academy has dramatically amplified concerns that elements of the Pakistani Inter-Services Intelligence service may be maintaining links with al-Qaeda and other violent extremist organizations. While many understand that cutting off or reducing aid to Pakistan would be risky, the American public is unlikely to tolerate continued perceived double-dealing on the part of the Pakistani security services. New creative and independent thinking is needed to overcome the current deadlock.

As the country struggles to find the appropriate way forward in Afghanistan and Pakistan, I am heartened by your efforts to establish a bipartisan and independent Afghanistan-Pakistan Study Group that will take a comprehensive look at America's current and future role in the region.

I had the privilege of helping organize the Iraq Study Group (ISO), which the proposed Af-Pak Study Group would be modeled after, and feel that a similar such effort would be of great help today.

Such a group can provide an effective unifying rallying point that will enable the country to come together in support of a comprehensive strategy that will guard our interests in the region and foster a more stable and secure world.

With warm regards,

Sincerely yours,

DAVID ABSHIRE.

DEAR CONGRESSMAN WOLF: I have read your proposal for the formation of an Afghanistan/Pakistan Study Group with deep personal interest and approbation. I applaud its respectful, well-reasoned, bipartisan approach to rethinking the war in Afghanistan. The following are my personal thoughts regarding this war. Please accept them as the insights of an average American mother.

It has been troubling to me how distant this war is for so many Americans. Many are only vaguely aware of the events taking place, other than perhaps the recent increase in the number of casualties. Even gathering information of what is daily happening in Afghanistan hasn't been easy. I comb the internet daily searching many different online news sources in an attempt to be informed. Our country is at war and yet so often the top news items contain nothing regarding it. Often it is the local papers in towns with soldiers, sailors and marines serving in Afghanistan that contain the most news. Other times it is the news stations with an embedded reporter who will have a flurry of articles while the reporter is there but then nothing once they return.

The War on Terror is not just impersonal news but it is a war that strikes very close to home. My father has a dear friend whose son-in-law died in the Twin Towers. I have a friend who lost a son in Iraq during the battle for Fallujah. A student of mine lost her fiancee in the war. My children and son-in-law have served in both Iraq and Afghanistan and have buddies injured or killed in action.

One of my daughters is currently serving in Afghanistan in a Combat Support Hospital. She arrived in time to experience first hand the peak number of casualties in June and July. In a recent news interview her Commanding Officer said they are seeing an almost constant stream of casualties; something that none of them were prepared for, but will remember the horrors of the rest of their lives.

It has sometimes appeared that the efforts in Afghanistan have trudged along, with success measured in part by the areas in which we have gained some measure of control versus the price paid in human lives both civilian and military. The casualties suffered aren't just numbers to me; each name, each face, represents a family who is paying the ultimate price, the loss of a son or daughter, brother or sister, father or mother; a family that will never be the same. Therefore, I wholeheartedly support the formation of an Afghanistan/Pakistan Study Group in the hope that it will help to turn the tide of this war and lessen the number of casualties as well.

I, too, have a deep respect and confidence in Gen. Petraus and would not want my comments to be construed as being critical of the leadership of our military. I have no formal training in political science or history so please accept these comments as simply the perspective of an American mother with children glad to serve our country.

God bless you and give you wisdom as you serve in the leadership of our country.

Sincerely,———

PS It meant so much to see my sons receive a standing ovation when introduced during last weeks luncheon. It is these very Lance Corporals, Corporals and Sergeants who are almost daily listed among the casualties. My son, ———, remarked that listening to your speech ''restored his faith in the republic''. Thank you again for recognizing their service.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. PASCRELL. Mr. Speaker, I want to state for the record that on September 22, 2011, my vote was not recorded for rollcall vote No. 723.

I would like to state for the record that my vote should have been recorded as "nay" on rollcall vote No. 723, on providing for consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes.

RECOGNIZING SEPTEMBER AS CHILDHOOD OBESITY AWARENESS MONTH

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. CLEAVER. Mr. Speaker, I rise today in recognition of September as Childhood Obesity Awareness Month. According to the National Health and Nutrition Examination Survey, thirty-two percent of children and adolescents in the U.S. are overweight. According to this study, sixteen percent of children and adolescents in the U.S. are obese, meaning they have a body mass index in the ninety-fifth percentile. In my home state of Missouri, almost thirty-four percent of children are obese and overweight. Sadly, the childhood obesity rate is growing, doubling over the last two decades, while the obesity rate for adolescents has nearly tripled over the last two decades.

These staggering increases in obesity are leading to a number of health problems among America's youth. Incidents of type two

diabetes and hypertension are on the rise, and more children today are at risk of heart disease, cancer, and stroke. It has been estimated that one out of three males, and two out of five females born in the year 2000 will eventually suffer from type two diabetes.

The obesity epidemic hits some communities harder than others, greatly impacting our more vulnerable communities. Studies have shown that these children are more likely to suffer from obesity and the related health problems. Low income areas have far fewer parks and sidewalks than wealthier communities, and children from these neighborhoods have less opportunity to play ball, ride bikes, or run outside. Children who live in lower income neighborhoods also have less access to fresh produce and healthy foods. Children living in food deserts are not able to consume healthier foods as often as they should, relying more on processed and high calorie foods for their meals.

Mr. Speaker, it is essential that this Congress work to improve access to healthy food for all Americans. We need to teach our young healthy eating habits, promote physical activity, and increase access to fresh foods by encouraging supermarkets to open in the urban core, and embracing farmers markets and urban farming. Obesity is a costly epidemic. Not only does it drastically increase health care spending, totaling fourteen billion dollars a year, but it greatly reduces the health and prosperity of our children. I would also like to commend the hard work being done by Children's Mercy Hospital in bringing awareness to this issue. I urge my colleagues to stand with me in support of Childhood Obesity Awareness Month.

INTRODUCTION OF THE ECONOMIC GROWTH AND REDUCING UNEMPLOYMENT ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Ms. NORTON. Mr. Speaker, I rise today to introduce the Economic Growth and Reducing Unemployment Act, to address perhaps the two greatest workforce tragedies resulting from today's economy—our long-term unemployed and our unemployed young people—and to spur economic growth. Since Republicans took control of the House of Representatives, many Democrats have tried to get them to shift from their one-sided, cuts-only fiscal policy to taking some steps to more quickly reduce stubborn unemployment throughout the country. Republican austerity policies, as predicted by history and Economics 101, have driven the economy into another ditch, with the possibility of a double-dip recession. We need to reduce the country's budget deficit and debt in the long term, but as virtually every economist and the Federal Reserve chair himself have said, we must also create jobs and stimulate the economy now, before it is too late. While 14 million Americans are unemployed, my bill targets those particularly hard hit by unemployment. In August 2011, the number of long-term unemployed (those jobless for 27 weeks or more) was six million, which accounted for 42.9 percent of the total unemployed population. In July 2011, the number of unemployed youth 16 to 24 years old was 4.1 million.

To make matters even worse, the unemployed now face employment discrimination and employers are reluctant to hire the long-term unemployed because of the length of their unemployment. My bill would give employers a $5,000 tax credit against their payroll tax liability for each (net) new long-term unemployed person they hire. The tax credit is large enough to give employers an incentive to increase hiring and wages, which would inject demand into the economy. The credit would be available to the broadest base of employers because every employer—government, non-profit and for-profit—pays payroll taxes, and employers could claim the credit on a quarterly rather than annual basis. According to the independent, non-partisan Congressional Budget Office, the proposal would "increase both output and employment," through four mechanisms: (1) with lower employment costs, employers would reduce the costs of their products and services, which, in turn, would first boost sales and then hiring and hours worked; (2) employers would pass on some of the tax savings to employees in the form of higher wages or other compensation, which, in turn, would increase employees' purchasing power; (3) higher profits would lead to higher stock prices for public companies, increasing shareholders' wealth and therefore their willingness to spend; and (4) with lower employment costs, employers would increase hiring. The bill has safeguards to prevent employers from gaming the system, including denying a credit to an employer that fires one employee and hires a replacement.

Particularly disappointing as well is the high unemployment rate for young people who heeded our advice to graduate from high school and college, only to try to enter the workforce in the worst economy in generations. By significantly expanding AmeriCorps, my bill, without needing a new administrative structure or bureaucracy, would allow unemployed young people to earn a stipend sufficient to support themselves and to obtain work experience and a good work history to help them obtain future employment. The net cost of the expansion would be low, because these young people would be providing urgently needed local services that are being dropped or curtailed because of federal, state, and local budget cuts, such as after-school programs, tutoring, and assistance for the elderly.

The bill would significantly expand job opportunities for young people who have played by the rules but find themselves unemployed in this economy. The bill would increase the number of participants in the AmeriCorps State and National program from approximately 78,000 to 500,000 full-time participants. Participants receive a living allowance, which most find sufficient to meet their basic needs, and are also eligible for an education award equal to the value of a Pell grant, for school-loan forbearance, health care benefits and child care assistance. By expanding the program, we would reduce the number of unemployed young people, provide them with the work skills and experience they would not get while unemployed, and help cash-strapped states and local governments provide services that they would otherwise have to cut.

For some time, it has been clear that policies to address today's unusually stubborn unemployment need to be targeted in order to be effective. The long-term unemployed and unemployed young people are the two groups that have been hardest to reach in prior measures. Without significant targeting, the long-term unemployed are in danger of becoming permanently unemployed and young graduates will face their first years as adults without jobs and with no way to acquire work experience. Both groups deserve better. I ask the House of Representatives to support this bill because it targets both of these neglected groups of Americans.

RECOGNIZING CONSTITUTION DAY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. CONYERS. Mr. Speaker, I rise today because of my full commitment and support of the values of equality, respect, and freedom fortified within the creation of the Constitution of the United States of America.

Today is a day set aside to recognize the importance the Constitution has provided throughout its evolution to the continued principles of democracy our Founding Fathers championed.

I would like to highlight both the 13th and 15th Amendments for the equality each ensures to American minorities.

The 13th Amendment abolished slavery and started a revolution of social progress for blacks subject to slavery, and also for women and laborers.

The 15th Amendment ensures the right to vote to all citizens, regardless of one's race, color, or previous condition of servitude. I personally respect the struggle that ensued after this Amendment was ratified. It took until the 1965 Voting Right Act until this right was protected with vigorous enforcement—a vote I remember voting for passage as a newly elected Representative of the United States Congress.

These two Amendments perhaps best show the injustices that can be righted by Congress and the Nation when we recognize that we are a united people of equal bearing who are each entitled to equality under the Constitution and the help of our brethren.

HERBERT F. KOETHER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor Mr. Herbert F. Koether for his service to the state of Colorado, his active pursuit of conservative ideals, and his love for serving others.

Before World War II, Mr. Koether served on the war production board in Washington, D.C., later joining the United States Air Force and attaining the rank of 2nd Lieutenant.

In 1952, Mr. Koether arrived in Denver, Colorado, actively working in the Colorado political arena for conservative causes. During Senator Barry Goldwater's 1964 presidential campaign, Mr. Koether served as the chair of the Colorado Goldwater effort, tirelessly promoting the ideals Senator Goldwater represented. In 1989, he also helped Gale Norton

run her campaign for Colorado's Attorney General.

Mr. Koether not only worked on campaigns and in politics, he also devoted himself to public service in the Denver area, offering his services to various public boards to better the lives of Coloradans. In addition to serving on the Kent Denver school boards, Mr. Koether spent 54 years of his life on the advisory board of the Salvation Army.

