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No. 30

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 27, 2012.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Compassionate and merciful God, we give You thanks for giving us another day.

Bless the Members of this people's House as they return from busy days away from the Capitol.

Give them strength, fortitude, and patience. Fill their hearts with charity, their minds with understanding, their wills with courage to do the right thing for all of America.

In the work to be done now, may they rise together to accomplish what is best for our great Nation and, indeed, for all the world. For You have blessed us with many graces and given us the responsibility of being a light shining on a hill.

May all that is done this day be for Your greater honor and glory.
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 gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

COMMENDING DETROIT CATHOLIC CENTRAL HIGH SCHOOL

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

Mr. MCCOTTER. Mr. Speaker, today I rise to commend my alma mater, Detroit Catholic Central High School, for winning Michigan's 2012 Division I State Wrestling Championship. It is the team's ninth State wrestling championship.

After winning the Catholic High School League title, CC dominated the district and regional meets; and, in the finals, defeated Oxford to cap a 25-3-0 season.

Coach Mitch Hancock's team not only claimed their second title in 3 years, they are sending 10 Shamrock wrestlers to the individual State finals. Truly, the toil and devotion of every CC teammate is inspiring and well reflects upon the entire Catholic Central family, which celebrates these student-athletes' achievement.

Mr. Speaker, I ask my colleagues to join me in recognizing Coach Hancock's Catholic Central Shamrocks for having earned the 2012 State wrestling title and for exemplifying the Basilian Fathers' teachings of goodness, discipline, and knowledge.

Live and die for CC High.

NEW PARTNERSHIP WITH KYRGYZSTAN

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

Mr. WILSON of South Carolina. Mr. Speaker, last week, I was grateful to be part of a Congressional delegation, led by Chairman DAVID DREIER, that established a partnership with the parliament of Kyrgyzstan, the Jogorku Kenesh. We traveled as members of the House Democracy Partnership, which works with parliaments in new democracies to build stronger legislatures.

Following parliamentary elections in 2010, the Kyrgyz Republic last year completed the first peaceful democratic transition of Presidential power in Central Asia after an open and competitive election. New President Almazbek Atambayev is committed to parliamentary democracy.

Under the leadership of Speaker Asylbek Jeenbekov, the parliament and HDP will work together to strengthen committee operations, budget analyses, constituent relations, and other institutional reforms.

Kyrgyzstan is a bright star in Central Asia, with a growing economy, dedicated President, the prestigious American University of central Asia, and dynamic parliamentarians working with an engaged population to establish a democracy.

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

SAY YES TO DOMESTIC ENERGY

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

Mr. POE of Texas. Mr. Speaker, when the President took office, gasoline cost \$1.96. Now it's almost \$4 a gallon. Spring breakers in Disney World can

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

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



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H951

expect to pay nearly \$6 a gallon to fill up their individual cars.

Americans have no choice but to pay the higher price because the government is stonewalling a domestic energy policy. Deana from Huffman, Texas, put it best:

I go to work to make money to pay for the gas just to get to work.

The President's energy policy is "nothing from below"—nothing from below the ground, nothing from below the sea.

We're the only Nation in the world that places most of our offshore territory off limits to oil and gas exploration. Meanwhile, the government continues to subsidize failed green energy projects.

We should be saying yes to all types of American energy: Yes to more offshore drilling; yes to ANWR; yes to faster approval of permits; and yes to the Keystone XL pipeline.

Let's make gasoline affordable for Deana and all Americans.

And that's just the way it is.

DOCUMENTARY FILM "UNDEFEATED" WINS OSCAR

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

Mr. COHEN. Mr. Speaker, this weekend many of us watched the Oscars, and among the winners of an Oscar was a documentary film called "Undeclared."

"Undeclared" was about a football team at Manassas High School in Memphis, Tennessee, and a gentleman named Bill Courtney, who was a volunteer coach there. He went to Manassas during their 2009–2010 season to try to help the kids, help them get through and have a better life. It's in a tough part of the city—a lot of poverty and a lot of one-parent households and a lot of things to overcome.

They had a football player named O.C. Brown, who was an outstanding offensive tackle. He got a scholarship eventually, because of this, to go to Southern Mississippi. He's a great ball player. Coach Courtney worked with him and others to make sure that he got an opportunity to advance.

It's a lot like "The Blind Side," except that it was a story about Coach Courtney and O.C. Brown of Manassas. It won an Oscar, and it deserved it. It's about people not giving up and making a success of things. In just under half a semester, O.C. Brown was able to achieve a 3.0 grade point average and get that scholarship at Southern Mississippi.

Manassas High School is filled with talented young people. We wish them good luck.

This hat belonged to Isaac Hayes, a proud alumnus of Manassas High School.

HONORING THE LIFE OF CHARLIE PEAVYHOUSE

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

Mr. FLEISCHMANN. Mr. Speaker, I rise today to honor the memory of a great man who lived in my district.

Charlie Peavyhouse was born in Detroit and raised in Rhea County, Tennessee. A committed Methodist, Charlie earned his associates degree from Tennessee Wesleyan College and maintained a lifelong relationship with the institution. He also received degrees from East Tennessee State University and Vanderbilt.

After completing his education, Charlie went to work as a teacher and principal. Charlie touched many young lives in his career as an educator, which included serving as principal at Bachman and Falling Water Elementary until his retirement in 1990.

I got to know Charlie Peavyhouse through his work in local politics. Charlie was always a presence, whether as the Hamilton County Republican chair, a campaign manager, or a delegate to the Republican National Convention. He also served as Tennessee's wildlife commissioner under two Governors.

Last April, I joined many in Chattanooga to pay tribute to a man who inspired so many to serve. I was honored to call him my mentor.

Charlie passed away February 19 and is survived by his wife, Eula Mae, and daughters, Jane and Carol.

□ 1410

IN SUPPORT OF H.R. 1433, THE PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2012

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

Mr. PALAZZO. Mr. Speaker, I rise today in support of H.R. 1433, the Private Property Rights Protection Act of 2012. This bill represents a return of basic property rights to the American people, rights we are guaranteed in the U.S. Constitution. In 2005, these rights came under attack when the U.S. Supreme Court ruled in favor of a corporation taking individual homes in the name of economic development. As a result, people lost their homes to false promises of jobs and tax revenue.

Now, instead of a booming business, there is only a city dump where the homes once stood.

I agree with Supreme Court Justice Clarence Thomas when he wrote in his dissenting opinion:

Something has gone seriously awry with this Court's interpretation of the Constitution. Though citizens are safe from the government in their homes, the homes themselves are not safe.

That is also why I supported an eminent domain amendment to the Mississippi Constitution, Mississippi Initiative 31, which 73 percent of Mis-

issippi voters approved last November. I urge my colleagues to support property rights to the Constitution in H.R. 1433.

NATIONAL INSTITUTES OF HEALTH OBSERVES RARE DISEASE DAY

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

Mr. BURGESS. Mr. Speaker, this week is Rare Disease Day, which will take place on February 29. I want to acknowledge the work of the National Institutes of Health in their efforts to bring down rare diseases. I also want to acknowledge the thousands of Americans who are afflicted with diseases whose systems are so complex that they simply remain undiagnosed. The majority of these disorders have genetic causes, and over half affect children.

The National Institutes of Health has joined a worldwide effort with more than 40 countries to recognize and seek better ways to diagnose and treat patients. On February 29, the NIH is observing the fifth annual Rare Disease Day and hosting a daylong program of activities highlighting the rare disease research community.

In conjunction with that, NIH Director Dr. Francis Collins will announce the launch of the Genetic Testing Registry. This is an online tool developed by NIH scientists providing health care providers and patients access to information on genetic tests. I also have legislation that would expand on these efforts.

This Wednesday, February 29, the rarest of days on the calendar, we will pause to honor those who are working hard to research, diagnose, treat, and empower patients with the rarest of rare diseases. I want to acknowledge the work of the NIH. I'm grateful that they're organizing an event like Rare Disease Day.

TRANSPORTATION INVESTMENT

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

Mr. DEFAZIO. Last December, the Speaker told us that the Republican signature jobs bill was going to be the surface transportation reauthorization. Yet, under pressure from the extreme right in his caucus 2 weeks ago, he said in the Republican caucus that this transportation bill is not a jobs bill. And they wrote for the first time since the founding of the Dwight D. Eisenhower National Highway System a purely partisan transportation bill in the hope of jamming it through.

Well, it's all fallen apart now. Yet there are 150,000 bridges falling apart in the Federal system. Forty percent of the pavement on the national system needs to be restored, and there's a \$70

billion backlog for critical equipment in our transit systems. These could be jobs—Made in America jobs.

But we need to work together. Transportation is not, never has been, and should not be a partisan issue. By trying to make it partisan, they've stalled and failed. It's time to go back to the drawing board and put together a bill that's good for America. We don't have to have partisan politics on every issue, and transportation investment should not be one of those.

PAYING TRIBUTE TO DR.
LAWRENCE NEWMAN

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

Mr. CALVERT. Mr. Speaker, I rise today to pay tribute to Dr. Lawrence Newman, a beloved educator, writer, and deaf advocate who passed away on July 4, 2011.

In 1953, Lawrence joined the faculty of the California School for the Deaf in Riverside. He distinguished himself as a talented and devoted teacher, becoming the first deaf person to be awarded the California Teacher of the Year Award in 1968.

Lawrence's contributions extend far beyond the classroom. As two-term president of the National Association of the Deaf, Lawrence was a tireless public advocate for deaf students, raising awareness of their unique needs and fighting for reforms in the law to support residential schools. He also fought for change from within the deaf community, encouraging sign language and total communication.

Perhaps Lawrence's most important role, however, was that of father of five and husband to Betty, his wife of 61 years. He is missed and will always be remembered for his contributions to the deaf community.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

FEDERAL RESTRICTED BUILDINGS
AND GROUNDS IMPROVEMENT
ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 347) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Restricted Buildings and Grounds Improvement Act of 2011".

SEC. 2. RESTRICTED BUILDING OR GROUNDS.

Section 1752 of title 18, United States Code, is amended to read as follows:

"§ 1752. Restricted building or grounds

"(a) Whoever—

"(1) knowingly enters or remains in any restricted building or grounds without lawful authority to do so;

"(2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engages in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

"(3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstructs or impedes ingress or egress to or from any restricted building or grounds; or

"(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds;

or attempts or conspires to do so, shall be punished as provided in subsection (b).

"(b) The punishment for a violation of subsection (a) is—

"(1) a fine under this title or imprisonment for not more than 10 years, or both, if—

"(A) the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm; or

"(B) the offense results in significant bodily injury as defined by section 2118(e)(3); and

"(2) a fine under this title or imprisonment for not more than one year, or both, in any other case.

"(c) In this section—

"(1) the term 'restricted buildings or grounds' means any posted, cordoned off, or otherwise restricted area—

"(A) of the White House or its grounds, or the Vice President's official residence or its grounds;

"(B) of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or

"(C) of a building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

"(2) the term 'other person protected by the Secret Service' means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman

from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the Senate amendment to H.R. 347, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

H.R. 347, the Federal Restricted Buildings and Grounds Improvement Act of 2011, introduced by Congressman TOM ROONEY, makes commonsense improvements to an existing Federal law that prohibits unlawful access to the White House, the Vice President's residence, and other restricted areas.

Current law prohibits unlawful entries upon any restricted building or ground where the President, Vice President, or other protectee is temporarily visiting. However, there is no Federal law that expressly prohibits unlawful entry to the White House and its grounds or the Vice President's residence and its grounds. The United States Secret Service must therefore rely upon a provision in the District of Columbia Code, which addresses only minor misdemeanor infractions when someone attempts to or successfully climbs the White House fence or, worse, breaches the White House, itself.

H.R. 347 remedies this problem. It specifically includes the White House, the Vice President's residence, and their respective grounds in the definition of restricted buildings and grounds. The bill also clarifies that the penalties in section 1752 of title 18 apply to those who knowingly enter or remain in any restricted building or grounds without lawful authority to do so. Current law does not include this important element.

The House passed this bill 1 year ago by a vote of 399-3. Earlier this month, the Senate passed the bill by unanimous consent. The Senate also clarified that the revised law applies to individuals the Secret Service is required to protect by statute or by Presidential memorandum.

H.R. 347 ensures that the President, the First Family, the Vice President, and others are protected whether they are in the White House or attending an event in a convention center or meeting hall.

I commend my colleague from Florida (Mr. ROONEY) for sponsoring this legislation, which enjoys overwhelming bipartisan and bicameral support.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I support H.R. 347, as amended by the Senate, which will assist the Secret Service in performing its protective duties.

The bill before us today will help the Secret Service carry out its role in protecting the President, Vice President, and other dignitaries. Current Federal law prohibits individuals from entering or remaining in areas cordoned off as "restricted" because of protection being provided by the Secret Service.

This bill would simply clarify that the prohibition under the existing statute only applies to those who do not have lawful authority to be in those areas. The bill would also add the White House and Vice President's residence to the definition of restricted areas protected under current law.

The Senate made minor changes to the bill, including expanding the bill's protections to areas in which the Secret Service is protecting a person by the direction of a Presidential memorandum.

I support this amendment. This bill will assist the Secret Service, which did not have this protective function when it was created.

□ 1610

The role of the Secret Service has expanded greatly since it was established in 1865 to fight the counterfeiting of U.S. currency.

The Service became part of the Treasury Department in 1883 and took on many additional investigative responsibilities with respect to safeguarding the payment and financial systems of the United States. It wasn't until 1894 that the Secret Service first started protecting our Presidents; and that protective role with respect to the President, Vice President, and other dignitaries has grown substantially since that time.

The men and women of the Secret Service conduct themselves with valor and professionalism while carrying out the protective function of their agency. They provide protection for a variety of people and events, including the President and national special security events.

The Secret Service has other important functions which also deserve recognition. For example, the investigative role of the Secret Service has expanded greatly from protecting the currency against counterfeiting to investigating a variety of crimes related to this country's financial institutions and credit systems.

I commend the gentleman from Florida, Representative TOM ROONEY, for his work on this bill, and I urge my colleagues to support H.R. 347.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield as much time as he may consume to the gentleman from Florida (Mr. ROONEY), who is a sponsor of this legislation and also a member of the Armed Services and a former member of the Judiciary Committee.

Mr. ROONEY. Mr. Speaker, the protections provided by the United States

Secret Service are vital to assessing security threats and providing a secure environment for our Nation's leaders.

One key aspect of the Service's mission is to secure buildings and grounds where our leaders work and live, including the White House and the Naval Observatory. My bill would explicitly protect these residences of the President and the Vice President from intruders and would clarify current law to distinguish between those who are able to enter the grounds lawfully, like the Secret Service, and those who enter without permission.

This bipartisan bill would improve existing criminal law to ensure that the Secret Service can continue to implement strategies that prevent potentially catastrophic security breaches. I urge my colleagues to join me in supporting this commonsense, bipartisan piece of legislation to protect our Nation's leaders and national security.

I thank Mr. SMITH from Texas for his leadership on this issue, the Judiciary Committee, and Mr. JOHNSON of Georgia.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 347.

The question was taken.

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

Mr. SMITH of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 4 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2117, PROTECTING ACADEMIC FREEDOM IN HIGHER EDUCATION ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-404) on the resolution (H. Res. 563) providing for consideration of

the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965, which was referred to the House Calendar and ordered to be printed.

FEDERAL RESTRICTED BUILDINGS AND GROUNDS IMPROVEMENT ACT OF 2011

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 347) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment.

The vote was taken by electronic device, and there were—yeas 388, nays 3, not voting 42, as follows:

[Roll No. 73]

YEAS—388

| | | |
|-------------|---------------|-----------------|
| Ackerman | Carter | Fincher |
| Adams | Cassidy | Fitzpatrick |
| Aderholt | Castor (FL) | Flake |
| Alexander | Chabot | Fleischmann |
| Altire | Chaffetz | Fleming |
| Andrews | Chandler | Flores |
| Austria | Chu | Forbes |
| Baca | Cicilline | Fortenberry |
| Bachmann | Clarke (MI) | Foxx |
| Bachus | Clyburn | Frank (MA) |
| Baldwin | Coble | Frelinghuysen |
| Barletta | Coffman (CO) | Fudge |
| Barrow | Cohen | Galleghy |
| Bartlett | Cole | Garamendi |
| Barton (TX) | Conaway | Gardner |
| Bass (CA) | Connolly (VA) | Garrett |
| Bass (NH) | Conyers | Gerlach |
| Becerra | Cooper | Gibbs |
| Benishek | Costa | Gibson |
| Berg | Costello | Gingrey (GA) |
| Berkley | Courtney | Gohmert |
| Berman | Cravaack | Gonzalez |
| Biggart | Crawford | Goodlatte |
| Bilirakis | Crenshaw | Gosar |
| Bishop (GA) | Critz | Gowdy |
| Bishop (NY) | Crowley | Granger |
| Bishop (UT) | Cuellar | Graves (GA) |
| Black | Cummings | Graves (MO) |
| Blackburn | Davis (CA) | Green, Al |
| Blumenauer | Davis (IL) | Green, Gene |
| Bonamici | Davis (KY) | Griffin (AR) |
| Bonner | DeFazio | Griffith (VA) |
| Bono Mack | DeGette | Grimm |
| Boren | DeLauro | Guinta |
| Boswell | Denham | Guthrie |
| Boustany | Dent | Hahn |
| Brady (PA) | DesJarlais | Hall |
| Brady (TX) | Deutch | Hanabusa |
| Braley (IA) | Diaz-Balart | Hanna |
| Brooks | Dicks | Harper |
| Buchanan | Doggett | Harris |
| Bucshon | Dold | Hartzler |
| Buerkle | Donnelly (IN) | Hastings (FL) |
| Burgess | Doyle | Hastings (WA) |
| Burton (IN) | Dreier | Hayworth |
| Butterfield | Duffy | Heck |
| Calvert | Duncan (SC) | Heinrich |
| Camp | Duncan (TN) | Hensarling |
| Canseco | Edwards | Hergert |
| Cantor | Ellmers | Herrera Beutler |
| Capito | Emerson | Higgins |
| Capps | Engel | Himes |
| Capuano | Eshoo | Hinchey |
| Cardoza | Farenthold | Hinojosa |
| Carney | Farr | Hochul |
| Carson (IN) | Fattah | Holden |

Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan

NAYS—3

Amash Broun (GA) Ellison

NOT VOTING—42

Akin
Amodoi
Bilbray
Brown (FL)
Campbell
Carnahan
Clarke (NY)
Clay
Cleaver
Culberson
Dingell
Filner
Franks (AZ)
Grijalva
Gutierrez
Hirono
Inslee
Jackson (IL)
Johnson (IL)
Kaptur
Kingston
Kucinich
Landry
Langevin
Lee (CA)
Marchant
Marino
Pascrell
Paul
Payne
Platts
Rangel
Rush
Shuler
Smith (WA)
Speier
Stark
Thornberry
Tierney
Towns
Woolsey
Young (AK)

Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (FL)
Young (IN)

□ 1854

Messrs. BARLETTA and JONES changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PASCARELL. Mr. Speaker, on February 27, 2012, I missed the one rollcall vote of the day.

Had I been present I would have voted “yea” on rollcall vote No. 73, on the Motion to Concur in the Senate Amendment to H.R. 347—Federal Restricted Buildings and Grounds Improvement Act of 2011.

Mr. FILNER. Mr. Speaker, on rollcall 73, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, on Monday, February 27, 2012 I had a previously scheduled meeting with constituents in Urbana, Illinois. As a result, I am unable to attend votes. Had I been present, I would have voted “aye” on the Senate Amendments to H.R. 347, the Federal Restricted Buildings and Grounds Improvement Act of 2011.

REMEMBERING FORMER U.S. REPRESENTATIVE KATIE HALL

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

Mr. BURTON of Indiana. Mr. Speaker, I would like to ask for a moment of silence. We just lost a former Member of Congress, Katie Hall, from Gary, Indiana. After that, Mr. Speaker, if you would be so kind, we would like to have a moment or two to make some comments about Ms. Hall.

The SPEAKER pro tempore (Mr. PALAZZO). The gentleman from Indiana will please suspend. The House will be in order.

The gentleman from Indiana is recognized.

Mr. BURTON of Indiana. Thank you, Mr. Speaker.

Let me just start off real quickly, before I yield to my colleague from Gary, Indiana, and say that Katie Hall, who was a Member of this body, died just this last few days from an unknown illness. She was 73 years old.

She came from very humble beginnings in Mound Bayou, Mississippi. She grew up on her grandfather's cotton farm, and she was a teacher for more than 30 years. She was a very fine teacher.

She moved, in 1962, to Gary, Indiana, where she became a very good friend of Richard Hatcher, the mayor. When a good friend of mine, Adam Benjamin, who was once a Member of this body, died, Mayor Hatcher appointed her as the nominee of the Democrat Party to succeed him. She also served in the Indiana Senate. I served with her there.

She was a very fine person. During her time in the Congress, she sponsored, along with others, but she was one of the key sponsors, in 1983, of a national holiday in remembrance of Dr. Martin Luther King. She was credited for playing a very key role in getting that bill passed after it had stalled in the House for over 14 years.

Let me just say that she was a great lady and a great Congresswoman, and she will missed. We want to extend our deepest sympathy to her family and her friends.

With that, I will be happy to yield to my colleague, the senior Member from Gary, Indiana.

Mr. VISCLOSKEY. I would express my appreciation to the dean of our delegation, Mr. BURTON, for asking for a moment of silence and the Speaker's indulgence.

Mr. BURTON rightfully pointed out Mrs. Hall's ascendancy into the Congress and the sponsorship of the legislation that led to Dr. King's birthday being declared a national holiday. But I would also point out to my colleagues that Mrs. Hall also served in the Indiana House as well as the Indiana Senate, and following her service in the United States Congress also served as clerk for the City of Gary for 15 years, from 1988 to 2003.

She does leave a granddaughter, two daughters, and a husband. My sympathies, and all of ours, go out to the family, as well.

I also think that Mrs. Hall probably would want to be most remembered for her role as an educator who taught young people in the Gary public school system. She certainly always served her family, she always served those she taught and represented, and she certainly has served her country.

Again, our sympathies go to the family, and I deeply appreciate the respect shown by the gentleman from Indiana.

Mr. Speaker, it is with deep sadness and great respect that I take this time to remember one of northwest Indiana's most valued citizens and my predecessor, former Congresswoman, Katie Beatrice Hall. Throughout her prestigious career, Katie's contributions to the people of northwest Indiana and across the Nation are exemplary, and she is worthy of the highest praise. Mrs. Hall passed away on Monday, February 20, 2012, but her legacy will live on forever in the hearts and minds of those she served.

Congresswoman Hall grew up in Mound Bayou, Mississippi, during the pre-civil rights era. Segregation laws were strict in the South during that time, and she learned early in life how to succeed despite great opposition. In 1960, Katie earned a bachelor's degree from Mississippi Valley State University. Later, she moved to Indiana and continued her education, earning a master's degree from Indiana University, Bloomington, in 1968.

The Congresswoman's involvement in politics began when she campaigned for former Mayor of Gary Richard Hatcher. Her work on the campaign further fueled her desire to serve others and inspired her to run for elected office. Prior to becoming a Member of Congress, she served in the Indiana House of

Representatives from 1974 to 1976 and was then elected to the Indiana Senate, serving from 1976 to 1982. As a member of the Indiana General Assembly, Mrs. Hall was influential in establishing the Genesis Center, Hudson-Campbell Fitness Center, and the Adam Benjamin Metro Center, in Gary. Katie also served as the Chair for the Lake County Democratic Committee from 1978 to 1980 and for the Indiana Democratic Convention in 1980. In 1982, following the untimely passing of United States Congressman Adam Benjamin, Jr., Katie won the special election to complete his term in office and to represent the First Congressional District of Indiana in the 98th Congress, becoming the first African American from Indiana elected to serve in the United States House of Representatives. While in office, Katie served as chairwoman of the Post Office and Civil Services Subcommittee on Census and Population. During her time in Congress, Representative Hall made a truly historic contribution through her sponsorship of the bill that made Reverend Dr. Martin Luther King, Jr.'s birthday a national holiday. This bill had been stalled in the House for fourteen years, and through her passion and persistence, Katie was successful in establishing this recognition of Dr. King. Mrs. Hall was a trailblazer for the Civil Rights Movement and a devoted public servant to her community, state, and Nation. In the years following her term, Katie continued her life of public service as city clerk for Gary, Indiana from 1988 to 2003.

Katie Hall leaves behind a loving family. She is survived by her cherished husband, John Henry Hall, as well as her adoring daughters, Jacqueline and Junifer, and her beloved granddaughter, Kristina. She also leaves behind many other dear friends and family members, as well as a saddened community and a grateful nation.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in remembering the Honorable Katie Hall for her tremendous contributions to the people of her community, the State of Indiana, and the United States of America. Her life of public service is to be admired. Her legacy will serve as an inspiration to us all.

Mr. BURTON of Indiana. I thank the gentleman for his remarks, and I would be very happy to yield to my colleague from Indianapolis.

Mr. CARSON of Indiana. Mr. Speaker, I would like to take a moment to join my colleagues to honor the life of former Congresswoman Katie Hall who passed last week at the age of 73. I met her as a young man. In fact, I had a chance to spend some time with her in the early eighties in San Francisco during the Democratic National Convention.

□ 1900

But she quickly made a name for herself, to my colleague's point, not only as a strong advocate and leader in the State of Indiana, but as an educator. She knew that America's children were suffering, and she supported alternative education, Mr. Speaker. She understood that children had different needs, and she made sure that she was an advocate of different educational models to meet those needs.

So my deepest sympathies go out to her family and friends who are mourning her passing. And we know that Indiana politics will not be the same.

I thank my colleague for acknowledging me.

Mr. BURTON of Indiana. Mr. Speaker, Katie Hall will be missed. And once again, our sympathy goes out to her family and all of her loved ones.

HONORING SERGEANT T.J. CONRAD

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

Mr. GRIFFITH of Virginia. Mr. Speaker, on Thursday, February 23, Virginia and our Nation lost a true hero. Sergeant T.J. Conrad was killed in action in the Nangarhar Province of Afghanistan in the rioting there.

Sergeant Conrad, just 22 years old, was a husband, a father, a son, and a brother. Outgoing, determined, and a man of true grit, Sergeant Conrad truly personified the Army's old slogan, "Be All You Can Be."

Born in Newport News and raised in Roanoke County, Sergeant Conrad grew up attending Masons Cove Elementary School, Northside Middle School, and Northside High School. In high school, he was an outstanding wrestler. In his senior year, he helped lead his team to the Blue Ridge District titles for both the regular season and the tournament.

Today, I wish to extend my prayers and our prayers and condolences to Sergeant Conrad's wife, Holly; his infant son, Bentley; his parents, his relatives, and his friends. His father has stated that he will always be remembered for his great sense of humor, his infectious smile, his kind heart, and his desire to brighten anyone's day.

On behalf of a grateful Nation, we grieve the loss of our warrior brother, but we honor Sergeant Conrad for his courage, his sacrifice, and his selfless commitment to duty, honor, and country. He gave his all in service for the sake of our safety, our freedom, and our liberty.

MINNETONKA 2A GIRLS HOCKEY TITLE

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

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate the Minnetonka girls high school hockey team on winning their second consecutive Minnesota 2A State title this weekend at the Xcel Energy Center in St. Paul.

Mr. Speaker, after winning last year's championship in a nail-biting game, the Minnetonka Skippers this year defeated the Roseville Raiders 3-0. The first goal came early in the first period by defender Holly Korn, who scored on a power play. After that, forward Diana Drayaard followed up with

a second goal late in the third period. And then finally, there was a third goal by junior Laura Bowman, who scored the final goal. Of course this victory could not have happened were it not for the outstanding goaltending of goalie Sydney Rossman, who blocked 23 shots in the shutout.

Mr. Speaker, I just want to congratulate all the girls on the Minnetonka Skippers hockey team, as well as their coaches. I also want to thank them and recognize their hard work, their training, their perseverance, and their commitment because it really paid off. We're proud of these student athletes, and so is our entire community.

GET OUR TROOPS OUT OF AFGHANISTAN

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, I serve on the Homeland Security Committee and have the privilege of serving on the committee dealing with foreign affairs here in the House.

I rise today to, as usual, offer our deepest sympathy for all of our soldiers that have fallen in battle. But I am particularly outraged at the incidents that are occurring around the unfortunate burning of the Koran—for which our President appropriately extended his apology, as we would want if someone had burned Bibles. But it is outrageous for our soldiers to be in harm's way, for them to lose their life. It is time now for the Afghan national security forces to stand up and be security forces. It's time for President Karzai to indicate that he will not be driven out by the Taliban. And it's time for us not to allow the Taliban again to grip ahold of the Afghan people.

This is a tragic and horrible situation. None of us would have wanted it to occur. But we cannot stand for our soldiers to be in the eye of the storm and be shot for something that they did not do, intentionally or individually.

So I would ask that our soldiers be taken out of harm's way around any Afghan national security forces that we cannot vet and ensure that they are intending to do the right thing. We need to hear from President Karzai in a way that denounces this horrible action. And we must stand up to the Taliban and have a transition out of Afghanistan in which the Afghan national security forces are protecting their people, and they're allowed, in essence, to have a nation that protects women and children and families, and has the adherence to the law that requires human decency.

HOUSE REPUBLICANS ON JOB CREATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Arkansas (Mr. GRIFFIN) is recognized for

60 minutes as the designee of the majority leader.

Mr. GRIFFIN of Arkansas. Mr. Speaker, I came here to the floor tonight to talk with some of my colleagues and the American people about what I believe is the most pressing issue facing our country.

A lot of us have been home working in our districts over the last week, seeing our constituents, speaking at local Rotary clubs, visiting with constituents in the office and around the district. It is clear to me that the top priority for the American people over the last year remains the same, and that is jobs. People back home are encouraged and are optimistic about the future, but they need some signs that jobs are increasing here in the United States. Jobs remain the number one issue.

Since I got here a little over a year ago with some of my freshman colleagues, a lot of us have made jobs our sole focus. There are a lot of different things that we can do to encourage job creation. My focus has been on the private sector. Private sector job creation, in my view, is the way that we get our economy going again, not through government stimulus. We've tried that to the tune of about \$1 trillion—almost \$1 trillion—and it has not done what the President promised.

□ 1910

It seems to me the best approach is to create an environment here in this country where the private sector can flourish, where people want to take risks, where they want to invest and compete with other countries. How do we do that? There are a variety of ways and that's why we're here tonight, to talk about some of these.

I'm joined by some of my colleagues, and I think that they would agree that one of the ways that we can encourage the private sector to grow and create jobs is through fundamental tax reform. Another way is regulatory reform. Job creators around my district tell me what a lot of us know and that is that not regulation but overregulation, not regulation but excessive regulation, is a tax on businesses and it is a tax on job creators. So we need tax reform and we need regulatory reform.

We need to further pursue our energy resources here in the United States. We need to construct, for example, the Keystone XL pipeline that the President first delayed and then denied. Thirdly, we need to further explore our energy resources. Fourthly, we need to live within our means as a government. That means dealing with our spending problem, our spending addiction, our debt, our trillion-plus-dollar deficit.

If you were to ask me what is your plan, what would you do, what are you trying to do, what have you been fighting for over a year to try to encourage the private sector to grow jobs in this country with, I would say tax reform, regulatory reform, increased energy exploration and development here in the United States, and making the Federal

Government live within our means. Those four things, if we can address them in bold ways, we can change the course of this country's fiscal situation and the economy and ultimately grow this economy and create jobs.

I'm going to turn now and yield to the gentleman from Virginia if he'd like to comment on some of this.

Mr. GRIFFITH of Virginia. Thank you, Congressman GRIFFIN, I do. I agreed with what you had to say and wholeheartedly support your concepts and where we need to be moving this country.

Let me say to each and every one of you that the American worker is second to none in this world. When you look at our workers, they are the most innovative workers in the world, and they are the hardest workers in the world. Statistics, different reports continue to show us this point.

We will never compete with the Chinese and other countries on wages; nor do we want to. But our advantage, Congressman GRIFFIN, is that we have the ability to use our energy resources in a way that we can create jobs, and we can fight for American jobs by having affordable energy. That's our trump card. For some reason, those in the administration want to tie our hands behind our backs and not allow our businesses to use our trump card to keep jobs in the United States and bring great energy resources in this country.

The President was recently in Florida, and he mockingly described the Republican plan on energy and getting gas prices down. He said step one is drill, step two is drill, step three is drill. The President is just wrong. We have a true all-of-the-above policy. I like to describe it this way: it is drill. That's step one. Step two, dig. Step three, discover. Step four, deregulate.

Let me explain a little bit. Drill is easy. We have vast untapped resources in oil, and we have huge resources in natural gas. If we're allowed to drill for natural gas and for oil, we can turn around a lot of the things that are happening in this country.

Let's talk about gas prices because that affects jobs. Listen, some of this has to do with looking at the world market. If we signaled immediately that we were ready to start using our resources, the prices would come down because those people who are speculating that oil is not going to be available in the future and the not-so-distant future, but also even 2 or 3 years from now, would realize that the giant in the world of energy was finally awakened from its slumber and ready to go on the march for jobs. So I think it is important that we look at drilling. I don't think we should be mocking it.

Dig. Obviously we have a lot of coal resources in this country. My district has a lot of coal. It also has natural gas. We are number one in the world in coal resources. Everybody else in the world is using the coal. We are the ones who refuse to use it. As I said before,

we have our hands tied behind our backs. Ladies and gentlemen, I've got to tell you something. We need to have reasonable regulations, but we've got to untie our hands and be ready to use our coal. The Chinese are now buying our coal to use our coal to make the products, the goods that we used to make in this country.

Guess what, a lot of times folks say we don't want to use coal because it has pollution and it creates problems; but a NASA study has shown us that if we have the Chinese using our coal to make the products we used to make, they get the money for those products, their people have the jobs. And guess what happens to the pollutants in the air? It takes roughly 10 days to get from the middle of the Gobi Desert to the eastern shore of my beloved Virginia. Just 10 days. We know that a significant portion of the mercury in our air is coming from foreign sources. Not our plants, but foreign sources.

Mr. GRIFFIN of Arkansas. I would like to comment on something the gentleman just said. I think it is a great point.