Mr. Koether passed away on Sept. 16, 2011 among his family members and friends who were coming together to celebrate his 98th birthday.

Mr. Speaker, it is an honor to recognize Mr. Herbert F. Koether. The ideals he devoted himself to and his life of public service tangibly affected Coloradans and Americans for the better, and he will be greatly missed by us all.

TRIBUTE TO THE 5TH SPECIAL FORCES GROUP

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mrs. BLACKBURN. Mr. Speaker, fifty years ago, a prestigious group of soldiers were activated into the 5th Special Forces Group at Ft. Bragg, North Carolina. Deployed today from Ft. Campbell, Kentucky and serving in regions known and unknown, the men and women of the 5th Special Forces work to gain and secure freedom's cause for the oppressed throughout the world.

The green beret is not the only thing that sets the 5th Special Forces Group apart. Divided into five active duty and two Army National Guard groups, the Special Forces are an integral part of the United States Army and her missions throughout the world. From Vietnam to Afghanistan, these honored soldiers continue to carry out the legacy of excellence, victory, and fidelity to the contract of democracy. Outfitted with the best and the brightest the Armed Forces has to offer, the 5th Special Forces Group celebrates 50 years of special operations as one of the most decorated and well-known Army units.

We owe much of our freedom to those who, like the 5th Special Forces, dedicate their lives to the tenets of this mighty country. With unequalled speed and resolve, they both captured high-profile targets in the Global War on Terror and brought humanity and compassion to areas of the world struggling under humanitarian crisis. As the 5th Special Forces Group continues their work to liberate those in the bonds of oppression, I ask my colleagues to join with me in honoring the mighty work done by the 5th Special Forces and congratulate them as they celebrate 50 years of bringing freedom to the world's darkest places.

PALESTINIAN AUTHORITY AND THE U.N.

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. GARRETT. Mr. Speaker, I rise today in objection to the Palestinian Authority's blatant attempt to circumvent its past agreements and treaties with Israel and seek a unilateral declaration of statehood at the United Nations (UN) later today.

Peace between the Israelis and the Palestinians will not be settled through a resolution at the United Nations. Lasting peace will only be achieved through direct negotiations between Israel and the Palestinians.

The Palestinian Authority's unilateral declaration of statehood directly contradicts UN Resolution 242, which states that the two nations must work together to achieve peace in the region so that both states are secure.

When Resolution 242 was passed, President Johnson stated, "It is clear . . . that a return to the situation of June 4, 1967 will not bring peace. There must be secure and there must be recognized borders. Some such lines must be agreed to by the neighbors involved."

Now is the time for the UN and the Palestinian Authority to heed that advice. The borders should not be dictated to the Israelis; rather, an agreement should be based on direct negotiations between the two states. Recognition in any way by the UN will only embolden the belligerent Palestinians to avoid the negotiating table and circumvent direct negotiations with Israel.

An affirmative vote by the UN Security Council, even with a United States veto, will have dire consequences for years to come. I urge the UN to reject the resolution so that both nations can return to the negotiating table without pre-conditions.

INTRODUCING THE INVESTING INCOME AT HOME ACT OF 2011

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. LARSEN of Washington. Mr. Speaker, today I am pleased to introduce the Investing Income at Home Act of 2011, legislation that simplifies the outdated personal holding company ("PHC") tax regime and will help certain closely held companies invest money here at home to create jobs and help our economy recover.

Enacted in 1934, the PHC tax provisions (sections 541–547 of the Internal Revenue Code) are outdated. The goal of the PHC tax when it was originally enacted was to prevent wealthy individuals from avoiding the individual income tax on passive income like interest, dividends and rents by forming corporations to hold these investments.

In the 1930s the corporate tax rate was 13.5 percent and the top individual income tax rate was 63 percent. This 49.5 percent differential between the top corporate and individual tax rate—coupled with the ability to liquidate and distribute appreciated corporate assets without tax consequences—provided an incentive for wealthy individuals to incorporate their portfolio investments. Those incentives have largely vanished under current law. First, the top marginal tax rate for both individuals and corporations is 35%. Second, corporate liquidating distributions of appreciated assets are taxed at the corporate level. Current law provides no incentive to incorporate portfolio investments to escape the individual income tax. The PHC tax is an obsolete tax that should be repealed.

Section 541 of the Internal Revenue Code imposes a corporate level penalty tax of 15% on the undistributed personal holding company income of a PHC. Under current law, this rate is scheduled to return to the highest individual tax rate of 39.6% when the lower dividend tax rate expires in 2011. A corporation constitutes a PHC if 60% of its adjusted gross income is PHC income and if 50% of its stock is owned by five or fewer individual shareholders at any time during the last half of the taxable year. PHC income generally is defined as interest, dividends, royalties, rents, and certain other types of passive investment income.

Furthermore, in the case of a group of corporations filing a consolidated return, the PHC test is generally conducted on the basis of the operations of the consolidated group. However, in certain circumstances the test must be conducted on a separate company basis. When the test is conducted on a separate company basis, a group of corporations filing a consolidated return can easily find that it has a personal holding company tax liability even though a great majority of its revenue is generated from the active conduct of its trade or businesses. The requirement to conduct the PHC tests on a separate company basis often unfairly penalizes corporate groups that are actively engaged in business. A common fact pattern that gives rise to this unwarranted imposition of the PHC tax is where a member of the group receives dividends from controlled foreign subsidiaries. In this case, the separate company PHC tax computation serves as a deterrent to the repatriation and reinvestment of foreign earnings in the United States.

The legislation I am introducing would exclude dividends received from a firm's foreign affiliates and reinvested in the United States from the definition of personal holding company income.

This bill will provide that corporations impacted by the PHC that benefit from the provision would pay the same level of corporate tax as similarly situated publicly traded corporations. This would free them to invest dividends from foreign affiliates into the U.S. economy, helping to create much-needed jobs here in America.

I ask my colleagues to join me in supporting this important legislation that will clean up an outdated part of the Tax Code and help to create good jobs in the United States.

RECOGNIZING THE 50TH ANNIVERSARY OF THE FOUNDING OF THE NATIONAL ASSOCIATION OF CONVENIENCE STORES

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Ms. MATSUI. Mr. Speaker, I rise today to commemorate the 50th anniversary of the founding of the National Association of Convenience Stores (NACS).

Originally founded in 1961, today NACS represents more than 3,700 companies that do business in more than 50 countries worldwide.

The convenience retailing industry in America generates $575 billion dollars in sales annually, in its more than 146,000-plus stores across the country, and employs 1.6 million

Americans. NACS has helped the industry experience remarkable growth, convenience store sales today are more than 1,100 times greater than when NACS was founded. Cumulatively, the U.S. convenience store industry alone serves 160 million customers per day in this country alone.

It is convenience stores that keep America's motors running. Convenience stores sell 80 percent of all the gasoline purchased in the country.

NACS represents both large businesses and small family businesses that grow America's economy. More than half of convenience stores are owned by single-store operators. NACS helps member retailers to grow their businesses, from research and marketing to human resources and management.

NACS also helps to advocate for those issues that are vital to these small business owners. From motor fuels policy, to prevention of tobacco sales to minors, to swipe fee reform, NACS is an industry leader in making sure their voices are heard.

Convenience stores provide a speed of transaction that is unparalleled, and the large number of locations and extended hours of operation have redefined convenience, whether for food, fuel or other essential items. The extended hours and flexibility of convenience stores mean that they play a vital role in the communities they serve and customers are able to quickly pick up what they want, when they need it.

Mr. Speaker, in recognizing the many contributions the National Association of Convenience Stores has made to our nation and to our history, I join my colleagues in celebrating the 50th anniversary of its founding.

20TH ANNIVERSARY OF UKRAINE'S INDEPENDENCE

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. LEVIN. Mr. Speaker, I rise today to mark the 20th anniversary of Ukraine's independence from Soviet rule.

Since August 24th, 1991, the people of Ukraine have remained steadfastly focused on securing a stable democracy and a free market economy in Ukraine, and I commend them on their democratic achievements. During the 2004 Orange Revolution, I was proud to stand with hundreds of Ukrainian Americans demonstrating in front of the Embassy in Washington, wearing our orange scarves and demanding that democracy required rejection of a rigged election.

I also rise to express my deep concern over the erosion of democracy under the current Yanukovych Administration, which places the successes of the Orange Revolution in jeopardy. Reports from the April 2011 Freedom House assessment are alarming, particularly the anecdotes of the Administration's use of violence, intimidation, and selective prosecution of opposition leaders and suppression of the media.

We in the United States must continue to stand with those living under oppressive and tyrannical regimes as they struggle for their freedom.

Last week, members of the Congressional Caucus on Ukraine introduced a bipartisan resolution to commemorate Ukraine's independence and to express strong and continued support to the Ukrainian people in their efforts toward ensuring democratic principles.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. VAN HOLLEN. Mr. Chair, today's legislation continues the majority's relentless assault on the Clean Air Act and our nation's public health.

Let's be clear: clean air is not—and has never been—the enemy of economic growth. If history has taught us anything, it is that a healthy environment and a healthy economy go hand in hand. Since 1970, the Clean Air Act has reduced air pollutants by 60 percent while the economy has grown by over 200 percent, with economic benefits expected to reach $2 trillion by 2010—exceeding costs by more than 30 to 1.

Rather than building on this bipartisan record of cost-effective environmental achievement, today's legislation proposes to block two of the most important Clean Air Act rules in decades: the mercury and air toxics rule and the cross-state air pollution rule.

The proposed mercury and air toxics standards would prevent more than 90% of the mercury from coal-fired power plants to be emitted into the air by 2015—and it would reduce fine particle emissions by 29 percent. More than half of the nation's coal-fired power plants already deploy the technology necessary to meet these standards, whose adoption will prevent 17,000 premature deaths and 120,000 cases of asthma a year.

The long overdue cross-state air pollution rule would require 27 upwind states to reduce their sulfur dioxide emissions by 75 percent and their nitrogen oxide emissions by 54 percent. These reductions will prevent an additional 34,000 premature deaths and 400,000 cases of asthma each year and the "good neighbor" principle it represents is especially important to downwind states like my home state of Maryland, which currently must bear the brunt of air pollution that blows in from other states.

The economic and public health benefits from both of these rules far outstrip the cost of the pollution control technology necessary to achieve them—a fact the one-sided "study" in this legislation is deliberately designed to obscure. And the pollution control technology itself will drive investment and job creation for professionals like engineers, electricians, pipefitters and boilermakers whose expertise and labor will be needed to install it. It's a clear win for our economy and a clear win for our public health.

I urge a no vote.

JOE BLAKE TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor Mr. Joe Blake, former Chancellor of the Colorado State University System. Since May of 2009, his leadership and influence as the first sole chancellor of the CSU System has been felt far and wide within the state of Colorado.

Before beginning his time with CSU, Mr. Blake served as the President and CEO of the Denver Metro Chamber of Commerce for nearly a decade. His experience with the Chamber coupled with his strong background in job creation played a pivotal role in his ability to lead CSU through tough financial times.

Under the leadership of Mr. Blake, CSU was able to accomplish many important tasks, including the establishment of a stand-alone chancellor operation, the development of its first strategic plan, and the positioning of CSU Global as a viable and integral part of the system.