A lot of times some of us think about this country and pollution here. I think what I hear you saying—it is a very good point—is that this is one world and we in this country through the processes and the regulatory structure that we have, we burn coal cleaner and we are a better steward of the Earth when it comes to using some of these traditional energy sources. What I hear you saying is—and I think it makes a lot of sense—if you believe that coal will not be used if we do not use it here, then that's not exactly accurate. Somebody is going to burn it. The question is: Do we do a better job with some of these traditional energy sources? Do we do a better job than other countries that will burn it if we don't? The Chinese can burn the same coal, yet regulate it in a way where they do a lot more damage to the environment.

That brings me actually to the Keystone pipeline. The President first delayed it, then he denied it so that the extreme environmentalists would be happy with him. If you apply what you are talking about, it seems to me we would rather be refining the oil sands from Canada in this country instead of the alternative that Canada has talked about, which is shipping it to China for refining. Why? Because we refine cleaner, we refine safer, and we do a better job.

□ 1920

Those oil sands are going to be refined. The issue is not if we don't refine them, no one will. The fact is they will be refined. The issue is do we refine them or do the Chinese refine them? I think what you're saying, and I wholeheartedly agree, we do a better job here.

Mr. GRIFFITH of Virginia. Absolutely. I would have to say we do a much better job here.

It's almost like I can remember when I was much younger, liberals always said to conservatives, Well, you all act like the United States is the only country in the world, and we have to look at the whole world. Now the liberals are looking at it and saying, Well, the United States is the only country in the world. We have to only look at the United States and we don't look at the big picture.

I think, inadvertently, even with good intentions, there are, in fact, greater pollution risks by us not using our energy than there are with us using our energy with the reasonable regulations that have been in place for some time.

That being said, let's take a look at how that impacts on jobs. Not only do we get the pollution, but we don't get the jobs. We don't get the money.

You talked about living within our means and so forth. Let's take a look at my district.

AEP, American Electric Power, is the biggest power provider in my district. There are others. They have estimated, with new regulations, energy costs are going to go up 10 to 15 percent as they spend an additional \$6 billion to \$8 billion. Ten to 15 percent on hardworking American families is tough, but when you look at the job component, when you look at that job component, that means it's going to cost more in my district to make potato chips. It's going to cost more in my district to work the family farm. It's going to cost more in my district to make furniture. It's going to cost more in my district to make paper products, whiteboard. I just touched on the surface.

Every single retail establishment, every single business has to use electricity; but when you raise the cost of manufacturing goods or using electricity to manufacture goods by 10 to 15 percent over the course of the next few years, you're making us less competitive in the world, and we lose more jobs and we have more people who are unemployed and more people who aren't able to go out and buy products, which then means more people lose their jobs because they're not selling those Fords down at the Ford place. They're not selling washing machines and TVs and all of the products that are out there. We lose even more jobs because of the failure to recognize that the regulations are killing our jobs, and our jobs are going elsewhere.

I have to say, getting back to what I call the four Ds—drill, dig, discover, and deregulate—I'm not saying we don't look at all of the above. The President was in Florida. He said we only wanted to drill, drill, drill, and he was talking about algae. I'm not one of those people who's going to criticize the President for looking at algae. I think algae actually has a positive future, but it's a positive future that is probably 15 to 50 years away. We need energy now. We need affordable energy now. We need jobs now.

To be looking at something, I think it's absolutely right. That's the "discover" part of those four Ds. We need to encourage discovery. But one of the ways to encourage discovery is to deregulate and let people make a product without having all kinds of regulations put on top of them.

It's interesting how folks want to do all of these things, and then they come up with regulations and they find out that the new start-up companies oftentimes have difficulty creating the new alternative energies because they run into other regulations that prohibit them from going forward.

So I think we need to make sure that we look at drill, dig, discovery, looking at those alternatives, finding more ways that we can be efficient and finding new alternative energies. Then let's not regulate our industries out of existence, which is where we're headed at this point. When you do that, we continue to lose jobs, we continue to have a flat economy.

The unemployment situation has gotten better, but we're still in the neighborhood of 8 percent. I don't think that's anything to celebrate. I'm glad it's better, but I don't think it's something that you go out and go, woo hoo, we've solved our problems. I believe that we have not solved our problems at this point. We're working on it, and that's good.

The economy in this country, because of our hardworking Americans, because they're innovative and because they work harder than anybody else, is not going to just roll over and die, but at the same time it could be doing so much better, and we need to maintain that we are the number one economic power in the world. The way to do that is to keep our jobs by keeping our energy and our energy sources and our energy costs at a reasonable level so that we can, in fact, compete with the low-wage countries of the world. We don't want the low wages, but to do so, to make sure that we can still compete, we have to keep our energy affordable.

Mr. GRIFFIN of Arkansas. I want to comment a little bit on the all-of-the-above strategy that you were talking about.

I'm an advocate for an all-of-the-above strategy. We've heard the President mention that, but we here in the House have been advocating for that. I have since I got here. That includes alternate energy sources, renewable energy sources, biodiesel, wind, solar. I'm for those things. But I'm also for the traditional energy sources and, in addition, nuclear. We have a clean, safe nuclear energy plant, power plant in Arkansas that we count on to provide safe, affordable energy. We also have coal plants, other sorts of energy sources.

In my district, we make the windmill blades that go on these massive windmills. We also have Welspun Tubular in my district, in the Second Congressional District of Arkansas, and

they've recently been in the news because there has been a lot of uncertainty about their future as a result of the President killing the Keystone pipeline, or denying the permit. The happy news that I have to report is that Welspun is doing some diversifying. They did have to lay some people off after the Keystone pipeline was delayed, but they're doing some diversifying so they can make some other sorts of pipe, and they're actually going to expand. I believe we will ultimately win the battle on the Keystone pipeline; and once we get the Keystone pipeline in full swing, the construction in full swing, then that will further help Welspun.

So I'm for all-of-the-above, but I know that in my lifetime we are still going to be using a lot of these traditional energy sources. It's not an either/or. We can continue to pursue wind and continue to pursue solar and continue to pursue biodiesel and alternate energies, renewable energy sources, but at the same time pursue the traditional sources, particularly, natural gas.

Natural gas is abundant and, best of all, it's American—and, in my case, it's Arkansan. We've got a lot of natural gas in my district and other districts in Arkansas. It is abundant and it is cheap. Where ethanol can increase the wear on a traditional car engine, natural gas can extend the life of that engine.

I want to turn the conversation over to my friend from the Third District of Arkansas, Congressman STEVE WOMACK. He's got a lot of natural gas in his district as well.

Before I do, I just want to recap. We have jobs as our main goal. And there are pillars under that goal of jobs, and those pillars are: tax reform, regulatory reform, further energy exploration, and getting our spending under control so that we deal with our debt and we live within our means. Those are four pillars. They're not separate from job creation. They are a critical part of encouraging private sector job creation and giving certainty to job creators.

Now I'd like to yield to my friend from Arkansas.

Mr. WOMACK. I thank the gentleman, and I do appreciate his leadership in this discussion about job creation in America.

I've said many, many times that if there is an elixir out there to fix the problems, the challenges facing our country today, it's job creation.

What the gentleman from Arkansas has been articulating in the last several minutes has been a very good discussion about the four things, and I couldn't agree more, the four things that are part and parcel to our country creating jobs and putting itself on a different fiscal path.

He's talked about overregulation. I'll come back to that in a moment. He's talked about the threat of higher taxes and the need for comprehensive tax reform in our Nation; he's talked about

the need for a solid energy policy that allows our country to access its own resources, American energy resources to solve America's energy challenges; and, of course, he's talked about the deficits and the debt.

□ 1930

Now, if you look at the plight that we're in today insofar as job creation—one greater than 8 percent unemployment, sustained unemployment of over 8 percent—and when you look at the fact that people are out here scrambling to find work—meaningful jobs as they want to be productive and want to contribute to American exceptionalism—then the way you do that is not by taking a welfare check; it's by having a paycheck. If you're looking at this plight today like you would an impending storm, it's a dark, dark cloud of uncertainty that hangs over the job creators.

I submit to you that the reason so many people are sitting on trillions of dollars of cash, those who would like to get into the game and create jobs and expand the American economy, is that they have a difficult time computing their input costs. They don't know how energy is going to affect their ability to create jobs. They don't know how the next regulation, the next rule that is going to come down from Washington, is going to impact their ability to earn a profit. As evidenced by the downgrade that we had last year by the S&P, they're not confident that Congress, these people who gather in this Chamber every day, is capable of making the decisions, of having the courage to make the decisions to put America on a different fiscal path. It's a dark, dark cloud of uncertainty. I don't blame them for sitting on the sidelines right now, but there is a lot of cash ready to get in the game if we'll just do some of the right things.

The gentlemen who have spoken tonight talked about regulation, but that's not why I came to the floor tonight, and that's not what I wanted to talk about primarily. I came from a meeting right before votes today that talked about an issue totally unrelated to my district and unrelated to most of America. It's out in California.

Later this week, we're going to vote on H.R. 1837, the San Joaquin Valley Water Reliability Act. I heard my colleague from California talking passionately about this issue, as he has done a number of times from the well of this House, in that, back in 2009, Federal regulations to protect a 3-inch fish, the delta smelt, led to the deliberate diversion of over 300 billion gallons of water away from the San Joaquin Valley and its farmers. It cost thousands of farm workers their jobs; it inflicted up to 40 percent unemployment in certain communities; and it fallowed hundreds of thousands of acres of fertile farmland.

Those were real people.

Those were real jobs.

Because of Federal regulations and this desire on the part of this Con-

gress—of this Federal Government, I should say—to protect a 3-inch fish, we turned our backs on American workers. In so doing, we affected millions of people nationwide because, when you affect the fertile farmlands of California the way we have by diverting this water, you have, indeed, taken a step toward increasing the price of food.

The bill that we will consider later this week is a comprehensive solution that would restore water deliveries that have been cut off through the Federal regulations and environmental lawsuits and through a plethora of things facing the California farmers.

Mr. GRIFFIN of Arkansas. I hear what the gentleman is saying. I agree wholeheartedly. Correct me if I'm wrong, but what you're saying is that the issue is not regulation. The issue is excessive regulation. The issue is overregulation.

I've got a 2-year-old and a 4-year-old. I love them dearly and hate to get on that plane when I have to come up here from Arkansas and have to leave them back at the house. I want them to have clean air and clean water, and I don't know anyone—the folks here tonight included—who are against all regulation. Regulation when used properly protects us, the kids, et cetera.

This is not about whether to regulate or not. This is about excessive regulation, overregulation, the regulatory process that does not consider cost-benefit, that does not consider the impact on jobs, that does not employ common sense, Washington regulators who don't speak with folks impacted on the ground, well-intentioned though they may be, who don't look at the impact and at the potential impact of their overregulation. That's what I hear from my colleagues.

I agree wholeheartedly, and I think that is a critical distinction to point out because we always hear folks saying, You just want no regulation.

That's a false choice. That's a straw man. That's not anyone's argument that I've heard. The issue is one of overregulation, of excessive regulation.

Mr. WOMACK. Let me take it a step further because I can relate to what the gentleman is talking about and can relate it back to my home district.

I think the gentleman would agree that, over the last several years in Arkansas, there has been a phenomenal rate of growth in the northwest part of our State, the area that I happen to represent, which is the great Third District of Arkansas. It's known for its incredible growth over the last several years. Now, it is home to some pretty well-known companies, companies like Wal-Mart and J.B. Hunt trucking and Tyson Foods.

If you look at northwest Arkansas, there is really no compelling reason why prior to the establishment of those major companies that northwest Arkansas would be an area where you would have this unprecedented growth. But for the entrepreneurial spirit and drive of guys like Sam Walton and Don

Tyson and J.B. Hunt—and I could go down another list of people who have provided jobs and who have created and expanded businesses and who have made a meaningful impact on the greater mid-South and the entire Nation—northwest Arkansas would be kind of an average area with no great infrastructure, until recently there, and with no real compelling reason why it would be anything special.

Yet we're fighting an issue in the greater northwest Arkansas area that could, indeed, impact our ability to continue to grow. I'm talking about EPA's desire, insatiable appetite, to put a total maximum daily load, a TMDL, if you would, on phosphorus loading in the Illinois River watershed, which flows into Oklahoma, because of a loading standard imposed on northwest Arkansas by our neighboring State, a standard that many say is not even achievable.

So all of the great development and job creation and the elevated quality of life is in jeopardy. The future is in jeopardy as a result of a Federal agency imposing on the region a standard that may or may not even be able to be achieved.

I bring that up for this reason: back when I was a mayor of a city in northwest Arkansas, I challenged EPA to give us the science, to show us exactly how they can calculate that this standard has been impacted by the farmers and ranchers of northwest Arkansas and those who manage the point sources of pollution, the municipalities. I happened to be the mayor who presided over one of those. As I understand it, the science was a collection of data from about 20 streams somewhere in America, streams not known to us. They took, I think, the 75th percentile of the average phosphorus loading into those streams. I doubt seriously that they used streams and rivers that were similar to what we were dealing with in northwest Arkansas.

I bring up this subject only because we're talking about job creation tonight, and our ability to continue to expand the economy in northwest Arkansas is dependent on our ability to have a good, clean water supply and to be able to treat our wastewater and to be able to discharge it properly and sufficiently in order to be able to create growth.

Yet I'm afraid, one day, we're going to look up, and because of these standards imposed on us by the Federal bureaucracy, this overregulation that we've talked about, that we're not going to have an opportunity to grow because we're going to be into moratoria on growth and development in our area as a result of these unfair standards. But that's a whole other story.

I really came tonight to talk with my colleague about tax reform because, as we've indicated, the threat of higher taxes, or the tax structure as we now know it, is, in my strongest opinion, one of the great barriers to job creation.

□ 1940

You know, just the other day, in this very Chamber, the President of the United States stood on the dais and he talked to this Congress about the need for comprehensive tax reform. In his proposal to reform the corporate tax code, I was pleased to see the President showing some leadership in that regard, and I look forward to working with the administration and my colleagues in the House and Senate to do something that in my strong opinion is long overdue.

I, along with many of my colleagues, agree on the need for corporate tax reform. The U.S. has one of the highest corporate tax structures in the world, second only to Japan. This discourages job growth and job creation in the United States.

It's time to broaden the base, time to get the government out of the business of picking winners and losers, time to eliminate special interest loopholes, and it's time to lower the corporate tax rate once and for all. But corporate tax reform is not the only piece of the puzzle. There are many other pieces. If we are going to grow the economy and give our job creators the certainty they need to invest, we also should look at the individual rates—not just the corporate rates, but the individual structure as well.

There's an opportunity to simplify the individual tax code. In December of 2010, according to the Compendium of Tax Expenditures prepared by the Congressional Research Service that we all use, there were more than 300 tax expenditures in the form of special exclusions, exemptions, deductions, credits, rates, and deferrals. We need to re-evaluate every single one of these expenditures.

There are many other benefits of comprehensive tax reform. For example more than 90 percent of the Treasury's budget goes to the IRS. If we simplify the Tax Code and make it easier to follow and enforce, the IRS doesn't need the resources it currently needs.

What's more, IRS reported, and I think these numbers were back in 2006, hundreds of billions—I think some were just short of \$400 billion—of what we call a tax gap. Again, simplification of the Tax Code makes it easier to follow and enforce, and we can significantly narrow that gap.

I thank my colleagues from both sides of the aisle who are looking forward to working on comprehensive tax reform. I believe in my heart that it is, as my colleague from Arkansas has indicated, one of four things, four basic things, four basic issues facing America today that can help put our job creators back into the business of doing what they do best. And that is having ideas, incubating those ideas, making those ideas come to reality, taking the necessary risks, having access to the capital to help support those businesses, to expand those businesses by hiring people, by growing things, by making things.

And as my friend from Virginia said a moment ago, we have proven that the American worker is the most productive worker in the world. And that's what we need to do: Corporate tax reform; ending this excessive over-regulatory environment that we're in; to access American energy solutions to solve America's energy challenges; and once and for all doing something about the extraordinary deficits—four straight trillion-plus-dollar deficits—facing America, and nearly trillion-dollar deficits as far as the eye can see, based on the current glide path; to do those things necessary to get our deficit under control, to begin to whittle down that debt and save future generations of the burdens that we have in an almost immoral way put on their shoulders.

With that, I thank you for the opportunity to speak tonight.

Mr. GRIFFIN of Arkansas. I thank my friend from the Third District of Arkansas and appreciate his comments here tonight.

I'd like to continue a little bit tonight talking about tax reform since Representative WOMACK was talking about some aspects of the President's proposal. I think most of us around here are certainly excited that the President has even started discussing fundamental tax reform. Unfortunately, I think that the President's proposal has a lot of aspects that would be burdensome to the businesses and the job creators that he purports to be trying to help, and so I don't think that it has much chance in the House or the Senate, and I think he knew that when he proposed it. But at least he is having that conversation. That's a start, that's a start.

As we talked about, whether you are talking about tax reform, energy exploration, regulatory reform, our commonsense budgeting, making the Federal Government live within its means, all of those relate to jobs. They all are directly related to encouraging private sector job creation.

We've been working on a highway bill recently. Infrastructure is a critical part of this equation. That's part of the spending our money wisely under the budgeting side of things because we need a strong infrastructure so that we can compete with other countries, continue to have economic development in this country. So that's a critical part of it.

But with regard to the President's tax plan, it raises taxes at least a dollar for every dollar in tax cuts that he provides to simplify the corporate tax code. It creates a whole new category of taxes for our companies that do business overseas.

And most glaringly, it doesn't do anything to address individual tax rates, the tax rates that you pay at home, I pay. And why is that important for job creation? Well, for a number of reasons. First of all, the code we have now is complex. It doesn't always reward hard work. In fact, sometimes it punishes it.

But one of the real specific reasons why we must deal with the individual tax rates to grow jobs is because many businesses pay their taxes, particularly LLCs, sole proprietorships, partnerships, mom and pop businesses all around the country in Arkansas and in my district, they pay their taxes using the individual income tax brackets. So you can't just address corporate tax code, although the President's corporate tax "reform" has got a lot of tax hikes in it that will make our businesses, our job creators in this country, less competitive.

But you can't just reform the Tax Code by dealing with corporate tax reform. You've got to look at individual tax reform, corporate tax reform across the board. You have to make it simpler, fairer, and flatter. Some of the terms that we've talked about, we've certainly advocated for that in our budget last year, and we are going to do it again this year.

It's critical, not only for job creation by larger businesses but by small business, mom and pop businesses. So tax reform is a critical part of what we need to do to get jobs going.

As I've talked about earlier, some of my colleagues talked about, there are a number of reforms that we have been pursuing for over a year now that relate directly to private sector job creation.

□ 1950

As I indicated earlier, it's tax reform. It's regulatory reform. It's more energy development. It's living within our means. Individually, these issues may not have jobs in the title, but they are the columns, the supports, that hold up the private sector job building, if you will.

I want to say a couple of things about the regulatory issue because I've just introduced a bill, H.R. 4078, Regulatory Freeze for Jobs Act. Again, as a lot of us said, I'm not antiregulation. I don't know anyone that's against regulations across the board. What I'm against is the Federal Government failing to apply common sense when regulating. What I'm against are excessive regulations, overly burdensome regulations.

I'll give you an example. I had a jobs conference down in my district in Little Rock at the Clinton Presidential Library. We had a jobs conference. We invited a number of job creators. It seems to me if you want to know what to do to create private sector jobs or encourage private sector job creation, you'd ask someone who had actually created them, folks from the private sector, experts on this issue. We invited them in and said, Hey, what's the biggest obstacle to job creation? We had Democrats and Republicans both. And we asked them just point blank, and the number one answer was regulatory uncertainty.

What does that mean? Well, it means that folks have money that they might want to invest, but they hold on tight

to that money because they're not quite sure what's going to happen. They're not sure whether we're going to get our debt under control or not. They're not sure how much ObamaCare, the President's health care law, is going to cost them. They're not sure whether the regulations that they've heard proposed by the EPA as potentially being proposed, they're not sure whether those are going to be implemented or not. It's just uncertainty everywhere. And I had someone say to me the other night, Well, there's always uncertainty.

Yes, there is always uncertainty. If you're a farmer, there's uncertainty whether there will be enough rain for the crops that year. There will always be some uncertainty in life because we don't have crystal balls. I get that. But what we don't want is a Federal Government that needlessly creates additional uncertainty.

You know, sometimes we say, I had enough problems before this came along. Well, that's what we're talking about. You have enough to deal with naturally. You have enough uncertainty as it is. You don't need the Federal Government creating more uncertainty.

If you talk to community banks who have been impacted by the President's Dodd-Frank law, they've got a lot of uncertainty. They're having to hire new folks to comply with the law. What are the new regulations going to be? We don't know yet, just know they're coming. Don't know what they're going to be yet, just know they're coming and they're going to be burdensome. The same with the health care law.

Here's a quote from, actually, a well-known Democrat businessman, commissioner on the Arkansas Highway Commission appointed by our Democrat Governor in Arkansas, former chairman of the Arkansas Economic Development Commission, John Burkhalter. He said at my jobs conference:

Every project I look at now, I've got to wonder if I'm going to get to build it because, are the regulations going to stop me? I've got to admit that I pass on over 50 percent of the projects that I would like to do because of the burden, the hurdle of the regulations.

Now, the President recently said in his State of the Union Address that he has approved fewer regulations in the first 3 years of his Presidency than his Republican predecessor did in his. Well, the President said that, sitting right here on the floor of the House during the State of the Union this year, so I think it deserves some attention.

Well, is that true? If you just look at the numbers, it's true, if you just look at the number of regulations. But if you look at the number of what are called major regulations and the burden that it puts, the cost of the regulations, what this President has done far exceeds what we've seen before.

The previous administration issued an average of 63 major regulations per

year. This administration has issued an average of 88, an increase of 40 percent. Under President Bush, the Office of Information and Regulatory Affairs reviewed an average of 77 economically significant regulations biennially. These are the ones that really impact business. I'm not talking about a minor regulation here or there. We're talking about the ones that really impact job creators. Under President Bush, his Office of Regulatory Affairs reviewed about 77 every 2 years. Under this President, it's 125. Not quite doubled, but not far from it. If the administration maintains its current pace, it would add nearly \$150 billion annually in new regulatory costs over 8 years.

I'm going to yield to my friend from Virginia, but before I do, I just want to mention that I have proposed the Regulatory Freeze for Jobs Act, H.R. 4078. What it would do, it would basically freeze the introduction and progression of major regulations, those having an impact of \$100 billion or more. It would freeze those with exceptions for emergencies, health issues, what have you. There are exceptions in the bill. But it would freeze them until our unemployment rate gets down to 6 percent to show that we're getting our footing, because what the regulatory environment is doing to our job creators is stifling their ability to create jobs.

I'm going to yield now to my colleague from Virginia.

Mr. GRIFFITH of Virginia. I thank you so much.

I stuck around just because I wanted to hear more about your Regulatory Freeze for Jobs Act. I think that is a great concept. I look forward to reading it. It is the way and the direction that we ought to be going, because I'm willing to bet that those regulations that have been approved are probably, if you looked at the inches of the regulations, it might only be one reg, but I would be willing to bet that this administration beats the Bush administration on inches of regulation by a mile.

That being said, I have to also say that I go out and talk to not only the Rotary Clubs and other civic organizations, but I like talking to high school students, because what we do here in Washington will be a far greater impact on their lives than what we do on our own lives. It's our children.

You indicated you have young children. I have an 11-year-old, a 6-year-old, and a 4-year-old, and I'm concerned about them.

But the high school students get it. When I start talking about the regulations and I talk about what would you do if you were a factory that was faced with having to pay big fines because you couldn't comply—couldn't comply, not didn't want to—couldn't physically and timewise comply with an EPA regulation, what happens to those jobs? You know what they say? I don't have to teach them this. They already know it. Those jobs go somewhere else, usually to China.

Mr. GRIFFIN of Arkansas. Sure.

Mr. GRIFFITH of Virginia. And they know, and we talk about the money issue. You talked about that, and you're absolutely right. They know that if we create a regulatory environment that's conducive to creation of jobs—not no regulations, but conducive to creating jobs—that we end up with more jobs. If you end up with more jobs, you have more taxpayers. If you have more taxpayers, you have more taxes. And guess what. Just like in our households, if you have more money coming in, it's a whole lot easier to pay your bills going out.

And so when we talk about living within our means, we can live within our means at a higher level if we just have the ability for the American entrepreneurial spirit and the American entrepreneur to go out and take the normal risks that are associated with any business enterprise and create the jobs, the jobs that over the last centuries we, as Americans, have worked hard to create, and in a mere 200 years created the greatest economic system, the greatest economic country ever seen on this planet.

I have to say, it comes back, and you talked about Dodd-Frank and banks, community banks in particular, and I come from a very rural district compared to a lot of the others, and the community banks are the heart and soul of those communities; and yet they are afraid to lend money to people they know are going to stay there and fight to keep those jobs and to fight for their communities, but they are hesitant to lend the money because they don't know what the regulatory scheme is going to be.

□ 2000

Not only do you have the entrepreneur who doesn't know, but the banker doesn't know, so he doesn't know if he can lend money even to that entrepreneur.

Mr. GRIFFIN of Arkansas. I have heard story after story from small-town bankers, community bankers, who say that not only are they deciding not to loan to folks based on character and based on relationship, but they're being told they can't. They're being told they can't. They are community banks, the sources of credit. The source of money for small-town America are being told who they can and cannot lend to. Their judgment is being taken away from them, and they're saying, Look, you don't have to decide. We're going to regulate that. We'll tell you who you can loan to and who you can't loan to, never mind the fact that you've known them for 20, 30, 40 years, generation after generation. We're going to control this from Washington.

This President talks about his financial reform bill going after Wall Street. Actually, the folks on Wall Street backed it. What it ended up doing is hurting the folks that had nothing to do with the financial collapse in the first place. Small-town community

banks got the brunt of a lot of this because the big banks can afford the extra regulation and compliance. The small banks cannot. So, what the President's bill did is it ignored Fannie and it ignored Freddie—the problems—and then it went after banks. It made Wall Street happy in many ways. Many of them got on board and endorsed it. And then who took the brunt of the burden, the regulatory burden? Small-town banks. Small-town banks.

Mr. GRIFFITH of Virginia. You said that Wall Street backed it, but I can guarantee you, Main Street didn't back it. Main Street had problems with it. I feel personal about this because as a young lawyer right out of law school, I took some risks. I had to go to the bank. The bank that I had been dealing with wouldn't work with me on buying a building. But one of my community banks stepped up to the plate, and they said, do you know what? We know that as long as you're alive, you'll pay this loan. Even if business isn't good, we count on you because we have known you since you were a kid, and we know exactly that you're going to be there, and you're going to do things.

Without that money, I daresay that I wouldn't have had a successful law practice for 28 years. A lot of times people don't think of lawyers as businessmen, but if you're a sole practitioner like I was for many, many years, you've got to make the payroll, you've got to pay your loans, and you've got to do the things that you have got to do. Well, guess what's happening? That loan wouldn't have been made to me today.

Another young man in a situation like I was in who wanted to go out and practice on his own and make his way in his hometown wouldn't be allowed to do that under the current regulatory scheme—and that's that job plus the jobs of all the people who I had working for me in that office as I went forward with my practice. So you're absolutely right in what you say.

Further, I have to get back to your Regulatory Freeze for Jobs Act. I have said for some time I wish I had introduced the bill. But I have said for some time that if we would put a freeze on new regulations and say to the American entrepreneur, the business people out there if you invest in the United States now, we will give you a window where you don't have to worry about any new regulations, we would turn this economy around like that, and we would see that unemployment rate not just drop by point one or point two, but we would see it drop down to your 6 percent that you've put in there, and I think we would even see it drop below that 6 percent if people knew that they could count on having, not no regulation, but reasonable regulations, and not have to worry about new regulations during this time of economic stress.

Mr. GRIFFIN of Arkansas. I thank the gentleman from Virginia. I know we're running short on time, so I just

want to say to the folks listening out there, wherever you may be, these are not new ideas. Some of the ideas you've heard tonight on tax reform, regulatory reform, energy exploration and making the Federal Government live within its means and investing in infrastructure, these are not ideas that just came up this week. You may ask yourself, why haven't we passed these a long time ago? Why haven't we worked on this before? Why are we just talking about it now? We have been for over a year. For over a year we have been working on these issues.

Many of these ideas we've passed. Let's take tax reform. We talked about that in our budget over a year ago—it will be a year, I guess, in April. Regulatory reform, I can't count the number of bills—not including mine, I just introduced mine—but we have passed bill after bill after bill that deals with regulatory reform. What about energy exploration? I literally can't count the number of bills that we've passed that deal with energy exploration, particularly the Keystone pipeline, bill after bill after bill.

If there's any softening in the President's position on the Keystone XL pipeline, you can bet it's because we have been relentless in this House—relentless in this House—pushing the President to allow for the construction of that pipeline. We've got a long way to go, but we'll keep pushing.

On the issue of the budget and living within our means, we've been fighting this battle for over a year. So none of this is brand spanking new. A lot of these ideas we've been fighting for for over a year, and we'll continue to. But we've got to keep talking about them, keep talking about them.

So what's happened after we passed them? Well, a significant number, about 30 or so, have passed this House, and they go right down to the other side of the building, and they sit in the Senate. Many of us grew up in the 1970s and saw the little cartoon, "Schoolhouse Rock," the little bill sitting on the Capitol Hill steps out here somewhere. That little cartoon taught me the fundamentals of our democracy, how a bill becomes law. It passes this House, and then what happens? Well, it has to go down to the Senate.

Unfortunately, they haven't passed a budget out of the Senate in over a thousand days. So you can bet they haven't passed our bills, either. So we've addressed a lot of this stuff. And we're going to keep talking about it and keep pushing and keep pushing. But a lot of it is sitting right down there in the Senate waiting for action, going nowhere. So if you're wondering what's happened to these ideas, that's where they are. And we are continuing to work on them here, continuing to pressure the Senate and the President to try to work with us to get this stuff done, because these pillars—tax reform, regulatory reform, energy exploration, getting the Federal Government to live within its means and hav-

ing a commonsense budget, and as part of that, addressing our infrastructure issues, all those together, they all relate to jobs. So we'll keep fighting for jobs.

I yield back the balance of my time.

□ 2010

FREEDOM UNDER ASSAULT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

These are the best of times and in some ways the worst of times. Our freedoms are under assault, and some people in places of leadership do not appreciate the threat to our freedoms and therefore are naively assisting those who would take them away.

We know that in recent days in Afghanistan we had some soldiers who were given the responsibility to burn Korans which were being used by prisoners to write messages of an incendiary nature to other prisoners. Well, it's my understanding of shari'a law that to write in such a Koran could be considered a desecration; yet there's been no protest, no outrage over prisoners using the Koran to pass inflammatory messages to other prisoners.

We've also seen the death of Americans as a result. Two officers, along with others, have been killed and injured. Our Commander in Chief has seen fit to apologize to those who house the killers of our two American officers.

When I think about the feelings of the family members of the two American officers who were serving, to have a commander not do as Lincoln and so many Commanders in Chief have done in the past wherein they sent those troubling letters to grieving families to thank them for their service and to truly grieve with the families, no, in this case, the Commander in Chief sent messages instead to the home of the killer.

Now, we're led to believe by some internationally that, gee, it just overwhelmed the killer of the two officers. But then we hear that he may have taken a silencer with him to work. Well, where I come from, courts that I've been in to prosecute, my court as a judge, my region as a chief justice, that would be considered evidence of premeditation, of first degree murder; and yet we apologize to those who think like the murderer.

I haven't heard a demand for an apology from Afghanistan and from the leaders of Afghanistan, who would not be in office but for the lives and sacrifice of American soldiers. They wouldn't be there but for American soldiers, yet no apology from Afghanistan. So I think we have to look a little deeper at what is really going on here.

We know that in the United States it's been deemed to be just fine to stick a cross that symbolizes the death and sacrifice of Jesus Christ in a beaker of urine. Now, some of us believe that anybody that would do such a thing without repenting before they leave this life will have a special price to pay by the Judge of all judges, by that same Creator which gave us our inalienable rights. But not only was that done; it was funded by the United States Government NEA funds.

We've been told repeatedly that there is nothing unconstitutional about burning an American flag, that flag for which so many millions of Americans have given the last full measure of devotion. We're told that it doesn't violate our Constitution to burn American Bibles, that that's just fine under our Constitution. Yet we even have great Americans who have risked their life for this country, who see the death and loss of lives, say you know what, maybe we ought to have a law that says you can't burn a Koran or you can't shoot at a Koran.

Some may recall that on May 22, 2008, there was a U.S. soldier that shot at a Koran. That sparked unrest, and there were two civilians and a Lithuanian that were killed as a result of that. Some people may remember last year when a pastor in Florida burned a Koran; it sparked rioting and 11 were killed, including seven U.N. workers.

What's really going on here? Well, I think it's important to look back to the Organization of Islamic—what used to be Islamic Conference—now it's been changed to Islamic Cooperation—and we can find some things. I've got a chart here to show.

This is from the Third Extraordinary Session of the Islamic Summit. It outlines the 10-year Program of Action to Meet the Challenges Facing the Muslim Ummah in the 21st Century. This is the Islamic Summit Conference results. It's important to note that the term "Islamophobia" was invented for just such occasions to try to demonize Americans—or so-called "Westerners"—who might try to say there's such a thing as freedom of speech, freedom of religion, who would seek to subjugate our First Amendment rights to the Islamic Conference, their rules and shari'a law.

The plan, the 10-year plan from December 2005, the plan is, here at number two:

Affirm the need to counter Islamophobia through the establishment of an observatory at the OIC General Secretariat to monitor all forms of Islamophobia, issue an annual report thereon, and ensure cooperation with the relevant governmental and non-governmental organizations, NGOs, in order to counter Islamophobia.

Endeavor to have the United Nations adopt an international resolution to counter Islamophobia, and call upon all States to enact laws to counter it, including deterrent punishments.

That's right. This is in compliance with the 10-year plan from 2005 to subjugate Americans' First Amendment

rights under our Constitution to shari'a law.

□ 2020

It's not a terribly complicated effort, but it is brutal. It has cost so many lives, all in an effort to not only show disdain for actions of Westerners regarding the Koran, but also to push to get the U.N. and all states such as the United States to adopt laws to punish what shari'a would consider any inappropriate use or abuse of a Koran.