CSU also launched the Commitment to Colorado, a scholarship program that ensures qualified students of all income levels have the opportunity to attend an institution of higher education. In a time where jobs are becoming scarce, nothing is more important than ensuring the young workforce has the experience, the resources, and the expertise to obtain a sustainable occupation.

Through his dedication and commitment to Colorado's system of higher learning, Mr. Blake has furthered America's objective of bettering its educational system. Mr. Blake has referred to his time as chancellor as having been "the highlight of [his] career." However, Mr. Blake's time with CSU has not yet reached its end. While he is stepping down as chancellor, he will remain with the University to promote donor and alumni relations.

Mr. Speaker, it is an honor to recognize Mr. Joe Blake. His leadership and dedication to CSU has benefited thousands of students and families and I thank him for all he has done for the state of Colorado.

CELEBRATING THE 110TH ANNIVERSARY OF FIRST UNITED METHODIST CHURCH

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. MARCHANT. Mr. Speaker, I rise today to honor the First United Methodist Church of Carrollton. For 110 years, this church has been a centerpiece for spiritual growth and community outreach for the City of Carrollton.

In 1901, a group of 15 Methodists moved to Carrollton, Texas to start a ministry and formed what is known today as First United Methodist Church of Carrollton. Preaching only once a month, founding pastor Reverend John D. Major visited the congregation as the fifth church on his circuit. The congregation met in the attic of W.H. Stephens' store in downtown Carrollton, where the church developed a strong Sunday school program. By 1902,

membership had expanded to 54 and the church acquired additional property.

In the mid-1950s, the First United Methodist Church of Carrollton needed to relocate. With a generous donation from the Milburn Family Farm, First United Methodist Church secured five acres for future growth. Since 1967, First United Methodist Church has been pastored by Kenneth Carter, Dr. Paul Morell, and Rev. Jerry Simmons, and is currently under the spiritual leadership of Dr. Richard Dunagin. Throughout its history, First United Methodist has continued to place an emphasis on evangelism in the mission field by providing dental and medical care to those in need around the world. In 2001, as the church celebrated its centennial anniversary, land was provided for a new church and school. In 2004, a new worship center opened which was adorned with stained glass windows from the original sanctuary. Since 2004, the church has added a stadium and sports complex, meeting rooms, and a new sanctuary that can accommodate 1,500 people.

Over the past 110 years, First United Methodist Church of Carrollton has also started other successful ministries in the Carrollton community. For example, the Sonshine Preschool expanded into Carrollton Christian academy, which instructs students from preschool through 12th grade.

In celebrating its 110th anniversary, we recognize the positive impact that First United Methodist Church has had on the greater Carrollton area. Mr. Speaker, I ask all of my distinguished colleagues to join me in celebrating the rich history of First United Methodist Church of Carrollton.

MARINE AND HYDROKINETIC RENEWABLE ENERGY PROMOTION ACT OF 2011

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. INSLEE. Mr. Speaker, this week, I reintroduced the Marine and Hydrokinetic Renewable Energy Promotion Act (H.R. 2994), a bipartisan bill that will improve the research and development program for marine renewable energy. Marine energy is an emerging technology that presents great opportunities. Developing the ability to harness energy from our ocean and tidal currents to power our homes and businesses will create U.S. jobs by building a new manufacturing industry and will improve our energy security. I would like to recognize the leadership of Senator LISA MURKOWSKI who has introduced a Senate companion, which she has successfully moved through the Senate Energy and Natural Resources Committee. Further, I appreciate the support of my House colleagues Representatives DON YOUNG and THEODORE DEUTCH in working with me on this bill.

In the Puget Sound area of Washington, research and demonstration on tidal energy are underway, requiring collaboration from the private sector, universities, research institutions and public utilities. However, national leadership is needed to truly realize the benefits of commercial-scale marine hydrokinetic projects in the United States. The U.S. Department of Energy established the Northwest National Marine Renewable Energy Center, run by the University of Washington and Oregon State University, to develop tidal and wave research projects. They are working with the private sector to demonstrate new technologies. Additionally, the Department of Energy's Marine Sciences Laboratory on the Olympic Peninsula assesses waterpower resource potential to address and remove environmental roadblocks to deployment, testing to accelerate the integration of large-scale waterpower electricity generation into the Northwest power grid, and is essential to establishing a robust basis for industrial investment based on verifiable technology performance, assured cost basis, and environmental performance.

The Marine Renewable Energy Promotion Act will accelerate these efforts by establishing a competitive research, development and demonstration program at the Department of Energy that is specifically devoted to marine and hydrokinetic renewable energy. This office will help to develop new marine renewable energy technologies, increase reliability and durability of facilities, reduce manufacturing and operating costs of the devices, help identify and address environmental impacts of marine renewable energy and make sure that such power can be integrated into the national electricity grid. Additionally, the bill will ensure that the Department of Energy works with research institutions to set up marine and hydrokinetic energy test facilities in the United States, supporting efforts underway nationwide and at the University of Washington, which are critical in our efforts to demonstrate a wide range of technologies, and evaluate the technical viability of each new and emerging type of technology at different scales.

The Electric Power Research Institute has estimated that ocean resources in the United States could generate 252 million megawatt hours of electricity, which given as much support as other types of renewable energy, could be equivalent to 6.5 percent of America's entire electricity generation. With such great potential to spur American innovation and job creation, I urge my colleagues to support this important bill.

TENNESSEE BAPTIST CHILDREN'S HOME

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mrs. BLACKBURN. Mr. Speaker, one hundred years ago, a group of women from the First Baptist Church in Nashville, TN, decided to put action to their beliefs. Purchasing land in Brentwood, TN, in 1911, the Tennessee Baptist Orphans' Home moved from borrowed space in a local hotel to a permanent home. This move began a beautiful history of dedication and service to the least and most vulnerable among us.

Approximately 200 children a year are cared for, fed, clothed, and taught about the hope found in the Almighty. As children find themselves in houses of great crisis, thanks to the care and support of the Tennessee Baptist Children's Home, they soon find themselves in homes of great love. Need is the only qualification for children to find assistance and by accepting all children regardless of race, creed, or socio-economic background, the TBCH lives fully the call of those who follow Christ.

I appreciate the great work done by the Tennessee Baptist Children's Home and all those who support its mission. From the couples who give their lives to parent other children to those whose prayers make this calling possible, all who offer their time, talents, and treasures to this great cause are helping to make the future brighter for Tennessee's children. Mr. Speaker, I rise today in support of the Tennessee Baptist Children's Home and ask my colleagues to join with me in offering great thanks for the work done in protecting Tennessee's children.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mrs. MALONEY. Mr. Chair, I rise in opposition to H.R. 2401. Instead of legislation that would train Americans to get back to full employment, the majority is bringing to the floor a bill that harms the health of our nation.

This bill would endanger the health of millions of our nation's children, seniors, and sick by blocking rules to reduce cross-state air pollution and to reduce the emissions of mercury, lead, dioxin, and other toxic chemicals from power plants. H.R. 2401 would also delay future safeguards by requiring studies that only measure pollution cleanup costs while disregarding health and other benefits.

Along with many of my colleagues, I recently sent letters to the Environmental Protection Agency, EPA, in support of the Power Plant Air Toxics Rule and the Cross-State Air Pollution Control Rule because of the positive impact these rules will have on the public health of our nation. Toxic air pollution from power plants remains a major unregulated source of mercury and lead in the air. Already, more than half of all coal-fired power plants use widely available pollution control technologies to meet these important standards. Once the rule is final, the remaining 44 percent will take similar steps to decrease dangerous pollutants, saving thousands of lives and avoiding tens of thousands of illnesses. It is clear that the benefits of the mercury and air toxics standards will far outweigh its costs—it is estimated that the pollution reductions required by the rule will yield health benefits of $59 billion to $140 billion per year (from lower health care costs and higher worker productivity), which is 5 to 13 times its costs.

Further, by delaying the Cross-State Air Pollution Control Rule this bill would allow highly polluting facilities located upwind to continue to pollute major metropolitan areas with impunity. Such sources of pollution have made it

unattainable for major metropolitan areas like New York City to be in compliance with federal standards for smog pollution even though most pollution is generated by large upwind sources. The Cross State Rule would make polluters control pollution at the source rather than continuing to shift the cost burden onto local governments and local taxpayers.

This bill requires an unnecessary, duplicative, and biased study of specified air quality and hazardous waste regulations without assessing the benefits of environmental and public health standards. Impeding these EPA rules jeopardizes the health and well-being of the American people. I encourage my colleagues to vote against this legislative train wreck.

IN HONOR OF HISPANIC HERITAGE MONTH

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. REYES. Mr. Speaker, I rise today in observance of Hispanic Heritage Month, which is celebrated September 15th through October 15th, and I am proud to honor the contributions of the Latino community to the diverse landscape of American life and culture. I would like to take a moment to recognize a few individuals for their impact on the Hispanic community and its progress in our Nation. Through their accomplishments in media and the arts, Jose Antonio Burciaga, Rosa Guerrera, Luis Jimenez, and Ramon Renteria have given a part of themselves to enrich the Hispanic community. On September 30th, these individuals are being recognized at the annual El Paso Community College's Hispanic Heritage luncheon celebrating 100 years of Latino art & media.

To begin, I would like to honor the life and career of the late writer and artist Jose Antonio Burciaga, a native El Pasoan, for his exploration of the complex Chicano identity in American society. With the tools of language and art, he illuminated and articulated issues of identity, discrimination, and alienation facing the Chicano community.

I would also like to recognize artist and educator Rosa Guerrero. Through her projects such as the International Folklore Dance Group and her film, ''Tapestry,'' Rosa Guerrero has made it her life's mission to promote cultural diversity and understanding, beginning with some of the first intercultural programs in El Paso schools in the 1970s.

I would also like to remember the life of artist Luis Jimenez, whose powerful sculptures are on display nationwide in public spaces and museums, including the ''Vaquero'' at the Smithsonian American Art Museum. His creations, such as ''Blue Mustang'', which often depict the working man, are marked by vivid and fluorescent colors. They are purposefully striking yet accessible, often provoking strong reactions.

And finally, I would like to recognize journalist and columnist Ramon Renteria for his decades of bold, quality reporting on a wide range of cultural and social issues. His past honors include the Guillermo Martinez-Marquez national award for Latin American reporting and a Texas Headliner Award for his feature story, ''Separate and Unequal: The Story of Kelli, Veronica and School Finance,'' as well as the Ruben Salazar Award from Café Mayapan. As a veteran journalist, Ramon Renteria has brought unique insight and experience to important topics in education, politics, and border issues in our community.

I want to personally congratulate our honorees for their exceptional achievements and contributions to our community, Hispanic culture, and the rich tapestry of American life. They have left their mark on the Hispanic experience in America through the sharing of their cultural perspective and achievements in their respective fields. As the Hispanic community continues to grow in America, it is important to celebrate our roots as we grow in our journey as a part of this great Nation.

HAPPY BIRTHDAY, RILYA

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Ms. WILSON of Florida. Mr. Speaker, today, you would have been fifteen. Today, you would have been a freshman in high school. Today, you would have been the fine young woman you were meant to be.

You are not forgotten.