I happen to think as a Christian it's terribly inappropriate to abuse a Koran. I would encourage people not to do so. I would likewise say that it is a terrible thing to abuse a Bible and to abuse a flag. It shouldn't be done. As a servicemember, prosecutor, judge, chief justice, I took an oath to support and defend the Constitution of the United States, and that means all rights under our Constitution.

Just so people don't forget, I think it is appropriate to remember what is in the First Amendment:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

We're supposed to have the right to freedom of speech. The Supreme Court has said that means you can burn a flag, you can burn a Bible, you can burn a Koran. But there is a movement in all 57 states—that's right, 57 states of the OIC—to get the U.N. and all countries to subjugate their freedoms to shari'a law. Sure it's okay to burn a Bible, burn a flag, but not a Koran. It's wrong to do so, but it's not illegal.

We're told as of today that the Taliban says the airport blast in Afghanistan was revenge for Koran burnings. This article today points out that 40 people have been killed in protests and related attacks since the incident became known this past Tuesday, including four U.S. soldiers. NATO, France, Britain, and the U.S. have pulled their advisers from Afghan ministries out of concern that the anti-foreigner anger might erupt again. After all we've done, it's not over. These people feel they still must subjugate our First Amendment rights to shari'a law.

The First Amendment should be pretty clear. It should be noted that until the 1950s when Lyndon Johnson basically got tired of churches yapping at him over what they deemed as moral issues, he shut them up by adding an additional provision added to the tax laws that basically forbade any church or such organization from getting involved in politics. My children were surprised, based on what they had been taught in public school, that for most of this country's history, churches were the bedrock, churches were involved in every great movement that occurred, both in the Revolution, in the civil rights movement that resulted in the abolition of slavery, in

the civil rights movement of the 1950s and '60s. Lest we forget, Martin Luther King, Jr., was an ordained Christian minister. He knew and espoused the true way, truth and light.

The Cairo Declaration on Human Rights in Islam was established in 1990. When we hear about the cause for human rights under shari'a law, it is important to understand what that means. This is from the Cairo Declaration on Human Rights in Islam from August of 1990. Article 24 says:

All the rights and freedoms stipulated in this Declaration are subject to the Islamic shari'a.

Article 25:

Islamic shari'a is the only source of reference for the explanation or clarification of any of the articles of this Declaration.

That's what we're talking about. When the term "human rights" is utilized, it's important for people to understand that under this declaration of human rights that is still being forwarded today and thrust at us, it's important to note that those are considered human rights only under the definition of shari'a.

When we're told about the OIC believing and pushing human rights, that means no one has the right to desecrate a Koran in any way, although they can burn Bibles and American flags all day long. It means no one has the freedom of speech to draw a cartoon about Mohammed because if they do, they have the human right to be executed.

If someone is a Muslim and they pronounce that Jesus Christ has become their Lord, then they have the human right to be executed. If someone is a woman testifying under the laws of shari'a, she has the right to have her testimony only count as half that of a man. Under these terms, if a woman inherits from a male, she has the human right to receive just one-half of the inheritance that a man would. Under shari'a, as to those women on whose part you fear disloyalty and ill conduct, admonish them first, next refuse to share their beds, and, last, beat them. If a husband is displeased with his wife, the woman has the human right to be beaten.

This goes on and on. I'm surprised that the women's rights movement has not been more assertive in pointing out the inequalities that occur in countries that espouse shari'a and the threat that it imposes to women's rights all over the world and in America.

Under shari'a, to bring a claim of rape, a Muslim woman must present four male Muslim witnesses in good standing. Islam places the burden of avoiding illicit sexual encounters entirely on the woman. In fact, under shari'a, women who bring a claim of rape without being able to produce four male Muslim witnesses, admitting to having had illicit sex, if she or the man is married, this amounts to an admission of adultery and she should be punished. Some believe she should be stoned to death and at a minimum

flogged if she is raped and can't produce four men of Muslim good standing on her behalf.

□ 2030

She has the human right to be flogged or in some eyes to be stoned to death.

There are those who are saying we should get out of Afghanistan now. Actually, we could have done that a long time ago if a different course had been pursued. It is not inappropriate to note that in so many circumstances the enemy of our enemy should be considered our friend.

Along with DANA ROHRBACHER and STEVE KING, we met twice with Northern Alliance leaders, and although these brave leaders and their soldiers, their horse soldiers, did what some intelligence and special ops individuals have indicated, performed acts of heroism and gallantry such as they'd never seen before on their behalf and on behalf of America.

The Taliban was initially defeated, people forget, when we had initially less than 200, at no point more than 1,500, American special ops and intelligence just embedded with the Northern Alliance, assisting them as the enemy of the Taliban.

Our friends, the Northern Alliance, they're Muslim. They're our Muslim friends. But they did not want the intolerance of the Taliban and were willing to pay any price, just as the Founders were, to prevent having the Taliban take them over and, as they had done before, burn films, burn books, burn art, dictate to the women, prevent their freedoms. The Northern Alliance helped us by basically being the people who defeated the Taliban. We provided them the arms to do it, we provided them the aerial support, and they did it.

We disarmed them, told them they had nothing to worry about. We added over 100,000 troops and became occupiers. We tried to nation build. We gave them a constitution that provides for shari'a law.

Where is the apology to Afghan Christians for us getting them a constitution that does not permit public churches? The last Christian church in Afghanistan has closed. At last account, I'd seen there was one acknowledged Jewish person living in Afghanistan.

Now there's intolerance. We have a \$12.5 billion government in Afghanistan. That's their budget, and they provide about \$1.5 billion of their own. You know what happens to that government when we pull out? That's why the Taliban is telling people, even on Afghan television, We're going to be in charge as soon as the U.S. pulls out.

There are ways to deal with this issue. If you just look at the map, you get a good idea what we're talking about.

During a recent trip to Afghanistan and meeting with Baluch people—let's first look at the map itself.

Afghanistan, Pakistan, Iran, India. Now, before 1948, this area in here was Baluchistan. In 1948, the arbitrary lines

that were drawn put Baluchistan in with Pakistan. This used to be a Baluch area. As a recent Pakistan Daily News editorial pointed out, most of Pakistan's natural resources come from this area. As people have advised us in Afghanistan when I was over there recently, the Taliban are being supported by supplies, arms. They're getting their support from southern Pakistan into southern Afghanistan. They're coming through the Baluch area.

The Baluch don't want that. They're Muslim. They're our friends. They want to be our friends. They would be wonderful friends. They have been terrorized by the Pakistani Government for decades, and we've stood by and didn't seem to care, the world has.

Well, perhaps it is time to recognize an independent Baluchistan, where we'd have a friend who would not keep supplying the enemy of America, those people that helped train and prepare for 9/11 to kill as many thousands of Americans as they could.

We don't want to leave Afghanistan in the hands of the Taliban and all of the American life and treasure be for nothing. But there is an easy answer. We leave, but we empower the enemy of our enemy, the Northern Alliance and the Baluch people. Let them take care of their own area. Let them prevent the Taliban from taking over. Let them prevent Pakistan from becoming such a focused enemy as they have unabated. Let them worry.

India wants to be our friend.

If we look at the area of Pakistan, well, this shows the different major ethnic groups. Pink here is the Baluch people; green is the Pashtun. And, of course, only a tiny percentage of the Pashtun people make up the Taliban, but virtually all of the Taliban is made up of Pashtun. They do come over here into Pakistan. Then we have brown as the Punjabi and the yellow as the Sindi.

Northern Alliance is up here. You've got a number of different groups up there, including Uzbeks. But these are people who do not want the Taliban to ever take over. They're the enemy of our enemy, and that's where we can do some real good. It's time to stop the support of those who would take away our First Amendment rights.

There's an article, this is from CNN, May 20, 2009:

Military personnel threw away, and ultimately burned, confiscated Bibles that were printed in the two most common Afghan languages amid concerns that they would be used to try to convert Afghans, a Defense Department spokesman said Tuesday.

The unsolicited Bibles sent by a church in the United States were confiscated about a year ago at Bagram Air Base in Afghanistan because military rules forbid troops of any religion from proselytizing while deployed there.

Such religious outreach can endanger American troops and civilians in the devoutly Muslim nation.

Why would it endanger civilians if they have the rights that Americans say we're fighting for? Why? We're burning Bibles, the American military did, back in 2009?

I was given this Bible by my aunt, told that it was provided during World War II to my uncle, says, "May the Lord be with you." It's a New Testament, and inside the front cover it says:

As Commander in Chief, I take pleasure in commending the reading of the Bible to all who serve in the Armed Forces of the United States. Throughout the centuries, men of many faiths and diverse origins have found in the sacred book words of wisdom, counsel, and inspiration. It is a fountain of strength, and now, as always, an aid in attaining the highest aspirations of the human soul.

Signed by President Franklin D. Roosevelt.

That wasn't signed by President Obama. It was signed by Franklin Roosevelt, and it was given to our soldiers.

Mr. Speaker, in conclusion, let me just say, if the President takes more action to demean the American rights and to eliminate our own rights, then it's time for the President to apologize, not to Afghanistan but to the American people.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JACKSON of Illinois (at the request of Ms. PELOSI) for today on account of business in the district.

Mr. BILBRAY (at the request of Mr. CANTOR) for today on account of a family medical issue.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 28, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

5095. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral Robert F. Willard, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

5096. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John D. Gardner, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5097. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final

rule — Federal Housing Administration (FHA) Single Family Lender Insurance Process: Eligibility, Indemnification, and Termination [Docket No.: FR-5156-F-02] (RIN: 2502-A158) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5098. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity [Docket No.: FR 5359-F-02] (RIN: 2501-AD49) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5099. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act (RIN: 1210-AB44) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5100. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Summary of Benefits and Coverage and Uniform Glossary — Templates, Instructions, and Related Materials; and Guidance for Compliance received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5101. A letter from the Assistant Secretary, Employee Benefits Administration, Department of Labor, transmitting the Department's final rule — Summary of Benefits and Coverage and Uniform Glossary (RIN: 1210-AB52) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5102. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-54, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

5103. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 1-12 informing of an intent to sign a Project Agreement with the United Kingdom of Great Britain and Northern Ireland; to the Committee on Foreign Affairs.

5104. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a message from the Speaker of the National Assembly of the Republic of Korea; to the Committee on Foreign Affairs.

5105. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

5106. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Foreign Affairs.

5107. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Guidelines for Determining Probability of

Causation under the Energy Employees Occupational Illness Compensation Program Act of 2000; Revision of Guidelines on Non-Radiogenic Cancers [Docket Number: NIOSH-209] (RIN: 0920-AA39) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5108. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Delay of Effective Date (RIN: 1205-AB61) received February 6, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5109. A letter from the President and Chief Executive Officer, Little League Baseball, transmitting the Annual Report of Little League Baseball, Incorporated for the fiscal year ending September 30, 2011, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary.

5110. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting Sabine-Neches Waterway Channel Improvement Project Southeast Texas and Southwest Louisiana Final Environmental Impact Statement and Ocean Dredged Material Disposal Sites Final Environmental Impact Statement; (H. Doc. No. 112—90); to the Committee on Transportation and Infrastructure and ordered to be printed.

5111. A letter from the Director, Regulations Policy and Management Staff, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Schedule for Rating Disabilities; AL Amyloidosis (Primary Amyloidosis) (RIN: 2900-AN75) received February 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5112. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Foreign Tax Credit Splitting Events [TD 9577] (RIN: 1545-BK50) received February 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5113. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Summary of Benefits and Coverage and Uniform Glossary [TD 9575] (RIN: 1545-BJ94) received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5114. A letter from the Secretary, Department of Health and Human Services, transmitting the Medicare Ombudsman report to Congress for the year 2010; jointly to the Committees on Energy and Commerce and 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. ISSA: Committee on Oversight and Government Reform. H.R. 665. A bill to establish a pilot program for the expedited disposal of Federal real property; with an amendment (Rept. 112-402). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1837. A bill to address certain water-related concerns on the San Joaquin River, and for other purposes; with an amendment (Rept. 112-403). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 563. A resolution providing for consideration of the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965 (Rept. 112-404). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MILLER of Florida (for himself, Mr. BENISHEK, Mr. FLAKE, Mr. YOUNG of Alaska, Mr. ROSS of Arkansas, Mr. BOREN, Mr. LATTA, and Mr. SHULER):

H.R. 4089. A bill to protect and enhance opportunities for recreational hunting, fishing and shooting; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Energy and Commerce, 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:

H.R. 4090. A bill to reauthorize the National Dam Safety Program Act, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DEGETTE:

H.R. 4091. A bill to assist low-income individuals in obtaining medically recommended dental care; to the Committee on Energy and Commerce.

By Mr. GIBSON:

H.R. 4092. A bill to amend the National Defense Authorization Act for Fiscal Year 2012 to provide clarification of the relationship of certain constitutional rights to provisions of law relating to the military detention of certain covered person; to the Committee on Armed Services, 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 Ms. SEWELL (for herself and Mrs. ROBY):

H. Res. 562. A resolution directing the Office of the Historian to compile oral histories from current and former Members of the House of Representatives involved in the historic and annual Selma to Montgomery, Alabama, marches, as well as the civil rights movement in general, for the purposes of expanding or augmenting the historic record and for public dissemination and education; to the Committee on House Administration.

By Ms. SCHAKOWSKY (for herself, Mr. BACA, Mr. BRADY of Pennsylvania, Mrs. CHRISTENSEN, Mr. CICILLINE, Mr. CLARKE of Michigan, Mr. CLEAVER, Mr. CONYERS, Mr. COURTNEY, Mr. DAVIS of Illinois, Ms. DELAURA, Mr. ELLISON, Mr. FRANK of Massachusetts, Ms. FUDGE, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Ms. JACKSON LEE of Texas, Ms. KAPTUR, Mr. KUCINICH, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. MCGOVERN, Ms. MOORE, Ms. NORTON, Ms. RICHARDSON, Mr. SABLAN, Mr. SERRANO, Ms. SPEIER, Ms. WOOLSEY, and Mr. WELCH):

H. Res. 564. A resolution recognizing the critical importance of the supplemental nutrition assistance program (SNAP), formerly called the food stamp program; to the Committee on Agriculture.

By Mr. WEST (for himself, Mr. ROONEY, Mr. RIVERA, Mr. DIAZ-BALART, Mr.

HASTINGS of Florida, and Mr. MILLER of Florida);

H. Res. 565. A resolution commemorating the 100th anniversary of the Palm City Community in Martin County, Florida; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. MILLER of Florida:

H.R. 4089.

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

Article IV, Section 3, Clause 2 ; Article I, Section 8, Clause 3

By Mr. CARNAHAN:

H.R. 4090.

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 a House of Representatives."

By Ms. DEGETTE:

H.R. 4091.

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

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GIBSON:

H.R. 4092.

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

Article I, section 8 of the United States Constitution (clauses 10, 11, 14, and 18), which grants Congress the power to define and punish offenses against the law of nations, to make rules concerning captures on land and water; to make rules for the government and regulation of the land and naval forces; and to make all laws necessary and proper for carrying out the foregoing powers.

ADDITIONAL SPONSORS

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

H.R. 12: Mr. OLVER.

H.R. 23: Mr. ROTHMAN of New Jersey.

H.R. 32: Mr. REYES.

H.R. 104: Mr. LANGEVIN and Ms. BALDWIN.

H.R. 205: Mr. PEARCE.

H.R. 207: Mr. BACA.

H.R. 218: Mr. HINOJOSA.

H.R. 329: Mr. BROOKS, Mr. DOGGETT, and Mr. RANGEL.

H.R. 385: Ms. SCHAKOWSKY and Mr. JACKSON of Illinois.

H.R. 409: Mr. BURGESS.

H.R. 452: Mr. KLINE and Mr. PASCRELL.

H.R. 459: Mr. LIPINSKI and Mr. CONAWAY.

H.R. 481: Mr. MURPHY of Connecticut.

H.R. 511: Mr. BERMAN and Mr. PIERLUISI.

H.R. 631: Mr. GENE GREEN of Texas and Mr. ROTHMAN of New Jersey.

H.R. 640: Ms. SCHWARTZ.

H.R. 757: Mr. DEUTCH.

H.R. 777: Mr. BISHOP of New York and Ms. BERKLEY.

H.R. 799: Ms. LEE of California, Mr. JACKSON of Illinois, Mr. GONZALEZ, Mr. WEST, and Mr. ROTHMAN of New Jersey.

H.R. 807: Mr. STARK.

H.R. 812: Mr. SCHILLING.

H.R. 876: Mr. LANGEVIN.

H.R. 892: Mr. KUCINICH.

H.R. 930: Mr. RYAN of Ohio.

H.R. 931: Mr. NUNNELEE.

H.R. 1004: Mr. BERG.

H.R. 1114: Mr. CAPUANO.

H.R. 1164: Mr. FINCHER.

H.R. 1167: Mr. CONAWAY.

H.R. 1206: Mr. RUNYAN, Mr. DESJARLAIS, and Mr. GIBBS.

H.R. 1330: Mr. GUTIERREZ.

H.R. 1332: Ms. DELAURO and Mr. DOYLE.

H.R. 1340: Mrs. BLACK.

H.R. 1342: Mr. MEEHAN.

H.R. 1370: Mr. HUELSKAMP.

H.R. 1386: Mr. RANGEL.

H.R. 1404: Mr. GARAMENDI.

H.R. 1418: Mr. GENE GREEN of Texas.

H.R. 1505: Mr. RUNYAN.

H.R. 1558: Mr. MURPHY of Pennsylvania.

H.R. 1581: Mr. CRAVAACK.

H.R. 1588: Mr. FORBES.

H.R. 1672: Mr. STEARNS, Mr. ANDREWS, Mr. RYAN of Ohio, and Mr. PLATTS.

H.R. 1681: Ms. BASS of California.

H.R. 1738: Mr. DOYLE.

H.R. 1895: Mr. MORAN, Mr. CLAY, and Mrs. NAPOLITANO.

H.R. 1912: Mr. HONDA.

H.R. 2071: Ms. BONAMICI.

H.R. 2085: Mr. TIERNEY and Mr. CAPUANO.

H.R. 2131: Mr. HARRIS.

H.R. 2168: Mr. CLARKE of Michigan.

H.R. 2179: Mr. BENISHEK.

H.R. 2245: Mr. FITZPATRICK, Mr. BLUMENAUER, and Mr. COURTNEY.

H.R. 2267: Mr. FORBES, Mr. KISSELL, Mr. SIRES, Mr. GONZALEZ, Mr. KEATING, Mr. JACKSON of Illinois, and Mr. BACA.

H.R. 2288: Mrs. CAPPS, Ms. ZOE LOFGREN of California, Ms. SLAUGHTER, and Ms. HAHN.

H.R. 2328: Mr. LANGEVIN.

H.R. 2353: Mr. KIND.

H.R. 2404: Mrs. DAVIS of California.

H.R. 2437: Mr. FATTAH.

H.R. 2446: Mr. MEEKS and Mr. McCOTTER.

H.R. 2499: Mr. PAYNE, Mr. ELLISON, and Mr. POSEY.

H.R. 2513: Mr. MORAN and Mrs. DAVIS of California.

H.R. 2529: Mrs. LUMMIS.

H.R. 2634: Ms. PINGREE of Maine and Mr. MCGOVERN.

H.R. 2657: Mr. CLAY.

H.R. 2738: Mr. FARR and Ms. MATSUI.

H.R. 2896: Mr. LANCE, Mr. ROTHMAN of New Jersey, Mr. HOLT, Mr. SIRES, Mr. ANDREWS, Mr. FRELINGHUYSEN, Mr. PALLONE, and Mr. RUNYAN.

H.R. 2955: Ms. SUTTON.

H.R. 2969: Mr. GENE GREEN of Texas.

H.R. 3014: Mr. MARKEY.

H.R. 3059: Mrs. NAPOLITANO.

H.R. 3066: Mr. WILSON of South Carolina.

H.R. 3083: Mr. ROTHMAN of New Jersey.

H.R. 3086: Mr. ROTHMAN of New Jersey, Mr. AL GREEN of Texas, Mr. QUIGLEY, Ms. LINDA T. SANCHEZ of California, Mr. HONDA, Mr. THOMPSON of Mississippi, Mrs. DAVIS of California, and Mr. VISCSLOSKY.

H.R. 3207: Mr. MEEHAN.

H.R. 3269: Mr. TONKO, Mr. WOMACK, Mr. KIND, Mr. YOUNG of Indiana, Mrs. CAPITO, Mr. SCHRADER, Ms. ZOE LOFGREN of California, Ms. SCHAKOWSKY, and Mr. RYAN of Ohio.

H.R. 3275: Mrs. MYRICK.

H.R. 3324: Mr. COHEN.

H.R. 3353: Mr. PRICE of North Carolina.

H.R. 3356: Mr. SAM JOHNSON of Texas, Mr. WEST, and Mr. BILBRAY.

H.R. 3364: Mr. BRALEY of Iowa and Mr. LOESACK.

H.R. 3373: Ms. MOORE, Ms. CHU, Ms. LEE of California, and Ms. SPIER.

H.R. 3462: Mr. KILDEE.

H.R. 3464: Mr. JACKSON of Illinois.

H.R. 3476: Mr. CONNOLLY of Virginia.

H.R. 3485: Mr. HEINRICH.

H.R. 3496: Mr. HOLT.

H.R. 3506: Mr. BLUMENAUER.

H.R. 3523: Mr. ROE of Tennessee, Mr. FLEISCHMANN, and Mr. BACA.

H.R. 3526: Mr. CLAY, Mrs. MCMORRIS RODGERS, Ms. LEE of California, Ms. KAPTUR, Mr. PLATTS, Ms. WASSERMAN SCHULTZ, and Mr. MCGOVERN.

H.R. 3528: Ms. LEE of California.

H.R. 3566: Ms. BASS of California.

H.R. 3612: Mr. LEWIS of Georgia and Ms. CHU.

H.R. 3626: Ms. LEE of California.

H.R. 3627: Mr. KISSELL.

H.R. 3643: Mr. OWENS, Mr. PAUL, and Mr. ROKITA.

H.R. 3676: Mr. UPTON.

H.R. 3679: Mr. GRJALVA.

H.R. 3702: Mr. BISHOP of Utah.

H.R. 3704: Mr. HIMES.

H.R. 3723: Mr. MANZULLO.

H.R. 3767: Mr. COURTNEY and Mr. WEST.

H.R. 3770: Mr. DUNCAN of Tennessee.

H.R. 3783: Mr. CRAVAACK and Mr. GOSAR.

H.R. 3805: Mr. LAMBORN.

H.R. 3821: Mr. BLUMENAUER and Mr. COURTNEY.

H.R. 3827: Mr. WHITFIELD.

H.R. 3828: Mr. FINCHER.

H.R. 3831: Mr. PAUL.

H.R. 3855: Mr. ENGEL, Mr. MCDERMOTT, and Mr. ROTHMAN of New Jersey.

H.R. 3860: Mr. RANGEL.

H.R. 3863: Mr. RIBBLE.

H.R. 3877: Mr. NUGENT.

H.R. 3893: Mr. CHABOT and Mr. GRAVES of Missouri.

H.R. 3895: Mr. BARLETTA, Mr. ROTHMAN of New Jersey, Mr. NUGENT, Mr. JOHNSON of Ohio, and Mr. FILNER.

H.R. 3914: Mr. HANNA.

H.R. 3974: Mr. DOGGETT and Mr. PRICE of North Carolina.

H.R. 3981: Ms. MCCOLLUM and Mr. COURTNEY.

H.R. 3984: Mr. DOYLE, Mr. RUSH, and Ms. SLAUGHTER.

H.R. 3989: Mr. KELLY.

H.R. 3990: Mr. KELLY.

H.R. 3991: Mr. DUNCAN of Tennessee.

H.R. 3992: Mr. PENCE, Ms. LINDA T. SANCHEZ of California, Mr. NADLER, and Mr. POLIS.

H.R. 3994: Mrs. BLACK, Mr. ROSS of Florida, and Mr. PAUL.

H.R. 4010: Mr. HINOJOSA, Mr. COSTELLO, Mr. DOGGETT, Mr. ROTHMAN of New Jersey, Mr. RYAN of Ohio, Ms. CLARKE of New York, Mr. DOYLE, Mr. KUCINICH, and Mr. NEAL.

H.R. 4038: Mr. POLIS.

H.R. 4045: Mr. BOSWELL, Ms. MCCOLLUM, and Mr. WALZ of Minnesota.

H.R. 4046: Mr. MANZULLO and Mr. ROE of Tennessee.

H.R. 4061: Mr. ANDREWS.

H.R. 4065: Ms. BORDALLO.

H.R. 4078: Mr. GOODLATTE.

H.R. 4080: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4082: Mr. PIERLUISI.

H.J. Res. 103: Mr. ROSS of Florida and Mr. FINCHER.

H. Res. 111: Mrs. MALONEY, Mr. HINCHEY, Mr. GUTIERREZ, Mr. MARINO, Mr. GOODLATTE, Mr. PEARCE, Mr. FITZPATRICK, Mr. MARCHANT, and Mr. MORAN.

H. Res. 130: Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 262: Mr. MCGOVERN.

H. Res. 351: Mr. STARK.

H. Res. 484: Ms. ZOE LOFGREN of California, Mr. CONNOLLY of Virginia, Mr. ROYCE, Mr. MARKEY, Mr. MORAN, and Mr. STARK.

H. Res. 542: Mr. ROTHMAN of New Jersey.

H. Res. 555: Mr. PASCRELL.

H. Res. 556: Mr. NUNNELEE, Mr. JORDAN, Mrs. HARTZLER, Mr. POMPEO, Mr. MARINO, Mr. KINZINGER of Illinois, Mr. KELLY, Mr.

DUNCAN of Tennessee, Mr. SMITH of Texas, Mr. ROSS of Florida, Mr. SMITH of New Jersey, Mr. PEARCE, Mr. LATHAM, Mr. WILSON of South Carolina, Mr. LANKFORD, Ms. FOXX, Mr. GENE GREEN of Texas, and Mrs. MCMORRIS RODGERS.

H. Res. 560: Mrs. DAVIS of California.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative RAÚL M. GRIJALVA, or a designee to H.R. 2117 the Protecting Academic Freedom in Higher Education Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.



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WASHINGTON, MONDAY, FEBRUARY 27, 2012

No. 30

Senate

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Today I will read George Washington's "Prayer for the United States of America," exactly as it appears in the chapel at Valley Forge.

Almighty God: We make our earnest prayer that Thou wilt keep the United States in Thy holy protection; that Thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to the government, and entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large. And finally that Thou wilt most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that charity, humility, and pacific temper of mind which were the characteristics of the Divine Author of our blessed religion, and without a humble imitation of whose example in these things, we can never hope to be a happy Nation. Grant our supplication, we beseech Thee, through Jesus Christ our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, February 27, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

ORDER OF BUSINESS

Mr. REID. Mr. President, following leader remarks, Senator SHAHEEN will be recognized to deliver Washington's Farewell Address. This is the 150th anniversary of that tradition, and we are very pleased that Senator SHAHEEN is going to do this. No one could be more exemplary of his service than she.

SCHEDULE

Mr. REID. Mr. President, following the address, the Senate will be in morning business until 4:30 p.m. today.

At 4:30 p.m., the Senate will proceed to executive session to consider the nomination of Margo Brodie to be United States District Judge for the Eastern District of New York. At 5:30 p.m., the Senate will vote on confirmation of the Brodie nomination.

I ask unanimous consent that following the vote and resumption of legislative session, the Senate be in a period of morning business for up to 1 hour, with the time equally divided and controlled between Senators PRYOR and ALEXANDER or their designees.

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

REMEMBERING SENATOR RAGGIO

Mr. REID. Mr. President, last week Nevada lost a great statesman and I

lost a friend and mentor. William Raggio was the longest serving State senator in Nevada's history. He died last week while traveling in Australia. My heart is with his wife Dale, whom I spoke with, children Leslie and Tracy and, of course, my thoughts go to Mark, the son Bill lost in 2004, six grandchildren, and they have a great-grandchild.

I hope it is some small comfort to know that all of Nevada mourns the loss of this very effective and fine Nevada citizen.

He was a second-generation Nevadan born and raised in Reno, NV. Senator Randolph Townsend said, "Bill was part of the fabric of the city." That is true. He lived to serve.

In addition to his four decades of service in the State legislature, he volunteered to serve in the Armed Forces during World War II. He enlisted in the Navy at age 17, but the war ended before he graduated from officer training school.

When he finished his service, he attended the University of Nevada, and then went to law school in California. But he continued to serve in the U.S. Marine Corps as a United States Navy Reservist.

He was the district attorney of Washoe County, which is the Reno metropolitan area, for 18 years, including 3 terms before he became a State legislator. He was president of the National DAs Association.

He rooted out corruption wherever he served. There was nothing more corrupt, in his mind, and the minds of all Nevadans, than an illegal brothel. That illegal brothel went on by virtue of Joe Conforte being able to pass out money to people for a long time. Bill Raggio, as DA, picked a fight with him, and that fight is legend. Bill got the last word. Conforte spent 22 months in prison for trying to bribe Bill Raggio. And in 1965, Bill Raggio, to get the last word, had the local authorities declare that facility a nuisance and burn it

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



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down. He was there watching the fire as it destroyed that place.

It wasn't until 1972 that Bill brought his integrity and dedication to the State House as a member of the Nevada State Senate. So for 38 years, there wasn't a piece of legislation that passed the Nevada legislature that didn't have his imprint on it in some way. He worked to help pass thousands of different pieces of legislation. He was an expert in the process. Nobody knew how to craft a budget better than Bill Raggio.

He was a Republican who believed government should be "lean but not mean." He was never afraid to work with Democratic members, even though he was Republican leader for several terms. Here is what he said recently: I think the present leadership of the Republican Party is a little too radical and has been taken over by what I think is a radical element.

He went on to say in an interview, after he decided to retire:

The party has to reshape itself, or it won't win general elections down the road.

That is Bill Raggio, speaking as we should all speak—not as a Republican but as a Nevadan and an American. So it is no surprise to see the outpouring of grief of Democrats and Republicans at his passing.

"No one has ever loved this state more or has had a more passionate desire to make things better for the people who live here," said Democratic Assembly Speaker John Ocegera.

If there was a Mount Rushmore of Nevada politics, Bill Raggio's image would forever be carved there. The Nevada family has lost a great patriarch.

That was what Republican Governor Brian Sandoval said.

Mr. President, I ask unanimous consent to have printed in the RECORD four pages of statements made by Nevada-elected and appointed officials, and citizens of Nevada about Bill Raggio.

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

[From the Las Vegas Sun]

REACTION TO DEATH OF FORMER STATE SEN.
BILL RAGGIO
(Associated Press)

Reaction to the death of retired state Sen. BILL RAGGIO, R Reno, Nevada's longest-serving state senator:

If there was a Mount Rushmore of Nevada politics, Bill Raggio's image would forever be carved there. The Nevada family has lost a great patriarch; may God rest his soul as we remember all that he meant to our state.—Gov. Brian Sandoval, R Nevada.

I have known Bill for decades; he has been a mentor to me. He always fought for Nevada and his invaluable contributions and service to our state will live on. . . . His important voice will be missed.—U.S. Senate Majority Leader Harry Reid, D Nevada.

Clearly, he was one of the state's greatest and most accomplished public servants. He was also a helluva good guy who possessed a wonderful sense of humor. . . . (He had an exceptional legal mind and was a knowledgeable, courageous and fair-minded DA who

helped root out organized crime in Northern Nevada.—Former U.S. Sen. Paul Laxalt, R Nevada.

Bill was a true public servant and his sole agenda was simply to make Nevada a better place. He has left an unmatched political footprint upon our state, and the citizens will reap the rewards of this gifted and decent gentleman for many years to come.—Lt. Gov. Brian Krolicki, R Nevada.

Sen. Raggio was an icon, a consummate statesman and one of the most knowledgeable and pragmatic legislators ever to serve the people of Nevada. His absence from the Legislature with his retirement was keenly felt. His passing on Thursday ends a chapter in Nevada history.—Nevada Supreme Court Chief Justice Nancy Saitta.

The passing of Bill Raggio is a tragic loss for Nevadans. For those of us in the law enforcement community, we fondly recall and continue to tell stories about Bill standing up to perpetrators to ensure a safe community. Bill will always be remembered for his impassioned service and dedication.—Nevada state Attorney General Catherine Cortez Masto.

Bill Raggio was the type of elected official I strive to become. In an era of intense partisanship, he upheld a statesman's voice of reason.—Nevada Secretary of State Ross Miller, via Twitter.

There are no words to describe his dedication to the state of Nevada and I wish to express my deepest condolences and prayers for his wife Dale, and his family. Bill was a true statesman who dedicated his life to making Nevada a better place to live. His legacy will be remembered for generations to come.—U.S. Sen. Dean Heller, R Nevada.

He was nothing short of a giant in Nevada politics and a fierce advocate for the state he loved, especially the north. His dedicated public service has improved the lives of thousands of Nevada families and his tireless work on higher education has left a permanent mark on this state.—Rep. Shelley Berkley, D Las Vegas.

Bill Raggio was the consummate statesman and a dedicated public servant. He was a mentor of mine and it was an honor to work under him in the state senate while he was Majority Leader. He will truly be missed.—U.S. Rep. Joe Heck, R Henderson.

This is the end of an era in Nevada. Bill was an icon of legislative public service and it was a privilege to serve with him in the state senate. My condolences go out to his wife Dale and his two daughters.—U.S. Rep. Mark Amodei, R Carson City.

Last year, I was honored to induct Senator Raggio into the Senate Hall of Fame for his unwavering commitment to our state. From his service as a District Attorney to becoming one of the longest serving legislators in Nevada history, Senator Raggio always put the people of Nevada first. . . . Nevada has truly lost one of its finest statesmen.—Nevada Senate Majority Leader Steven Horsford, D Las Vegas.

Senator Raggio epitomized the term "public servant." . . . He was a tireless advocate for higher education, believing that it was the gateway to a better life for any Nevadan. With so many accomplishments and such universal respect, it's impossible to do justice and honor to the life of such a man.—Nevada Senate Republican Caucus.

Saddened by the passing of Senator Bill Raggio. A true statesman. My thoughts & prayers are with his family.—Nevada Sen. Ruben Kihuen, D Las Vegas, via Twitter.