Mr. Speaker, Rilya Wilson was a foster child of the Florida Department of Children and Families. She went missing on January 18, 2001, and was not reported missing until two years later. The resulting investigation culminated in the resignation of the DCF chief and the passage of a new law I championed in the Florida House of Representatives—a law improving the supervision of foster children and requiring the tracking of efforts to find missing children.

It was later shown that Geralyn Graham, her caretaker, engaged in identity and Medicaid fraud by accepting payments during Rilya's disappearance. Today, Geralyn is in jail, and believed by many to have murdered our beautiful Rilya. Unfortunately, circumstantial evidence is the only evidence available to prosecutors, and I fear that Geralyn Graham will walk free.

This must not happen. The laws governing the reporting of missing children simply are not strong enough. Failing to report a child you know is missing should always be a crime of the most serious kind.

Once more—Rilya, you are not forgotten. I will never sleep, I will never slumber, and I will never rest until we find you—until those responsible for your disappearance are brought to justice.

Many nights I dream that I will one day get to meet you. Every night I dream that you have grown into the fine young lady you were meant to be. Every night I dream that I will see you reunited with your loving sister, Rodericka.

I pray that it will be so.

COMMEMORATING THE LIFE AND CONTRIBUTIONS OF PHILANTHROPIST JACKIE LEE HOUSTON

HON. MARY BONO MACK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mrs. BONO MACK. Mr. Speaker, I rise today to pay tribute to a remarkable lady and dear friend, Mrs. Jackie Lee Houston, a pillar of our community in California's Coachella Valley, and an inspiration to countless admirers and friends.

Today, our community will come together to celebrate Jackie Lee's life, a life of purpose and accomplishment that truly made our world a better place. I am deeply saddened that the Congressional schedule prevents me from joining in this celebration and I know that the memories of Jackie Lee will bring joy to all those attending; a fitting tribute to this gracious hostess who insisted that any event in which she was involved was done with grace and class—and a large measure of fun!

Born Jackie Lee McDonald on June 27, 1935, Jackie Lee grew up in Seattle, Washington, and went on to attend the University of Washington. It was there that she met her husband, Jim, with whom she would spend the rest of her life. Their love story is a classic romance, from their hard-working early days when a holiday was defined by how much gas they could afford for a weekend get away to the pre-eminent role they shared as leading desert philanthropists, they were simply inseparable.

Jackie Lee and Jim were blessed with three children, Tamara, Jaimi and Jim, and their family bond was unbreakable.

For a time, the Houstons made a life in British Columbia, visiting the Coachella Valley regularly in the 1960s. Although the Houstons maintained an active presence in the Coachella Valley for decades, they didn't move permanently to the Desert until 2001. Once there, they quickly made their commitment to their new home clear by purchasing a local television affiliate and establishing KPSP Channel 2 as a major media presence in our community. It is perhaps the most inspiring testament to her character and strength of will that Jackie Lee made such an enormous impact on her adopted home town in such a short period of time. Proud to be one of the few women in the country who owned a television station, Jackie Lee used her influence at the station to provide additional exposure to causes she deemed worthwhile—regardless of whether she was directly involved in them.

One cannot begin to estimate the number of lives that were touched and made better by the tens of millions of dollars Jackie Lee raised for and donated to worthwhile charities and causes over the years, saying once: ''Giving is just a feeling of wanting to be proud of what you do.'' I will always be especially grateful for her work on the Palm Springs International Film Festival, and consider myself truly honored to have called her a dear friend.

Jackie Lee had the ability to take your breath away with a flair and creativity that set her parties and events apart from all the rest—and for that reason people flocked to the

Houston's home and social gatherings and always returned. She also quietly helped countless other individuals, helping families with furniture, clothes, or even mortgage payments.

We were all enriched by her life and devastated by her passing, and the void in our community will never be filled.

Mr. Speaker, please join me in commemorating the life and contributions of Mrs. Jackie Lee Houston, who passed away on September 14, 2011. Her legacy will live on through her many achievements, the countless lives she touched, and the enduring admiration and devotion of her loving husband, Jim. May God bless her, and God bless America.

PALESTINIAN STATEHOOD

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. AUSTRIA. Mr. Speaker, I rise today to express my deep concern about today's vote in the U.N. General Assembly regarding Palestinian statehood.

This unilateral attempt by the Palestinians is not in the best interest of the United States. It is not in the best interest of Israel—our closest ally in the Middle East. And, in my opinion, it is not in the best interest of the Palestinian people. Any decisions regarding Palestine's statehood must come in conjunction with security for the Israeli people and multilateral talks with Israel.

Today, as the world watches the actions of the United Nations, I plant my feet firmly on the side of the Jewish State of Israel, and express my unwavering support for their country and security.

Israel stands as a beacon of hope in a region of the world where democracy and freedom are in short supply. With our continued friendship, we can ensure that Israel has the support and resources needed to continue on as a banner of freedom and democracy in the Middle East.

SUPPORT ISRAEL

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. REICHERT. Mr. Speaker, I rise today in support of Israel and in my belief that a nuclear-armed Iran poses a dire threat not only to Israel, but to the entire world.

Israel is a crucial ally and friend to the United States. There is a long, rich, and productive history between our two countries. If Israel's sovereignty and ability to compete on a level playing field is being threatened, it is important for all levels of the U.S. Government to stand up and act. The partnership between our two democracies is strong and must remain so.

Palestinian leadership is attempting a push toward statehood through the United Nations but Middle East peace can only be achieved through direct negotiations. An agreement suitable to both Israelis and Palestinians must achieve real security and mutual recognition of each state's right to exist. That cannot be achieved through unilateral action.

As unrest continues in the Middle East, the United States must remain steadfast in its unyielding support of our friend and ally. Sadly, Israel is in a volatile region of he world where our shared values of self-determination and democracy are under constant attack. That is why I continually support vital security assistance to Israel and support legislation to impose sanctions on those aiding Iran's nuclear program. Iran's Mahmoud Ahmadinejad can never, at any time, be allowed to obtain nuclear weapons.

Israel's security, and regional stability in the Middle East, is a vital U.S. interest. As a Member of Congress, I urge all branches of U.S. Government to remain consistent in emphasizing their support for Israel.

IN HONOR OF JUDGE AARON COHN

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to our Nation's longest serving juvenile court judge and one of Columbus, Georgia's most distinguished legal minds, celebrated military veterans and dedicated public servants, Judge Aaron Cohn. Judge Cohn, who has served as a juvenile court judge since 1965, will step down from that position at the end of this month. His longevity of dedicated judicial service and steadfast commitment to positively influencing generations of Columbus-area youth, are just a few of the many reasons as to why Judge Cohn has been an invaluable and irreplaceable pillar in Georgia's legal community.

A Columbus native, Judge Cohn was born on March 3, 1916. He is a graduate of Columbus High School and the University of Georgia. As a student at the University of Georgia, he epitomized the true meaning of scholar-athlete in that he was the Captain of the Bulldogs' tennis team, served as Vice President of the Inter-fraternity Council and was a member of the Blue Key Honorary Society.

Following his exemplary collegiate career, Judge Cohn was admitted to the Georgia Bar in 1938 and in 1940 he volunteered for the United States Army. He served under General George Patton in World War II and earned the Bronze Star for his patriotic service on behalf of our great Nation. As a Major in the 3rd Armored Cavalry Regiment, he bravely fought with U.S. armed forces across France and broke through German defenses at Metz.

One of the most defining and heroic moments of Judge Cohn's illustrious military career occurred when as a young commanding officer in the U.S. Army, he was among the first of the Allied troops to help liberate the Nazi Concentration Camp in Ebensee, Austria. Almost 40 years later in 1982, he was honored by the United States Holocaust Memorial Commission as an Official Liberator of the Concentration Camp at Ebensee, Austria. Additionally, he was cited by the City of Bettembourg, Luxembourg, for his service in the liberation of Luxembourg while with the 3rd Armored Cavalry Regiment.

After the war, Judge Cohn diligently focused his efforts on working to prevent children from taking the wrong path, advocating civil rights and promoting religious tolerance. During the initial years following his return from Europe, he worked as a successful lawyer and served as chief registrar for Muscogee County, Georgia where he was active in the desegregation of the voter registration process. When he became a juvenile court judge in 1965, his love of children and his determination to help the underprivileged led him to embark on a highly successful and rewarding judicial career.

A recent headline in the Columbus Ledger-Enquirer recently read ''Judge Cohn is an icon of integrity.'' It is true that Judge Cohn is an icon of integrity but he is also so much more. His notable judicial feats and vast accomplishments are an accumulation of tangibly substantive deeds that have positively impacted the lives of countless families around the world.

I would be remiss if I did not also recognize the important role that Judge Cohn's late wife, Janet Ann, played in his numerous achievements by being a supportive spouse, close confidant and loving mother to their three children: Gail Cohn, Leslie L. Cohn and Jane Cohn Kulbersh.

Finally, Judge Cohn has been a pillar of integrity throughout his life. He has been a mentor for me and limitless others; an adviser; role model and friend.

Mr. Speaker, I ask my colleagues to join me in saluting a true American hero, outstanding legal scholar and one of Columbus, Georgia's most beloved figures, Judge Aaron Cohn, on the occasion of his well-deserved retirement.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is $14,726,790,407,953.74.

On January 6, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $4,088,364,661,659.94 since then. This debt and its interest payments we are passing to our children and all future Americans.

MOTION TO CONCUR

SPEECH OF

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to provide explanation and clarification of the intended budget effects from the anomaly related to the U.S. Postal Service that is contained in H.J. Res 79, the Continuing Resolution (CR) for Fiscal Year 2012.

H.J. Res. 79 would postpone from September 30, 2011 until November 18, 2011 the payment due from the Postal Service, which is off-budget, to an on-budget account managed by the Office of Personnel Management (OPM).

The Postal Accountability and Enhancement Act of 2006 requires the Postal Service to

make a $5.5 billion payment to OPM by September 30, 2011 to pre-fund retiree health benefits. However, the Postal Service does not currently have adequate funds to make this payment. To address this issue, the CR includes a provision that will delay the payment to provide time for the Postal Service to work with Congress and the Administration to develop a long-term solution.

If only the on-budget effects were counted, this delay would score as an increase in spending in 2011, but then produce savings in 2012, resulting in additional room for spending under the caps on discretionary spending established in the Budget Control Act of 2011. To prevent this unintended consequence, the House Budget Committee scored this anomaly on a unified basis, so that both the on-budget and off-budget effects were counted together. As a result, the 2011 cost and the 2012 savings offset each other and produce a score of zero in the CR. This decision has precedent. A similar provision was included in the FY 2010 short-term CR (P.L. 111–68) where the House scored that provision on a unified basis pursuant to section 426(b) of the 2010 budget resolution.

The off-budget status of the U.S. Postal Service creates significant complications for budget enforcement when the agency seeks timing shifts or bailouts from the U.S. Treasury due to financial distress. The House Budget Committee will continue to monitor this anomaly throughout the budget and appropriations process to ensure that it does not result in additional discretionary spending in FY 2012.

HONORING CONGRESSWOMAN CARRIE MEEK

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. RYAN of Ohio. Mr. Speaker, I rise tonight to recognize Congresswoman Carrie Meek and her lifelong devotion to public service.

For over a decade, Congresswoman Meek served in the Florida State House of Representatives and Senate. In 1993, Congresswoman Meek became the first African American since Reconstruction to be elected to the United States House of Representatives from the state of Florida.