Feels odd to tweet about Bill Raggio but odd not to. He was my friend and a mentor. A great loss 4 Nev but, oh what a life he lived!—Nevada Assemblywoman Debbie Smith, D Reno, via Twitter.

For those of us in higher education, indeed the whole education community, we pause to thank this man who came from humble immigrant roots and rose to great power, in part by public education. He never forgot the contribution of education to his life. We have lost a member of our family today—indeed, our patriarch and champion.—Board of Regents, Nevada System of Higher Education.

Raggio was a champion for our Airport Authority and he had the vision to create a transportation entity that plays a vital role in the economy of our region. He was also a wonderful mentor to me and I will miss his sage advice and wise counsel. The legacy of his forward thinking will be felt in our community for years to come.—Krys Bart, president and CEO of the Reno-Tahoe Airport Authority.

He championed our state's heritage and he made our values a priority. He ensured that protecting our environment was a non-partisan position in Carson City as he worked across the aisle to support conservation funding and wildlife. Regardless of your politics, Bill Raggio was a great leader and he will be missed.—Nevada Conservation League.

Those who have followed NPRI's work over the years know that we have both agreed and disagreed with Mr. Raggio's views on various policy issues. But there was never any doubt as to his love for Nevada and his commitment to making it a better place to live. For that, he will always have our respect and our admiration.—Andy Matthews, president of Nevada Policy Research Institute.

He was every bit as good and as genuine and as committed to public service as what's described. That's the real person. It's a huge loss.—Nevada Sen. Greg Brower, R Reno.

No one has ever loved this state more or had a more passionate desire to make things better for the people who live here. His ability to bring people together to get things done was legendary. . . . At times, he may have been an adversary on a particular issue, but he was always a true leader, a teacher and a friend.—Nevada Speaker of the Assembly John Ocegera, D Las Vegas.

He was one of the greatest friends and a true mentor to me. Our great state is better because of his leadership and service. He will be sorely missed.—Reno Mayor Bob Cashell.

The thing that was great about Senator Raggio and the time that I spent with him in the Legislature was his ability to bring the two sides together and get things done. He was a master at doing that.—Reno City Manager Andrew Clinger.

He understood that politics is really filled with compromise. The public still owns this process and they send people of all stripes, different backgrounds, different sections of the state. He knew in order to move things forward, you had to compromise.—Former Nevada Sen. Randolph Townsend, R Reno.

Today Nevada Republicans across the state mourn the loss of a great leader and the loss

of an even greater friend. While it is a sad day for all Nevadans, it is only appropriate to remember the legacy and leadership he left behind for us to follow. A loss of a true icon in Nevada politics will not be forgotten. . . . We will miss you.—Nevada Republican Party Chairman James Smack.

Shocked to hear of Sen Raggio's passing—last time we spoke, he ranted about legislators needing to put aside politics & work together.—Nevada Sen. Sheila Leslie, D Reno, via Twitter.

Rest in peace Senator Raggio. You will be missed, but never forgotten.—Nevada Sen. Michael Roberson, R Henderson, via Twitter.

But Raggio also saw his Republican Party transform around him. In 2003, when a group of Assembly Republicans refused to vote for a tax plan, Raggio didn't hesitate to excavate a pejorative from earlier in his storied career: He called them "John Birchers." By 2008, he was battling ex-Assemblywoman Sharron Angle in a primary fight for the district he'd held comfortably since 1972.

When Raggio exercised his legendary independence—and a good deal of personal pique—and endorsed Democrat Harry Reid over Angle in the 2010 U.S. Senate race, his party finally left him. He was ousted from his leadership position by Fallon Republican Mike McGinness, and he tendered his resignation from the Legislature for good.

"I think the present leadership of the Republican Party is a little too radical and has been taken over by what I think is a radical element," Raggio said in an interview after he quit, using a true conservative's worst pejorative. "The party has to reshape itself or it won't win general elections down the road."

Mark his words for November.

Back in January 2011, Raggio told me in an interview that the state would go on without him. "Nobody is irreplaceable. You will find that out," he said.

I hope Raggio will forgive me one last time if I simply don't agree.

Mr. REID. He believed in doing what was right for Nevada, even when it wasn't right for his political party. I admired him and respected him. I respected him even when he and I disagreed, and that happened. But we agreed far more than we disagreed.

I can remember the first time I met him. The person I worked for had worked as a deputy district attorney for Bill Raggio. He came to visit me in our law office, and he was always very funny, very articulate, and somebody I admired and, as I indicated, was my mentor. But I can remember him being in that office as if it were 10 minutes ago.

Upon his retirement last year, Bill told a local reporter, "Nobody is irreplaceable. You will see." It seems, once again, though, Bill and I disagreed. No one can replace Bill Raggio. The mark he left on Nevada politics could never be erased, but his powerful political voice and his true personal friendship will be missed.

Senator Raggio was an effective legislator and leader in part because of his willingness to cooperate with those with whom he disagreed. It would serve this Chamber well to emulate his bipartisan approach.

WORKING TOGETHER

We have a great deal to accomplish this work period. We need to consider

postal reform legislation. It is mandatory that we do that. We have a pressing cyber-security piece of legislation that the Pentagon says is the most important thing we can do for our country. We have to clear a backlog of judicial nominees that threatens the effectiveness of our court system. But first, we must complete one of the most important tasks facing this Congress: strengthening our economy by rebuilding our Nation's crumbling infrastructure.

Today we will resume progress on the Transportation bill that will put 2 million Americans back to work rebuilding roads, bridges, trains, and their tracks.

The House is also considering transportation legislation. I was glad to see that House Republicans have moved away from that extreme proposal they were considering a few weeks ago. They are going to now try to pass something similar to our bipartisan legislation. This is bipartisan legislation.

Too much rests on our success to let this jobs measure be bogged down by partisanship. President Dwight Eisenhower, a Republican, was the original champion of national infrastructure investment a half century ago. He once said:

Only strength can cooperate. Weakness can only beg.

He was right that it takes strength to work together. But working together also makes us strong. I look forward to working together with my colleagues on both sides as we complete transportation legislation that will make our economy strong.

We have 5 weeks during this work period. We have a lot to do. I hope we can work together to get it done.

RESERVATION OF LEADER TIME

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

READING OF WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Pursuant to the order of the Senate of January 24, 1901, as amended by the order of February 14, 2012, the Senator from New Hampshire, Mrs. SHAHEEN, will now read Washington's Farewell Address.

Mrs. SHAHEEN, at the rostrum, read the Farewell Address, as follows:

TO THE PEOPLE OF THE UNITED STATES

Friends and Fellow-Citizens: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me

to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts—of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those

which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South in the same intercourse, benefitting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a Constitution of government better calculated than your former for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the

public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and the duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, fomenting occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another a habitual hatred, or a habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what

reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at

any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rival-ship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements (I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy)—I repeat it therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed—in order to give to trade a stable course, to define the rights of our merchants, and to enable the government to support them—conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that it must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April

1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take—and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON,

*United States,
19th September 1796.*

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will be in a period of morning business until 4:30 p.m. with Senators permitted to speak for up to 10 minutes each.

ENERGY PRICES

Ms. MURKOWSKI. Mr. President, I rise today to speak about what people all across the country are talking about; that is, the high price of energy, what people are paying at the pump. I just returned from a week in Alaska. It is fair to say that in a State such as ours, that is as rich as we are with energy wealth, we are being killed by energy prices.

So I wanted to comment on some of the statements the President made over the weekend and Friday when he spoke to the country about energy. I have to tell you, I was pleased to hear the President say he is joining us in an "all-of-the-above approach" to energy. I think that is good news. It is certainly something I have been saying ever since I arrived in the Senate.

It is about domestic production, it is about efficiencies and conservation, and it is about renewables. So that is good. We heard the President say we need to be doing more with oil and gas. You are not going to find any disagreement with me. Wind and solar, nuclear, biofuels, efficiency, this is all good, but the problem we are seeing is the words coming from President Obama are not matching his actions when it comes to what we can be doing with our own domestic production.

I will speak specifically to oil and gas. The actions coming out of the administration, whether through this budget or through some of the other proposals pushing for higher taxes, higher royalties on the industry, when we think about what goes on with the oil and gas leases in the gulf, we have certainly seen the impact flow down there.

In Alaska, we have been pushing, pushing aggressively for 4 years now to get the OCS leases advanced through exploration with Shell, not only 4 years in the process but billions of dollars into a process. We are getting closer, but we are not there yet. With the National Petroleum Reserve Alaska, an area that has been designated by the Congress to explore for production activity, it took almost 2 years to get a bridge across the CD 5, an area where we have an opportunity to continue our exploration—but 2 years to get a simple permit for a bridge.

We all know ANWR has been locked up for decades now. There is incredibly wealthy potential there. Look at the decision on the Keystone XL Pipeline coming out of this administration. When it comes to other areas that are supposedly in "all of the above," nuclear—as much as we might have hoped that this was enjoying a renaissance, we have seen the decision on the shut-down of Yucca Mountain from this administration, the issues as they relate to access to uranium in certain parts of the country.

The rhetoric is not necessarily matching what we are seeing coming out of the administration. This is what is so disturbing to a person like me who comes from an area where we have so much to give, so much to offer.

The President, in his words, said, "There are no quick fixes to this problem." I agree. I absolutely agree. That is why instead of focusing on what could be perceived as a quick fix, such as releasing oil from the Strategic Petroleum Reserve, we need to be focusing on the long-term solution. I keep going back to 1995 when the House and the Senate passed ANWR. It was vetoed by the President shortly thereafter.

Prices at the pump back then were \$1.07 at the pump. The average price today is \$3.65. Think about where we would be if that action had not been vetoed; if the Alaska pipeline, which is now less than half filled, were at full capacity with oil coming out of ANWR.

Just yesterday a colleague of ours from New York sent a letter to Secretary Clinton asking her to pressure Saudi Arabia to pump more oil. In his letter to the Secretary, he said,

I urge the State Department to work with the Government of Saudi Arabia to increase its oil production, as they are currently producing well under their capacity.

Well, our pipeline is certainly well under capacity at 600,000 barrels a day. When we were pushing it through at full tilt, we were over 2 million barrels a day. That is exactly what the Senator from New York has asked Saudi Arabia to do. We could be doing it from Alaska. We could be doing it from this country with our people gaining access to our resources, and we are not doing that.

The President said the Republican plan is just to drill, drill, drill. He said: We hear this every year. Well, why do we hear this every year? We hear it because it is part of the solution. It is not the whole solution, but it is part of the solution, in addition to conservation, efficiency, renewables, and other areas of our domestic production. But drilling is part of the solution. It should not just be part of the rhetoric.

The President said, and I would agree:

The American people are not stupid on this. They know that we are not just going to be able to snap our fingers and have oil coming out of ANWR or having oil coming out of the OCS in the Chukchi or the Beaufort.

They know it takes a while. They know in some cases it might take decades to come. So why would we not start now? If we had started in 1995, think about where we would have been.

He said, "There are no short-term silver bullets." Once again, I agree. But there is a long silver bullet in Alaska, and that is our Trans-Alaska Pipeline that has been moving oil for 30 years now for this country. That silver bullet could be filled, and it would be helping this country just as we are asking for help from Saudi Arabia.

The statement that I think most upset me this weekend was the state-

ment that the President made when he said: Some politicians see this—being higher oil prices—as a political opportunity. He repeated a quote that "Republicans are licking their chops," and stated, "Only in politics do people root for bad news."

Well, the people of my State are not rooting for bad news when it comes to higher energy prices. I will tell you, I am a little offended by the President's statement. I would invite him to come to Alaska, spend a week with me, go to where I was last Saturday in Fairbanks where people are paying \$4.29 for their home heating oil. My sister pays over \$1,000 a month for home heating fuel to fill her tanks. She lives within 20 minutes of the Trans-Alaska Pipeline. You can see it. You can drive by it, this line that is half full, and it is not, again, because we are running out of resources. It is because we have been locked out of ANWR, we have been delayed on NPRA, and we are still waiting on OCS. There are certainly plenty of leases out there. But it is getting the permits out of this administration that has been holding us back from doing more, from doing more to help the people of Alaska and to help the people of this country.

Last month I was out in Bethel in southwest Alaska. There was a native elder who came to a little gathering we had. He is from Eek, AK. He was telling me that he pays \$7.46 for home heating fuel in the village of Eek. That is how they stay warm. When I was there in January, the average temperature for that month was about 20 degrees below zero. He said he has to buy his fuel 10 gallons at a time because that is all he can afford. Then when he does not have any more money, he goes out looking for fire wood for he and his wife. This gentleman, as I said, is an elder, probably 70 years old. But that is how he is living. High energy prices for him are not an opportunity.

Go up to Nome. All eyes of the Nation were on Nome several weeks back when the Coast Guard cutter was escorting the Russian fuel tanker, the Renda, to get to Nome to provide fuel for the community of Nome and the surrounding villages because the winter ice had come in and the winter barge had not been able to make it in with the fuel.

When I was in Nome that afternoon, the price for gas at the pump was \$5.43; the price for diesel was \$5.99.

But it was projected that if they weren't able to fill their tanks, they would see the prices go up to over \$9 a gallon. Think of what that does to your ability to live. Thankfully, the Coast Guard and the fine men and women there were able to see that the community and the villages were taken care of.

I was in Yakutat on Wednesday, a small community that is not accessible by road, as most of our communities aren't. There in Yakutat, they are paying 54 cents a kilowatt hour for energy. Most of their power is diesel-generated

power—54 cents. That is for the businesses that get a subsidy from the State of Alaska for 30 cents a kilowatt hour. The small grocery store we visited paid \$10,000 for its energy prices in January alone—\$10,000 a month for a little grocery store. They are paying \$5.19 a gallon right now, but it is going up with the next fuel barge that comes in.

Alaskans in villages who rely on diesel for their power can pay between 40 and 45 percent of their income for their energy costs. Compare that to the rest of the country, where you are looking at between 3 and 6 percent of your income going toward energy. We are paying almost 50 percent in some of our villages.

Mr. President, I don't view high oil prices as a political opportunity and neither do my constituents. What we view as an opportunity is the resource our State holds—a resource that we continue to be denied access to that opportunity. We learned late last week that the USGS has come back with an estimate that the shale oil in Alaska would come close to 2 billion barrels of oil. ANWR's estimate is about 10.6 billion barrels. In the OCS, we anticipate over 26 billion barrels of oil. We have the resources. We have the ability to access the resources and to do so in an environmentally safe way. This needs to be part of an all-of-the-above solution, in addition to everything we do with renewables and our efficiencies and conservation. We must be doing more domestically. Alaska holds the opportunity.

Again, I agree with the President that there is no short-term fix, but if we don't get started today, there is not going to be a tomorrow for communities such as Yakutat and Eek and Bethel and Fairbanks. We have to get started today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, first let me commend my colleague from Alaska who is seeing this battle of the high price of gasoline firsthand in a State that could contribute greatly to the country's solution to the problem if the President and administration would but let it. I was led on a trip by her father several years ago to the northern part of Alaska, where there are huge untapped reserves that literally, if they had been allowed to be sent to the lower 48 at that time, could have significantly ameliorated the problem we have today. I appreciate her comments. We will talk more about that.

EARNED SUCCESS

Mr. KYL. Mr. President, President Obama has ignited a national debate about the meaning of fairness and American values. In his campaign narrative, "fairness" means greater redistribution of income by the Federal

Government, and expanding government control over the economy represents what he calls a "renewal of American values." He argues that income inequality is the "defining issue of our time"—his words—and that it prevents many Americans from enjoying their right to pursue happiness.

While the President cloaks his rhetoric in the language of liberty—and often misconstrues quotations from Presidents Lincoln and Reagan in the process—his interpretations of key American concepts and values are shallow, materialistic, and distortive of the true American dream.

We don't need more government interventionist and redistributionist policies, which reduce freedom, in order to achieve greater measures of fairness and to pursue happiness. Having the government arbitrarily decide how much money should be taken from person A and given to person B is not fair in any sense of the word, nor does it make Americans happier. Indeed, even though America has become a much wealthier country during the last few decades and average income is higher, studies show that happiness levels have remained unchanged. In 1972, for example, 30 percent of Americans described themselves as happy. In 2004, 31 percent of Americans described themselves that way. That is because, contrary to what President Obama suggests, the key determinant of lasting happiness and satisfaction is not income; rather, it is what American Enterprise Institute president Arthur Brooks calls "earned success." People are happiest when they have earned their income, whatever the level. When the government tries to take all of the trouble out of life by taking care of our every need, it makes earned success that much harder to achieve.

In his 2010 book "The Battle," Brooks describes the connection between earned success and happiness:

Earned success gives people a sense of meaning about their lives. And meaning also is key to human flourishing. It reassures us that what we do in life is of significance and value, for ourselves and those around us. To truly flourish, we need to know that the ways in which we occupy our waking hours are not based on mere pursuit of pleasure or money or any other superficial goal. We need to know that our endeavors have a deeper purpose.

Earned success is attained not simply through one's vocation but also through raising children, donating time to charitable or religious causes, and cultivating strong relationships with friends and family. That is why successful parents and more religious people tend to be very happy.

The earned success that comes from doing a job also explains why self-made millionaires and billionaires continue to work hard after they have earned their fortunes. These people are driven by the satisfaction that comes from creating, innovating, and solving problems. In many cases, they are making products or providing services that improve our quality of life. They are not

content merely to rest on their laurels and enjoy their wealth; they want to continue experiencing the pride and satisfaction that comes from earned success.