Congresswoman Meek fought against cuts to social welfare programs throughout the 1990s. Instead, she worked to expand federal programs that could create jobs and make it easier for minorities to open and own their own businesses.

During her career, she worked tirelessly to stand up for the underprivileged; making sure that the elderly were able to live comfortably, that minorities were accurately counted in the Census, and that disaster stricken areas had adequate funding.

I am honored to join my distinguished colleagues to pay tribute to the great work and achievements of Congresswoman Meek. She is, and always will be a shining example of how we, as Members of Congress, should conduct ourselves in public office.

PALESTINIAN STATEHOOD

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. HIMES. Mr. Speaker, today, we expect that Palestinian President Mahmoud Abbas will apply for member status before the United Nations. This unilateral action is likely to complicate U.S. peace efforts. It also rejects the essential principle of solving the conflict through direct negotiations with Israel.

History has taught us that a just and lasting peace must be negotiated. It cannot be imposed from the outside, lest it be built on an unstable and temporary foundation.

The creation of a viable, autonomous and peaceful Palestinian state is essential, not only to address the aspirations of the Palestinian people, but also to ensure Israel's security in the region. A two-state solution is the only answer for sustainable peace, and while the negotiations to achieve that goal have suffered setbacks, that must be the objective.

During a speech on Middle East policy at the U.S. State Department on May 19, 2011, President Obama stated, "For the Palestinians, efforts to delegitimize Israel will end in failure. Symbolic actions to isolate Israel at the United Nations in September won't create an independent state. Palestinian leaders will not achieve peace or prosperity if Hamas insists on a path of terror and rejection. And Palestinians will never realize their independence by denying the right of Israel to exist." I agree with these sentiments.

HUMANITARIAN CRISIS AND HUMAN RIGHTS VIOLATIONS IN SUDAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. WOLF. Mr. Speaker, I rise today to bring to my colleagues' attention a powerful hearing that the Tom Lantos Human Rights Commission—of which I am a co-chair—held on September 22, 2011 to discuss the humanitarian atrocities that are taking place in Sudan, including Darfur.

I submit for the record the moving testimonies of two of the panelists—former member of Congress, the Honorable Thomas H. Andrews, and Ms. Jehanne Henry of Human Rights Watch. I hope that my colleagues will take a moment to read these testimonies and realize that the atrocities mentioned are taking place and continue to take place today.

The United States must not turn a blind eye to this part of the world.

[Human Rights Watch, Sept. 22, 2011]

TESTIMONY TO THE TOM LANTOS HUMAN RIGHTS COMMISSION REGARDING SUDAN

(By Jehanne Henry)

Good morning, Chairman McGovern, Chairman Wolf and distinguished Members of the Tom Lantos Human Rights Commission. Thank you for inviting me to this important hearing on Sudan, particularly in view of new conflict and human rights abuses occurring in Southern Kordofan and Blue Nile states as we speak.

I was asked to speak on my recent visit to Southern Kordofan. I will keep my comments brief and ask that our August 30 report on the situation in Southern Kordofan be submitted for the record.

As you are aware, South Sudan seceded from Sudan on July 9, following a January referendum under the terms of the 2005 Comprehensive Peace Agreement. While these events transpired relatively smoothly, new conflicts erupted in key areas north of the border, where the reforms envisioned in the peace agreement never occurred.

Weeks after Sudan militarily overtook the disputed border area of Abyei in late May, in violation of the CPA, fighting between government and SPLA forces broke out in neighboring Southern Kordofan, home to large ethnic Nuba populations with longstanding ties to the SPLM.

The fighting broke out amid growing tensions over disputed state elections, in which Ahmed Haroun—who is wanted by the International Criminal Court for war crimes and crimes against humanity in Darfur—claimed a narrow victory for governor. The two parties also disagreed over the terms of troop withdrawals under the security arrangements in the CPA.

According to witnesses we interviewed and other sources, government forces shelled civilian areas, shot people in the streets and carried out house-to-house searches and arrests based on lists of names of known SPLM supporters in the first weeks of fighting. Many people I interviewed saw dead bodies and evidence of looting and burning as they escaped the town.

The witness accounts are consistent with many of the findings in an August 15 report by the Office of the High Commissioner for Human Rights, which documents unlawful killings and attacks on civilians and other serious human rights violations that could amount to war crimes and crimes against humanity.

In late August, I visited Southern Kordofan. Although government restrictions prevented us from visiting Kadugli itself and other government-controlled areas, we visited many towns and villages deep in the Nuba Mountains, where hundreds of thousands of people have taken refuge from fighting and ongoing indiscriminate bombing by the Sudanese government.

While I was there, I saw government planes circling overhead on a near-daily basis, sometimes multiple times per day. I also saw three bombs falling out of an aircraft, and heard them explode a few kilometers away. We investigated 13 air separate strikes in Kauda, Delami, and Kurchi areas—a small fraction of the total number of air strikes in Nuba Mountains—in which bomb fragments brutally killed at least 26 people, including women and children, and injured 45 others, maiming many for life.

According to those we interviewed, there were no military targets in areas where bombs fell. None of the incidents we investigated occurred close to front lines or in areas of active combat. The type of munitions used and the manner in which they were delivered—unguided, dropped from high altitudes—are further evidence that the bombings were indiscriminate and therefore unlawful.

The bombing is ongoing, and has a devastating impact on the Nuba population. People forced out of their homes now live in harsh conditions under boulders, in caves, on mountaintops, under trees, and in the bush far from towns where they fear being struck by bombs. They lacked sufficient food, medicine, and shelter from the rains—many are now eating berries and leaves, and their children are suffering from diarrhea and malaria. Many we met were separated from

family members living in government controlled areas.

Humanitarian groups estimate that more than 200,000 people have been displaced, either by the outbreak of fighting in early June, by ongoing fighting along several front lines, and by the ongoing bombing campaign. The number may be higher, as heavy rains and lack of fuel for vehicles and security concerns restricted access to many SPLM-North-controlled areas.

Yet the Sudanese government has blocked humanitarian assistance to opposition areas as well as many government-held areas. On August 20, aid groups tried to carry out an assessment but were allowed only to Kadugli town. On August 23, President Al-Bashir publicly stated that no international groups would be allowed in. Indeed, Sudan has done everything possible to ensure there are no ''eyes and ears'' on the ground. It has prevented journalists, researchers, diplomats and UN staff from visiting the area, and forced the UN peacekeepers to leave.

In recent weeks, this conflict has spread to neighboring Blue Nile state and the government has clamped down on SPLM-North across the country, arresting more than 100 suspected supporters, banning political parties, and restricting media coverage of the conflicts. We have credible reports that the government is bombing civilian areas in Blue Nile also. Tens of thousands of people fled their homes.

Sudan faces many political challenges: growing dissent from marginalized populations in its peripheries; active conflicts in two border states and in Darfur, for eight years running; and it has lost one-third of its territory and faces serious economic challenges. Unfortunately, its leaders have chosen to respond to these challenges through repression and armed conflict rather than by upholding rights, opening political space, pursuing democratic reforms.

The United States has shown leadership. Ambassador Rice condemned the violence early on and requested UN reporting on human rights violations. The state department has also condemned the continued aerial bombing. This continued leadership is critical.

The United Nations Security Council and the Africa Union have yet to even condemn the violations, despite the evidence of indiscriminate bombing and despite the UN High Commissioner for Human Rights warning that war crimes and crimes against humanity may have occurred in Southern Kordofan.

We urge the US to press for: a strong condemnation of the ongoing violations in Southern Kordofan and Blue Nile; an international monitoring presence, with a requirement for continued human rights monitoring; and a full and independent investigation into violations of international human rights and humanitarian law.

Finally, the US needs to remain steadfast in making no concessions to Sudan given these ongoing and serious violations.

Thank you.

[From United to End Genocide, Sept. 22, 2011]

TESTIMONY OF THE HON. THOMAS H. ANDREWS—''SUDAN: THE ONGOING HUMANITARIAN CRISIS IN SOUTH KORDOFAN AND CONTINUING HUMAN RIGHTS VIOLATIONS IN DARFUR

Thank you Chairman Wolf, Chairman McGovern and members of the Tom Lantos Human Rights Commission for holding this hearing. I greatly appreciate the opportunity to testify before you today on the escalation of attacks against civilians in Sudan. So many members of this Commission have been long-time champions of peace and accountability in Sudan. Your leadership on Sudan is critical.

I was in the region a little over two months ago visiting Rwanda, Kenya and South Sudan, and in Juba just weeks after violence broke out in South Kordofan. Everywhere I went I heard story after story of the horror that continues to be inflicted. Two refugees from Darfur told me about their harrowing experience of being awakened at dawn by the sound of hooves and gunfire as the Janjaweed raided their village. They fled to South Kordofan's Nuba Mountains and described how the people there welcomed them. They expressed their alarm and horror that the same regime that had forced them to flee their homes in Darfur was now attacking the very people who provided them refuge.

The common denominator in the devastating attacks on civilians in both Darfur and South Kordofan is Sudan's President Omar al-Bashir. Let me be clear—Bashir is a genocidal monster who is already wanted by the International Criminal Court for directing atrocities in Darfur. Since Bashir came to power in a military coup in 1989 he has murdered, starved and destroyed the lives of millions of innocent civilians in South Sudan, Abyei, Darfur, Blue Nile and South Kordofan.

I have provided additional details on the violence being perpetrated across Sudan by Bashir's forces in my written testimony. But my focus today is on what is happening now in South Kordofan and the stories that were told to me by the people I met.

I spoke to several people displaced from South Kordofan's Nuba Mountains when I was in Juba in early July. The numbers of displaced have only increased since then. Two priests who had just arrived after a narrow escape told me that the Sudanese Armed Forces and allied militias had gone door to door, targeting people based on their religion and the color of their skin. They spoke of churches being burned and looted. One church was hit by a bomb as Antanov planes, the same used to terrorize the people of Darfur, launched indiscriminate attacks on civilian areas. That was in July. The attacks continue.

But it doesn't stop there: Bashir has also refused to let in desperately needed food, water, medicine and fuel. International aid NGOs have been tossed out. One of the displaced priests I met with had heard just that morning from a colleague still in the Nuba Mountains that food stocks were running low, trade routes were blocked, and no new aid was being allowed in. He told me that at least one million innocent people are at risk in South Kordofan.

This year alone, more than half a million people have been displaced by fighting throughout Sudan. United Nations reports indicate the likelihood of ethnic cleansing in Abyei, and war crimes and crimes against humanity in South Kordofan. We suspect similar atrocities have occurred in Blue Nile.

Recent violence directed by Bashir makes it very clear, when left unchecked this genocidal monster will simply continue to do what he has always done: commit unspeakable atrocities.

So what can the United States do? Past experience demonstrates that the Bashir regime only responds to consequences. Unfortunately, the Obama Administration is failing in the face of these ongoing atrocities. Recent statements by the State Department do not place appropriate emphasis on the Government of Sudan as the party overwhelmingly responsible for violence against civilians. Even more importantly, action from the Administration is severely lacking. Accountability is not being demanded. Civilians are not being protected. Bashir is being allowed to commit atrocities with impunity. Again. Unless this policy course is corrected, many more civilians will lose their lives.

In my view the Obama Administration needs to do three things:

First, expand sanctions on individuals responsible for atrocities throughout Sudan. Current individual sanctions for atrocities are specific only to Darfur. Anyone who commits heinous crimes must be held accountable regardless of where in Sudan these atrocities take place.

Second, make saving lives in Sudan a high priority in our dealings with other nations—particularly those that can exert the most leverage on Bashir. We need increased and coordinated sanctions by the international community starting with our European allies. Maybe even more importantly, the United States must work to move China in a new direction. The Chinese have a great deal of leverage with the Government of Sudan. Their significant monetary investment makes it in their interest to have a peaceful and stable region. But their actions belie their interest and denigrate values that we have a moral obligation to defend and advance. The red carpet that the Chinese government literally unfolded for Bashir just months ago in Beijing was an outrage. We need to hear that outrage spoken loudly and clearly by our leaders.

Finally, weapons must be stopped from flowing into Sudan and innocent people must be protected. The U.S. must spend political capital to pass a United Nations Security Council resolution that expands individual sanctions for perpetrators, expands the existing arms embargo on Darfur to incorporate all of Sudan, expands the mandate of the International Criminal Court to cover the entire country, demands unfettered humanitarian access, and authorizes an international civilian protection force with the resources and mandate to accomplish its mission.

Congress also has an important role to play. First, the American people need to know the truth about Omar al-Bashir and his atrocities. This hearing is an important step in that direction and, again, I commend you for your leadership. American citizens have shown they care about the people of Sudan, but many are unaware of what is happening there now. Your help is needed to raise the alarm. Congress should also consider and pass legislation that would mandate increased United States sanctions and push the Administration to advance the policies I've laid out here today.

I know this is not as easy as it may sound. I know about all the distractions that Members of Congress face. I was serving in the House during the Rwandan genocide. I visited the graves of hundreds of thousands of victims when I visited Rwanda in July and asked myself—''Where was I?'' Why did we do nothing to prevent or stop this horror?'' Well, in retrospect, the political climate here in the U.S. was intense in 1994. There were fresh memories of Mogadishu, Somalia and ''Black Hawk Down''. There was the conflict in the former Yugoslavia. The economy was struggling and a heated election was looming. When you think about it, the political climate today is not at all dissimilar. But, the bottom line then is the bottom line now: We cannot stand quietly aside while genocidal monsters inflict unspeakable crimes against untold numbers of innocent people. The cost of doing nothing is too great. We must not look back years from now on this moment and think: ''If only we had done something.''

We must have the courage to act now.

Thank you again for your time and for this opportunity. I look forward to answering your questions.

HONORING THE SERVICE OF HIS EXCELLENCY YASHAR ALIYEV, AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE REPUBLIC OF AZERBAIJAN TO THE UNITED STATES OF AMERICA

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. COHEN. Mr. Speaker, I rise today to honor the departing Ambassador Extraordinary and Plenipotentiary of the Republic of Azerbaijan to the United States of America, His Excellency Yashar Aliyev. Mr. Aliyev has served in this post since December 2006, but his diplomatic career is long and distinguished.

Ambassador Aliyev began his diplomatic career at the United Nations in 1992, serving as political affairs counselor and chargé d'affaires of Azerbaijan's Permanent Mission. He was also Azerbaijan's delegate to the First and Fourth Committees at the forty-seventh through fifty-sixth sessions of the United Nations General Assembly. Having joined the Ministry of Foreign Affairs of Azerbaijan in 1989, Ambassador Aliyev held posts as political officer, first secretary and deputy director in the Ministry's Department of Information and Political Analysis, as well as director of the Department of International Organizations. From 2002–2006, he served as Azerbaijan's Permanent Representative to the United Nations.

It has been my honor and privilege to work with Ambassador Aliyev on issues important to Azerbaijan. I have come to regard him as a determined and passionate advocate for his country and the strategic partnership between Azerbaijan and the United States. I praise the Ambassador for his tremendous efforts and contributions to raise awareness among Members of Congress and Administration officials of the important role Azerbaijan is playing in the security of the United States.

I want to offer Ambassador Aliyev my appreciation for his 5 years of service in Washington, D.C. As Ambassador Aliyev moves on to new responsibilities and assignments, I extend to him my highest regards and best wishes. Mister Speaker, I ask all of my colleagues to join me today in wishing His Excellency Yashar Aliyev the best and congratulating him on his impressive service.

THE BIGGEST LITTLE LEAGUERS

HON. TIM SCOTT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. SCOTT of South Carolina. Mr. Speaker, in the heart of Charleston, South Carolina, lies Cannon Street; it's a modest street spanning just a few city blocks. However, within its history lies the story of what Dr. Creighton Hale, the former CEO of little league baseball, called "the most significant amateur team in baseball history."

In 1955, the area surrounding this street was one of economic blight and social unease. In an effort to keep kids out of trouble and teach skills that only team sports can provide, the local YMCA organized four little league teams for the neighborhood kids. The Cannon Street YMCA All-Stars would advance to the Charleston City Little League playoff games, but would never be given the opportunity to earn a spot in the Little League World Series. It was not because they were unworthy players or because they could not afford to go. The color of their skin stifled the dreams of these twelve-year-old boys.

The Charleston playoff games were boycotted in 1955 to preserve racial segregation. Because teams again refused to play against them, the Cannon Street All-Stars advanced past the state and regional playoffs. The National Little League invited the All-Stars to the Little League World Series as special guests; they could not compete for the title because technically they hadn't played their way to the championships. They returned to Charleston, dismayed and disappointed.

As children, they embodied the very characteristics that organized sports aim to impart—teamwork, courage and respect. As adults they have worked in productive and valuable careers such as architecture, law enforcement and education. As they have grown older, they are now volunteers in their communities—giving back, yet again. While they never had the opportunity to compete, their story has demonstrated where we have come from as a nation.

Last month members of my staff had the opportunity to meet several of the original Cannon Street Little Leaguers who traveled to Washington, D.C. to be recognized at Nationals Stadium before the Nationals-Phillies game. Their story remains powerful more than 65 years later, and I know my staff will never forget having the opportunity to meet them.

Today, the neighborhood that encompasses Cannon Street has developed into an integral part of the Charleston education and science community. It is home to a number of colleges and universities and a world-class research hospital. The boys of the Cannon Street Little League Team are men who through their careers and service to the community have become assets to their neighborhoods. In spite of the adversity they encountered and the challenges they confronted, these young people illustrated to the world the absurdity of segregation and the hatred inherent in racism.

In the fifty-five years since they were excluded from competing to earn a spot at the Little League World Series in their own right, America has matured. I'd like to believe that a handful of twelve-year-olds contributed to our maturity.

It is with great admiration that I share their story and my respect for these men with you, my colleagues.

RECOGNIZING NATIONAL CHILDHOOD OBESITY MONTH

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. INSLEE. Mr. Speaker, I rise today to recognize September as National Childhood Obesity Month. Childhood obesity is one of the biggest health challenges facing our country; driving up medical costs, hurting our economy, and shortening lives. For the first time our children and grandchildren are projected to live shorter and less healthy lives than we do. Medical costs associated with obesity total more than a billion dollars a year. The price tag will continue to increase as our youth face more and more diseases normally only found in adult populations, like hypertension, type 2 diabetes, and high cholesterol. This growing epidemic is driven by environmental, economic, and social factors that make fats, salt and sugars cheaper and more available than fresh fruits and vegetables and limit the opportunities for sports and recreation.

The good news is that prevention works and by working together we can buck this trend. Together, we can improve access to healthier foods, increase availability of active transportation for our youth, and ensure our communities are walkable.

We face an uphill battle—according to Washington State's Healthy Youth Survey, 24% of 10th graders are either obese or overweight, and less than half of children surveyed were getting enough fruits and vegetables. Yet already, many leaders and communities in Washington are stepping to the plate and are committed to taking on this fight by making healthy, important changes. From Moses Lake to Mount Vernon, communities are successfully incorporating policies to increase access to healthy foods and physical activity. Seattle's Odessa Brown Children's Clinic, located in a community where nearly 40% of children are overweight or obese, is on the front lines of combating childhood obesity. The clinic has successfully integrated childhood obesity prevention and treatment program into their primary care to address the challenge.

Childhood obesity prevention should be a top priority. In Congress, I worked to pass the Affordable Care Act because I believe an increased focus on preventative medicine and increasing access to care will improve our nation's health. I also support the Fit Kids Act, to ensure that children get enough physical activity. We know what we need to do to reverse this alarming national epidemic. It will not be easy, but together we can fight the childhood obesity trend.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 2011

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. KUCINICH. Mr. Chair, I rise in strong opposition to H.R. 2401, The TRAIN Act. This bill would continue the subordination of public health and common sense to the narrow, temporary and misguided pursuit of profits for the few. It endeavors to kill essential environmental and public health protections by imposing the exact kind of redtape my colleagues so emphatically claim to oppose.

The TRAIN Act slams the brakes on essential public health initiatives, first by burdening

the initiatives with unnecessary and redundant study. These regulations include efforts to reduce airborne ozone, nitrogen dioxide, sulfur dioxide, polycyclic aromatic hydrocarbons, toxic metals like mercury, arsenic and chromium, and any effort to stem greenhouse gases, the single biggest threat to our way of life and our very existence in recorded history. The TRAIN Act also tries to overtly stop two essential rules. It indefinitely blocks EPA's Mercury and Air Toxics standards and Cross-State Air Pollution Rule by eliminating any legal deadline for EPA action. It prevents EPA from adopting the Cross-State Air Pollution Rule for a minimum of 19 months, and the Mercury and Air Toxics standards for at least 15 months.

Each year the Cross-State Air Pollution rule is delayed brings about up to 34,000 premature deaths, 19,000 emergency room visits for respiratory and cardiovascular disease, and about 400,000 cases of aggravated asthma. The pollution reductions under the rule are estimated to create health benefits of $59 billion to $140 billion per year; 5 to 13 times its costs.

Each year the Mercury and Air Toxics rule is delayed brings about 17,000 additional premature deaths, 12,200 emergency room visits for respiratory and cardiovascular disease, and about 120,000 cases of aggravated asthma. Enacting the rule would bring about health benefits of $120 to $280 billion per year; 150 to 350 times its costs.

If I told you Washington, DC were to incur an act of terrorism that would cost over 50,000 lives over the next year, I guarantee you this Congress would launch a multibillion dollar effort to save those lives. If an explosion at a nuclear power plant killed a baseball stadium's worth of people, you can bet we would spend billions of dollars figuring out what went wrong, conducting cleanup, performing oversight, and so much more. If a massive flood caused an outbreak of an enigmatic infectious disease that killed 34,000 people over 12 months, you can be certain we would mobilize all levels of government and the private sector to stop it. There would be clearly identifiable victims. There would be heroes. Not so in the field of public health where the victims are harder to identify and the cause of their death, less grandiose.

We have an opportunity here to prevent the deaths of tens of thousands of innocent Americans for far less money than it would cost to relaunch a war on terror, to clean up after a nuclear catastrophe, or to stop the spread of a flood-borne emerging infectious disease. There are many environmental issues demanding our attention which will require remedies that are simply not cost-effective, in the narrowly defined economic sense of the term. The regulations at issue today do not fall into that category. This bill is a true test of fiscal rectitude. I urge my colleagues to reject it.

65 YEARS—VIRGIL & DORRACE POE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mr. POE of Texas. Mr. Speaker, on October 16, Virgil and Dorrace Poe, my parents, will celebrate their 65th wedding anniversary. This milestone is more than an anniversary; it is a remarkable accomplishment. For over six decades, my parents have taught me the value of education, the power of God, and the rewards of hard work.

The story of my parents is truly an American one. After my father served in the Second World War, he returned to Texas where he was stationed at the Army Post in Fort Hood. He met my mother at a Wednesday night ''prayer meeting'' at the Church of Christ. My mother was a volunteer for the Red Cross at the local Army hospital and a cashier at the Kyle Hotel's coffee shop in Temple, Texas. They married the next year.

Over the next few years, my parents welcomed my sister Jayne and me into the world. My dad went to Abilene Christian University thanks to the GI Bill. The family lived in the Army Barracks while dad attended classes. My dad worked climbing telephone poles for Southwestern Bell, and also he worked nights at KRBC radio station. His shifts at KRBC ended each night with ''Stars and Stripes Forever,'' a fitting song.

Their marriage has taken them from Fort Hood to Abilene to Dallas and Houston with two brief stops in St. Louis.

Throughout our great State of Texas, they have volunteered in their communities and in their churches. My mom found time to teach kindergarten and work for the IRS. My dad worked over 40 years as an engineer for Southwestern Bell, and he taught Sunday School for over 60 years. My parents taught me to love God first and Texas second, but sometimes it seemed like it was the other way around.

Mr. Speaker, I am proud and honored to recognize the 65th wedding anniversary of my parents, Virgil and Dorrace. And that's just the way it is.

TRIBUTE TO LEE BEAMAN

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 23, 2011

Mrs. BLACKBURN. Mr. Speaker, I rise today to honor one of Middle Tennessee's finest community leaders as he receives the Joe and Honey Rodgers Leadership Award. Named to honor the outstanding legacy of public service of Honey and the late Joe Rodgers, former Ambassador to France, the Rodgers Leadership Award is given each year to an individual in the Nashville area who demonstrates leadership while living a life of personal integrity, godly character, and concern for others.

Lee Beaman offers more to the Nashville area than a multitude of trucks, cars, and sports utility vehicles. More than what he sells with the Beaman Automotive Group, he is known for the incredible character with which he runs his family business of over 60 years. Due to his customer-oriented business philosophy, generosity to the community, and overall work environment, Beaman's company was named one of the top 20 places to work in Tennessee in 2006.

To be a success in business is a good goal, and one Mr. Beaman has met and matched. His true contribution to the Middle Tennessee area is in his civic service, philanthropy, and fidelity to a cause greater than himself. Mr. Beaman puts his faith into action through his work with the organizations like Salvation Army, Boy Scouts of America, and the American Heart Association. I thank him for his continued example in generously dedicating his time, talents, and treasures in making a difference in the community. I appreciate the great work civic leaders like Mr. Beaman contribute to the Middle Tennessee area and I ask my colleagues to join me in congratulating Mr. Lee Beaman as he receives the Joe and Honey Rodgers Leadership Award.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5921–S5960

Measures Introduced: Eleven bills and eight resolutions were introduced, as follows: S. 1622–1632, S. Res. 276–282, and S. Con. Res. 29. **Page S5945**

Measures Passed:

Veterans Health Care Facilities Capital Improvement Act: Senate passed H.R. 2646, to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain expiring provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs. **Page S5932**

Short-Term TANF Extension Act: Senate passed H.R. 2943, to extend the program of block grants to States for temporary assistance for needy families and related programs through December 31, 2011. **Page S5932**

Honoring the Service of Sergeant First Class Leroy Arthur Petry: Committee on Armed Services was discharged from further consideration of S. Con. Res. 27, honoring the service of Sergeant First Class Leroy Arthur Petry, a native of Santa Fe, New Mexico, and the second living recipient of the Medal of Honor since the Vietnam War, and the resolution was then agreed to. **Page S5932**

Authorizing the Use of the Rotunda of the United States Capitol: Senate agreed to S. Con. Res. 29, authorizing the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal, collectively, to Neil A. Armstrong, Edwin E. "Buzz" Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., in recognition of their significant contributions to society. **Page S5932**

National Brain Aneurysm Awareness Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 248, supporting the goals and ideals of National Brain Aneurysm Awareness Month, and the resolution was then agreed to. **Page S5933**

Congratulating the Nunaka Valley Little League: Committee on the Judiciary was discharged from further consideration of S. Res. 273, congratulating the Nunaka Valley Little League junior girls softball team on their performance in the Junior League Softball World Series, and the resolution was then agreed to. **Page S5933**

National Medicine Abuse Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 261, designating the month of October 2011 as "National Medicine Abuse Awareness Month", and the resolution was then agreed to. **Pages S5933–34**

National Infant Mortality Awareness Month: Senate agreed to S. Res. 276, expressing support for the goals and ideals of National Infant Mortality Awareness Month of 2011. **Page S5934**

National Principals Month: Senate agreed to S. Res. 277, recognizing the month of October 2011 as "National Principals Month". **Page S5934**

National Prostate Cancer Awareness Month: Senate agreed to S. Res. 278, designating September 2011 as "National Prostate Cancer Awareness Month". **Pages S5934–35**

Worldwide Day of Play: Senate agreed to S. Res. 279, expressing support for the designation of September 24, 2011, as "Worldwide Day of Play". **Page S5935**

National Hispanic-Serving Institutions Week: Senate agreed to S. Res. 280, designating the week beginning September 19, 2011, as "National Hispanic-Serving Institutions Week" and recognizing the achievements of the Hispanic Association of Colleges and Universities. **Page S5935**

National Estuaries Day: Senate agreed to S. Res. 281, designating September 24, 2011, as "National Estuaries Day". **Pages S5935–36**

Authorizing Testimony: Senate agreed to S. Res. 282, to authorize testimony in *Kanelos v. County of Mohave*, et al. and *Zanna*, et al. *v. Mohave County*, et al. **Pages S5958–59**

House Messages:

Continuing Appropriations—Agreement: Senate began consideration of the amendment of the House

of Representatives to the amendment of the Senate to H.R. 2608, making continuing appropriations for fiscal year 2012, taking action on the following amendments and motions proposed thereto: **Pages S5921–24**

Rejected:

Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 655 (to the amendment of the House to the amendment of the Senate to the bill), to provide continuing appropriations in fiscal year 2011 and additional appropriations for disaster relief in fiscal years 2011 and 2012. (By 59 yeas to 36 nays (Vote No. 151), Senate tabled the motion.) **Page S5922**

Pending:

Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656 (to the amendment of the House to the amendment of the Senate to the bill), to provide continuing appropriations in fiscal year 2011 and additional appropriations for disaster relief in fiscal years 2011 and 2012. **Page S5922**

Reid Amendment No. 657 (to Amendment No. 656), to change the enactment date. **Page S5922**

Reid Motion to refer the message of the House on the bill to the Committee on Appropriations with instructions, Reid Amendment No. 658, to change the enactment date. **Page S5922**

Reid Amendment No. 659 (to (the instructions) Amendment No. 658), of a perfecting nature. **Page S5922**

Reid Amendment No. 660 (to Amendment No. 659), of a perfecting nature. **Pages S5922–24**

A motion was entered to close further debate on the Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656 (to the amendment of the House to the amendment of the Senate to 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 Friday, September 23, 2011, a vote on cloture will occur at 5:30 p.m., on Monday, September 26, 2011. **Page S5922**

A unanimous-consent agreement was reached providing that at 4:30 p.m., on Monday, September 26, 2011, Senate resume consideration of the Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with Reid Amendment No. 656, with the time until 5:30 p.m. equally divided and controlled between the two Leaders, or their designees; providing further, that the second-degree filing deadline for the motion to concur be at 5:00 p.m., on Monday, September 26, 2011. **Page S5959**

Nominations Confirmed: Senate confirmed the following nominations:

Ashton B. Carter, of Massachusetts, to be Deputy Secretary of Defense.

29 Air Force nominations in the rank of general.

10 Army nominations in the rank of general.

10 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S5956–58, S5959–60**

A routine list in the Public Health Service. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.) **Pages S5956–58, S5959–60**

Nominations Received: Senate received the following nominations:

Maurice A. Jones, of Virginia, to be Deputy Secretary of Housing and Urban Development.

Matthew S. Rutherford, of Illinois, to be an Assistant Secretary of the Treasury. **Page S5959**

Messages from the House: **Page S5944**

Measures Placed on the Calendar: **Pages S5936, S5944**

Executive Communications: **Pages S5944–45**

Additional Cosponsors: **Pages S5945–47**

Statements on Introduced Bills/Resolutions: **Pages S5947–52**

Additional Statements: **Pages S5943–44**

Amendments Submitted: **Pages S5952–56**

Authorities for Committees to Meet: **Page S5956**

Record Votes: One record vote was taken today. (Total—151) **Page S5922**

Adjournment: Senate convened at 9:00 a.m. and adjourned at 3:59 p.m., until 3:30 p.m. on Monday, September 26, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5959.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Ronald David McCray, of Texas, to be a Member of the Federal Retirement Thrift Investment Board, and Corinne Ann Beckwith, and Catharine Friend Easterly, both to be an Associate Judge of the District of Columbia Court of Appeals, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 3038–3066; and 3 resolutions, H. Con. Res. 82; and H. Res. 415–416 were introduced. **Pages H6455–57**

Additional Cosponsors: **Pages H6457–58**

Reports Filed: Reports were filed today as follows:

H.R. 241, to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California, with an amendment (H. Rept. 112–216);

H.R. 461, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes, with an amendment (H. Rept. 112–217);

H.R. 473, to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes, with an amendment (H. Rept. 112–218);

H.R. 795, to expand small-scale hydropower (H. Rept. 112–219, Pt. 1);

H.R. 1258, to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah (H. Rept. 112–220);

H.R. 1421, to amend the Water Resources Development Act of 1986 to clarify the role of the Cherokee Nation of Oklahoma with regard to the maintenance of the W.D. Mayo Lock and Dam in Oklahoma (H. Rept. 112–221 Pt. 1);

H.R. 1560, to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe (H. Rept. 112–222); and

H.R. 2583, to authorize appropriations for the Department of State for fiscal year 2012, and for other purposes, with an amendment (H. Rept. 112–223). **Pages H6454–55**

Speaker: Read a letter from the Speaker wherein he appointed Representative Dold to act as Speaker pro tempore for today. **Page H6417**

Chaplain: The prayer was offered by the guest chaplain, Reverend Dr. Charley Hames, Jr., Beebe Memorial Cathedral, Oakland, California. **Page H6417**

Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011: The House passed H.R. 2401, to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, by a recorded vote of 249 ayes to 169 noes, Roll No. 741. Consideration of the measure began yesterday, September 22nd. **Pages H6419–46**

Rejected the McCollum motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 180 yeas to 233 nays, Roll No. 740. **Pages H6444–46**

Agreed to:

Moore amendment (No. 3 printed in H. Rept. 112–213) that ensures that the study will analyze the impact that a rule or action could have on low-income communities and public health (by a recorded vote of 337 ayes to 76 noes, Roll No. 730); **Pages H6423, H6438**

Kinzinger amendment (No. 5 printed in H. Rept. 112–213) that adds upcoming EPA gasoline regulations to the list of measures to be analyzed for their cumulative impact on energy prices, jobs, and American competitiveness (by a recorded vote of 269 ayes to 145 noes, Roll No. 732); **Pages H6425–26, H6439–40**

Dent amendment (No. 6 printed in H. Rept. 112–213) that adds the U.S. Environmental Protection Agency's (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAP) from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants to the Covered Rules within the bill (by a recorded vote of 269 ayes to 150 noes, Roll No. 733); **Pages H6426–27, H6440–41**

Jackson Lee amendment (No. 9 printed in H. Rept. 112–213) that extends the public comment period from 90 days to 120 days (by a recorded vote of 346 ayes to 74 noes, Roll No. 736); **Pages H6429–31, H6442**

Whitfield amendment (No. 10 printed in H. Rept. 112–213) that provides that the Cross State Air Pollution Rule has no legal force or effect, and directs EPA to continue to apply Clean Air Interstate Rule (CAIR) for at least 3 years until after the study in the underlying bill is complete. The amendment also requires that the proposed Utility Maximum Achievable Control Technology (MACT) rule has no legal force and effect and that any subsequent Utility MACT rule be issued no sooner than 1 year after the study in the underlying bill is complete. If reissuing the rule, EPA is required to ensure that MACT standards are achievable in practice and that the compliance period is at least 5 years (by a

recorded vote of 234 ayes to 188 noes, Roll No. 737); and **Pages H6431–34, H6442–43**

Latta amendment (No. 11 printed in H. Rept. 112–213) that updates the Clean Air Act's criteria for what factors can be considered when promulgating National Ambient Air Quality Standards (NAAQS). Specifically, it allows the EPA Administrator to consider feasibility and cost when setting these standards, which would negate the effect of a 2001 Supreme Court ruling that held implementation costs cannot be considered when setting NAAQS (by a recorded vote of 227 ayes to 192 noes, Roll No. 738). **Pages H6434–35, H6443–44**

Rejected:

Welch amendment (No. 1 printed in H. Rept. 112–213) that sought to add the Chair of the Council on Environmental Quality, the Secretary of Health and Human Services, as well as the Director of the Centers for Disease Control and Prevention, among others, to the interagency council that this bill would create. Additionally, the amendment would have directed the committee to look at important health impacts on the most vulnerable subpopulations that would be affected by EPA's proposed rules (by a recorded vote of 173 ayes to 236 noes, Roll No. 728); **Pages H6420–22, H6436–37**

McNerney amendment (No. 2 printed in H. Rept. 112–213) that sought to add the effect on clean energy jobs and clean energy companies, including those that export clean energy technology, to the items to be considered in the analyses required by the bill (by a recorded vote of 184 ayes to 229 noes, Roll No. 729); **Pages H6422, H6437–38**

Capps amendment (No. 4 printed in H. Rept. 112–213) that sought to require the Committee to include in its analyses an estimate of the incidence of birth and developmental defects and infant mortality that would result from a delay to covered rules and covered actions under the bill (by a recorded vote of 195 ayes to 221 noes, Roll No. 731); **Pages H6423–25, H6438–39**

Hastings (FL) amendment (No. 7 printed in H. Rept. 112–213) that sought to exclude from the Committee's jurisdiction all rules and regulations that undergo a cost-benefit analysis as a part of existing regulatory requirements (by a recorded vote of 165 ayes to 254 noes, Roll No. 734); **Pages H6427–28, H6440–41**

Connolly amendment (No. 8 printed in H. Rept. 112–213) that sought to require the committee to study policies which will lead to creation of American jobs in the clean energy sector (by a recorded vote of 186 ayes to 232 noes, Roll No. 735); and **Pages H6428–29, H6441–42**

Richardson amendment (No. 12 printed in H. Rept. 112–213) that sought to strike the offset provision of NR 2401, which would reduce funding to the Diesel Emission Reductions Act (by a recorded vote of 181 ayes to 237 noes, Roll No. 739). **Pages H6435, H6444**

H. Res. 406, the rule providing for consideration of the bill, was agreed to yesterday, September 22nd.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Monday, September 26th, and further when the House adjourns on that day, it shall meet at 11 a.m. on Thursday, September 29th. **Page H6447**

Senate Message: Message received from the Senate today appears on page H6426.

Quorum Calls—Votes: One yea-and-nay vote and thirteen recorded votes developed during the proceedings of today and appear on pages H6436–37, H6437–38, H6438, H6439, H6439–40, H6440, H6440–41, H6441–42, H6442, H6442–43, H6443–44, H6444, H6445–46 and H6446. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 2:25 p.m.

Committee Meetings

ARLINGTON CEMETERY

Committee on Armed Services: Subcommittee on Military Personnel and Subcommittee on Oversight and Investigations held a joint hearing on Arlington Cemetery Reforms. Testimony was heard from Major General William McCoy, Deputy Inspector General, U.S. Army; Katheryn A. Condon, Executive Director, Arlington National Cemetery; and Patrick Hallinan, Superintendant of Arlington National Cemetery.

INCREASE IN DRUG SHORTAGES

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Examining the Increase in Drug Shortages." Testimony was heard from Howard K. Koh, Assistant Secretary for Health, Department of Health and Human Services; and public witnesses.

SOLYNDRA

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "From DOE Loan Guarantee to Bankruptcy to FBI Raid: What Solyndra's Executives Knew." Testimony was heard from public witnesses.

COLUMBIA, PANAMA, AND SOUTH KOREA FREE TRADE AGREEMENT

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Job Creation Made Easy: The Columbia, Panama, and South Korea Free Trade Agreement.'' Testimony was heard from public witnesses.

AMERICAN SAMOA AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs held a hearing to review the impact of minimum wage increases in American Samoa and the Commonwealth of the Northern Mariana Islands. Testimony was heard from Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs, Department of the Interior; Togiola Tulafono, Governor, American Samoa; David Gootnick, Director, International Affairs and Trade, Government Accountability Office; and public witnesses.

DEPARTMENT OF DEFENSE

Committee on Oversight and Government Reform: Subcommittee on Government Organization, Efficiency and Financial Management held a hearing entitled ''The Department of Defense: Challenges in Financial Management.'' Testimony was heard from Mark Easton, Deputy Chief Financial Officer, Department of Defense; Daniel Blair, Deputy Inspector General for Auditing, Department of Defense, Office of Inspector General; and Asif Khan, Director of Financial Management and Assurance, Government Accountability Office.

POLAR WEATHER SATELLITE PROGRAM

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight and Subcommittee on Energy and Environment held a joint hearing entitled ''From NPOESS to JPSS: An Update on the Nation's Restructured Polar Weather Satellite Program.'' Testimony was heard from Kathryn Sullivan, Assistant Secretary of Commerce for Environmental Observation and Prediction and Deputy Administrator, National Oceanic and Atmospheric Administration; Christopher Scolese, Associate Administrator, National Aeronautics and Space Administration; and David A. Powner, Director, Information Technology Management Issues, Government Accountability Office.

DEPARTMENT OF HOMELAND SECURITY RELOCATION PROJECT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''Review and Status of the Multi-Billion Dollar Department of Homeland Security Relocation Project in Washington, D.C. and its Impacts on the U.S. Coast Guard.'' Testimony was heard from Donald Bathurst, Chief Administrative Officer, Department of Homeland Security; Vice Admiral John Currier, Deputy Commandant for Mission Support, U.S. Coast Guard; Robert A. Peck, Commissioner, Public Buildings Service, General Services Administration.

SOCIAL SECURITY DISABILITY PROGRAMS

Committee on Ways and Means: Subcommittee on Social Security and Subcommittee on Human Resources held a joint hearing on work incentives in Social Security disability programs. Testimony was heard from Robert R. Williams, Associate Commissioner, Office of Employment Support Programs, Social Security Administration; and Dan Bertoni, Director, Education, Workforce, and Income Security Issues, Government Accountability Office.

Joint Meetings

No joint committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of September 26 through October 1, 2011

Senate Chamber

On *Monday,* at 4:30 p.m., Senate will resume consideration of the motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2608, Continuing Appropriations, with Reid Amendment No. 656, with a vote on the motion to invoke cloture on the motion to concur at 5:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

No meetings/hearings scheduled.

House Committees

No hearings are scheduled.

Next Meeting of the SENATE

3:30 p.m., Monday, September 26

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4:30 p.m.), Senate will resume consideration of the Reid Motion to concur in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2608, Continuing Appropriations, with Reid Amendment No. 656, with a vote on the motion to invoke cloture on the motion to concur at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Monday, September 26

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Austria, Steve, Ohio, E1718
Bartlett, Roscoe G., Md., E1705
Bishop, Sanford D., Jr., Ga., E1718
Blackburn, Marsha, Tenn., E1708, E1714, E1716, E1722
Blumenauer, Earl, Ore., E1702
Bonner, Jo, Ala., E1699
Bono Mack, Mary, Calif., E1717
Boustany, Charles W., Jr., La., E1711
Bucshon, Larry, Ind., E1699
Burgess, Michael C., Tex., E1700
Burton, Dan, Ind., E1702, E1707
Carson, André, Ind., E1702
Cleaver, Emanuel, Mo., E1712
Coble, Howard, N.C., E1708
Coffman, Mike, Colo., E1718
Cohen, Steve, Tenn., E1721
Conyers, John, Jr., Mich., E1713
Costello, Jerry F., Ill., E1704
Dingell, John D., Mich., E1700
Fincher, Stephen Lee, Tenn., E1707
Foxx, Virginia, N.C., E1707
Garrett, Scott, N.J., E1714
Gerlach, Jim, Pa., E1710
Higgins, Brian, N.Y., E1711
Himes, James A., Conn., E1719
Holt, Rush D., N.J., E1703
Hoyer, Steny H., Md., E1705
Inslee, Jay, Wash., E1716, E1721
Kucinich, Dennis J., Ohio, E1700, E1702, E1703, E1705, E1706, E1708, E1709, E1721
Larsen, Rick, Wash., E1714
Lee, Barbara, Calif., E1710
Levin, Sander M., Mich., E1703, E1715
Lipinski, Daniel, Ill., E1710
McCotter, Thaddeus G., Mich., E1705, E1710
Maloney, Carolyn B., N.Y., E1716
Marchant, Kenny, Tex., E1701, E1715
Matsui, Doris O., Calif., E1709, E1714
Michaud, Michael H., Me., E1707
Moran, James P., Va., E1704
Myrick, Sue Wilkins, N.C., E1705
Norton, Eleanor Holmes, D.C., E1713
Pascrell, Bill, Jr., N.J., E1712
Paulsen, Erik, Minn., E1711
Petri, Thomas E., Wisc., E1708
Poe, Ted, Tex., E1704, E1722
Polis, Jared, Colo., E1704
Reichert, David G., Wash., E1718
Reyes, Silvestre, Tex., E1717
Rogers, Harold, Ky., E1699
Rokita, Todd, Ind., E1701
Rooney, Thomas J., Fla., E1704
Ryan, Paul, Wisc., E1718
Ryan, Tim, Ohio, E1719
Sarbanes, John P., Md., E1706
Scott, Tim, S.C., E1721
Thompson, Mike, Calif., E1709
Tiberi, Patrick J., Ohio, E1711
Tipton, Scott R., Colo., E1711, E1713, E1715
Van Hollen, Chris, Md., E1715
Visclosky, Peter J., Ind., E1699
Waxman, Henry A., Calif., E1703
Wilson, Frederica S., Fla., E1717
Wolf, Frank R., Va., E1701, E1712, E1719

Congressional Record The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record,* U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.