The importance of earned success also explains why people who win the lottery usually wind up depressed when they discover that the excitement of being rich and buying things wears off fast. The same is true of recipients of other sources of unearned income. Studies show that welfare programs don't make people happier. We need them to help some people to subsist, but they don't yield true happiness or satisfaction because the money is not earned.

If earned success is the path to happiness, public policies should be geared toward promoting opportunity and freedom for everyone. No economic system does more to promote earned success and freedom than free market capitalism. As social scientist Charles Murray writes in his new book, "Coming Apart":

All the good things in life . . . require freedom in the only way that freedom is meaningful: freedom to act in all arenas of life, coupled with responsibility for the consequences for those actions.

In a true free market system, everyone is guaranteed equal rights and opportunities under the law, all individuals and institutions play by the same rules, and the government acts primarily as a neutral umpire, not a redistributor of income or a venture capitalist. Property rights are upheld, contracts are enforced, and hard work is rewarded. As Brooks points out, free enterprise is the only economic system that addresses the root causes of poverty by enlarging the economic pie rather than allowing government officials and bureaucrats to decide how to slice the existing one.

The President's concept of fairness is different from what most believe. I recently read an anecdote that helps illustrate the fundamental disagreement about the difference between "fair" and "earned." Two siblings are fighting about who gets the last cookie. The brother says he should get it because his sister has already had two and that is not fair. The sister responds that she helped make the cookies, so she earned it. The brother believes it is fair to equalize rewards, regardless of effort. The sister believes in meritocratic fairness—that forced equality is unfair. Those of us who believe in the ultimate fairness of the free market subscribe to the sister's view of meritocratic fairness. She earned it.

Free market capitalism is the most fair system in the world—and the most moral. It is premised on voluntary transactions that make both sides happy by meeting their needs. Unfortunately, the past few years have shown us what unfair economic policies look like.

When the government picks winners and losers in the marketplace, it is being unfair. When it rewards certain

companies or industries for ideological reasons while effectively punishing and demonizing others, it is being unfair. That is crony capitalism. When it shapes a corporate bailout to favor organized labor over secured debtholders, as the Obama administration did in the Chrysler bailout, it is being unfair. When it plays venture capitalist and gives a taxpayer-funded \$545 million loan guarantee to a doomed company such as Solyndra, it is being unfair. When it makes the Tax Code even more complex and even more tilted in favor of special interests, it is being unfair. When it adopts financial regulations that institutionalize “too big to fail,” putting taxpayers on the hook, it is being unfair. I could go on, but you get the point. Does anyone really think America’s economic system is “fairer” today than in January 2009?

Is it fair that, after the first 3 years of the Obama administration, the poor are poorer, the poverty rate is rising, the middle class is losing income, and 5.5 million fewer Americans have jobs to do than in 2007? Is it fair that the three counties with the highest median family income happen to be located in the Washington, DC, area? Finally, is it fair that the wealthiest 1 percent of Americans are constantly being attacked by the President even though they now pay nearly 40 percent of all Federal income taxes and the richest 10 percent pay two-thirds of all Federal taxes? These are some of the questions Stephen Moore recently posed in the *Wall Street Journal*.

If the President wants to continue claiming that his policies are fostering economic “fairness” and ignoring the virtues of the free enterprise system, then let the debate begin.

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

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

TRIBUTE TO WILLIAM H. GRAY, III

Mr. CASEY. Mr. President, I rise this afternoon to honor William H. Gray, III.

As I have every year since my election to the Senate, starting back in January 2007, I have come to the floor at this time of the year in commemoration of Black History Month.

This year we are privileged to honor a man whose outstanding accomplishments are of vital importance to African Americans as well as to all of America. For his entire life Bill Gray has been a minister and a shepherd for his congregation, his constituents, historically Black colleges and universities, and to all Americans in need of a stronger voice. I have known Bill Gray for a quarter of a century, and I

know his life’s work is a testament to a single principle, one that has infused all of his work at the Bright Hill Baptist Church in Philadelphia, as a Member and leader in Congress, and with the United Negro College Fund.

Bill believes in the principle of a “whole ministry,” that the church must tend to all the needs of its entire congregation. Bill grew up learning that the ministry was not just something one did on Sunday morning but, rather, the action one took in the streets on issues ranging from housing to economic justice to excellence in education. Bill has called his position as pastor of the Bright Hope Baptist Church the most important job he has ever had, one that cultivated the skills and priorities that have shaped his life’s work.

Today, I am proud to share some of the achievements that have resulted from Bill Gray’s dedication to a “whole ministry.”

Bill grew up in a family of educators and ministers who taught him the value of both professions to empower others. He was born in the State of Louisiana to parents who were both educators. His father was president of two historically Black colleges: Florida Normal and Industrial College and Florida Agricultural and Mechanical School. His mother was both a high school teacher and served as dean of Southern University in Baton Rouge, LA.

When Bill was 8 years old, his grandfather passed away and the family moved from Louisiana back to Philadelphia, PA. There in Philadelphia, Bill’s father assumed his own father’s position as pastor of the Bright Hope Baptist Church in north Philadelphia, and Bill cemented his roots in that community. He has spoken of the powerful impact of those years, moving from a region where Jim Crow laws reigned to a large northern city where his family had strong ties to other clergy and community leaders. Because of de facto segregation in housing at the time, north Philadelphia was a neighborhood with African Americans from all walks of life, including many role models for the young Bill Gray.

Hobson Reynolds across the street was the leader of the Elks. Cecil B. Moore, a future member of the city council and head of the NAACP of Philadelphia, lived two doors down from Bill’s family at the time. Other neighbors included the renowned architect Frederick Messiah and Sadie Alexander, the first woman of any race to obtain a Ph.D. in economics in the United States of America.

Of course, Dr. Martin Luther King, Jr. was a frequent visitor to Bill Gray’s home at that time, as were Dr. King’s parents who were close family friends of Bill Gray’s family. Both the elder and younger Kings as well as other ministers influenced Bill’s understanding of the “whole ministry” and encouraged his education and career as a minister.

Bill graduated from Simon Gratz High School and went on to Franklin and Marshall College. When Bill considered leaving Franklin and Marshall before graduation to join civil rights protests in the South, Dr. King encouraged him to stay in school and to hone the skills necessary to continue the struggle later in life. This idea of education as a key to African-American advancement would guide Bill for the rest of his life.

Bill graduated from Franklin and Marshall, and in 1966 he obtained a master’s degree in divinity at Drew Theological Seminary and in 1970 a master’s degree in theology from Princeton Theological Seminary. While at Drew, Bill’s talents were recognized by the prestigious Union Baptist Church in Montclair, NJ, and he was later chosen to be a pastor there as well. The King family presided over the installation ceremony.

In his first parish, Bill Gray worked to serve the “whole community,” advocating aggressively for the needs of his congregation and the community’s most vulnerable members. As the city of Montclair undertook urban renewal, he helped to form a development corporation to ensure that relocation resulted in safe, decent housing for his parishioners and their neighbors. This issue of housing hit Bill Gray personally when he tried to rent an apartment while studying at Princeton and was told the unit was unavailable. He sensed immediately that it was because of his race, and he found a friend who was White who volunteered to go look at the apartment, at which point the landlord said it was open.

Bill filed a lawsuit and for the first time sought damages for the psychological impact of discrimination. While the monetary award was small, his victory in the suit set a precedent that those who discriminated based on race could be held liable for monetary damages.

In 1971 Bill married Andrea Dash, with whom he has raised three sons, William IV, Justin, and Andrew. In 1972 Bill’s father died unexpectedly and tragically, and the congregation of Bright Hope Baptist Church called on Bill to return home as the new pastor. Bill was reluctant to go back as the preacher’s son, but two church elections finally convinced him to return. He became the third generation of his family to serve as pastor of Bright Hope. Under his leadership, the congregation quickly grew to over 4,000 souls.

Bill also taught as a professor at Jersey City State College from 1968 to 1969, St. Peter’s College in Jersey City from 1970 to 1974, Montclair State College from 1970 to 1972, and Rutgers University in 1971. He also continued his important advocacy on fair access to housing, and he cofounded the Philadelphia mortgage plan to help low-income individuals obtain homes.

This dedication to helping his community and concern about their welfare led him back to the political

world. In 1976 Bill ran an underdog campaign to challenge Congressman Robert N.C. Nix, a long-time congressional incumbent. Despite a close defeat in 1976, Bill launched another campaign in 1978 and successfully earned nomination and election to Congress.

The U.S. House of Representatives provided another pulpit from which Bill could pursue his "whole ministry," and he did not squander the opportunity. He said:

If you can pastor a black Baptist Church, maneuvering in Congress is easy. It's nothing compared to the choir, the usher board, the deacon board. You run a volunteer organization and you run it on persuasion.

Despite his lack of previous formal political experience, after winning the 1978 primary election Bill started working to persuade other Members of Congress from his party to support him in committee elections. Through dogged determination, thoughtful strategy, and a clear explanation of his goals, Bill earned himself the freshman seat on the policy and steering committee which sets committee assignments for the party and influences policy. This established him as a rising star and a friend to many other incoming Members of Congress whom he helped land desirable committee spots.

Bill obtained seats on the following committees: the District of Columbia Committee, the Budget Committee, the Foreign Affairs Committee, and later a seat on the Appropriations Committee, the Joint Committee on Deficit Reduction, and the House Administration Committee. Leaders of the Congressional Black Caucus elected Bill Gray as its secretary, and in his second term he served as the vice chairman of the caucus.

In Congress, he acquired a reputation as a thoughtful, honest, and effective leader in a diverse party, often building surprising alliances as he maintained his commitment to budgets that provided for the neediest Americans.

Bill rose quickly through the ranks of leadership during his 12 years in Congress. In 1985 he assumed the chairmanship of the Budget Committee just 6 years after the time he was elected. Just a few years later, in 1988, he was elected to chair his party's House caucus, and then in 1999 he became the House majority whip, the third ranking leadership in the House of Representatives.

While serving in Congress, Bill remained an active minister, tightly connected with his district in Philadelphia through his actions on the issues for which he fought. I just happened to be a constituent of Bill's in 1982 and 1983 when I was serving in the Jesuit Volunteer Corps in north Philadelphia, and I know at that time he returned to Bright Hope Baptist Church twice a month to preach, and in Congress he supported the programs upon which his constituents and his congregation relied.

In a time of concern about fiscal discipline, Bill believed that compas-

sionate spending was also critical and said:

A balanced budget is good for the country, poor and the affluent alike. I seek a budget that doesn't sacrifice programs for the poor and minorities, one that is fair and equitable.

He produced budgets in line with his priorities, challenging opponents to produce spending cuts that did not hit the most vulnerable. On the Foreign Affairs Committee, Bill championed aid for Africa and sponsored a bill to provide aid to African villages as well as appropriations to ensure minority-owned business participation in African aid programs. Bill took a strong and early stand against the Ethiopian Government and its role in making the famine worse. He was also a prominent critic of the South African apartheid regime.

In 1991 Bill Gray made a bold transition to minister in a new way on a topic of paramount importance to him, his family, and others. Of course, that topic was higher education.

He said at the time, and I am quoting:

Woodrow Wilson used to say, "My constituency is the next generation," and, you know, that's why I left Congress, because my constituency, really, is the next generation.

He accepted the position as president and CEO of the United Negro College Fund, the so-called UNCF, a philanthropic organization that helps more than 60,000 minority students each year to obtain a higher education. The United Negro College Fund not only manages 400 scholarship and internship programs which benefit 10,000 students but also provides operating funds for 38 historically Black colleges and universities. Tuition at these colleges averages 30 percent less than tuition at similar universities.

Bill Gray has said he wanted to support historically Black colleges and universities during a period when Black students were choosing to attend a wider range of colleges. During Bill's 12 years as president and CEO of the United Negro College Fund, his success in supporting these institutions was unprecedented—and that is an understatement. Bill sought innovative ways to attract new investment and increase existing funding. By the time he left the United Negro College Fund 12 years later, Bill and his team had raised more than \$1.54 billion. To put this in context, UNCF had raised a total of \$3.3 billion in its 67-year history.

He found new ways to solicit donations, increase the amount of in-kind contributions, and solicited from previously untapped foundations and individuals.

In 1999, Bill Gray secured a \$1 billion grant from the Bill and Melinda Gates Foundation to advance minority students' access to higher education in the science, math, engineering, and education fields. This grant created the Gates Millennium Scholarship Program and marked the largest philanthropic donation in the history of high-

er education in the United States of America. Bill's success at the United Negro College Fund put higher education within reach and ensured brighter futures for thousands of students across America.

We know, and those who know him know, that Bill Gray has never rested and he is never satisfied with one job at a time. While leading the United Negro College Fund, he was asked by President Clinton in 1994 to lead the efforts to restore democracy in Haiti. His work there earned him the Medal of Honor from the President of Haiti.

After leaving the Fund in the year 2004, Bill started Gray Global Strategies, Inc., and has served as director on multiple corporate boards including Dell, JPMorgan Chase, and Pfizer. He has also served as vice chairman for the Pew Commission on Children in Foster Care and has served on the United States Holocaust Memorial Council. He is currently the chairman of Gray Global Strategies, a worldwide business consulting and government affairs strategies firm.

Bill Gray has said that he has "always been taught by my folk, parents, grandparents, that service is a sort of the rent you pay for the space you occupy. And so, what I've tried to do is direct my life towards service based on faith and commitment and social justice."

Well said by a great leader, Bill Gray.

In the Senate today we express our gratitude for the excellent work of Rev. Bill Gray, Congressman Bill Gray, and you could add a few other titles as well. We express that gratitude for the excellent work of his "whole ministry," a commitment that has touched literally millions of men, women, and children across the world. His vision and achievements have reached far beyond the walls of his church and the Capitol where we stand today. We honor him on behalf of the people of the Bright Hope Baptist Church, the U.S. Congress, historically Black colleges and universities, and many more people around the world. We commend Bill Gray today. I congratulate him. We look forward to seeing him with us today.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF MARGO KITSY BRODIE TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The assistant editor of the Daily Digest read the nomination of Margo Kitsy Brodie, of New York, to be United States District Judge for the Eastern District of New York.

Mr. LEAHY. Mr. President, am I correct that the order is such that the vote will be at 5:30?

The PRESIDING OFFICER. The order is actually for 60 minutes of debate.

Mr. LEAHY. Mr. President, I ask unanimous consent that the vote be at 5:30.

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

Mr. LEAHY. Mr. President, certainly if the ranking member comes to the floor and wishes to change that, I would not object.

Earlier this month the Senate finally ended a four-month and two-day filibuster of the confirmation of Judge Adalberto Jordan and he is now the first Cuban-American to serve on the Eleventh Circuit. We also finally ended the five-month filibuster of the nomination of Jesse Furman, a former counselor to Attorney General Mukasey, and he is now a confirmed Federal trial judge in the Southern District of New York.

The Majority Leader should not have had to file cloture petitions for the Senate to vote on these outstanding judicial nominations. Senate Republicans have filibustered nine of President Obama's judicial nominations despite the fact that he has reached out to both Republican and Democratic home state Senators and nominated qualified, ideologically moderate men and women to fill vacancies on our Federal courts.

Before I turn to the nomination of Margo Brodie, another nomination that should have been confirmed last year after being reported by the Senate Judiciary Committee unanimously in October, I want to spend a moment reflecting on Senate Republicans' treatment of Jesse Furman. Judge Furman was a Federal prosecutor who also served as a top legal advisor to Attorney General Michael Mukasey during the George W. Bush administration. He was involved with the prosecutions of the Times Square bomber, the infamous Russian spies, and a Pakistani scientist with ties to Al Qaeda whose actions were responsible for the 1998 bombings of the U.S. embassies in Kenya and Tanzania. He has impeccable credentials including having clerked for Justice David Souter on the United States Supreme Court. Based on

his superior qualifications and bipartisan support, the Senate Judiciary Committee reported his nomination last September unanimously, without a single Republican Senator dissenting.

His nomination, like so many others, was then subjected to obstruction and delay. From the start of his term, Republican Senators have applied a double standard to President Obama's nominees. Senate Republicans have chosen to depart dramatically from the long tradition of deference to home state Senators on district court nominees. Instead, an unprecedented number of President Obama's highly-qualified district court nominees have been targeted for opposition and obstruction. That approach is a serious break from the Senate's practice of advice and consent. Since 1945, the Judiciary Committee has reported more than 2,100 district court nominees to the Senate. Of these 2,100 nominees, only six have been reported by party-line votes—only six total in the last 65 years. Five of those six party-line votes have been by Republican Senators against President Obama's highly-qualified district court nominees. In fact, only 22 of those 2,100 district court nominees were reported by any kind of split roll call vote at all, and eight of those, more than a third, have been by Republican Senators choosing to oppose President Obama's nominees. President Obama's nominees are being treated differently than those of any President, Democratic or Republican, before him.

Despite his qualifications and bipartisan supporters, Jesse Furman's nomination was stalled for more than five months by Senate Republicans. When the Majority Leader was able to break through and schedule debate and a vote, I saw something else I have not seen until recently. Republican Senators who had supported the nomination after studying it for months when it was before the Judiciary Committee for a hearing and vote, flipped and changed their votes.

In total, 34 Republican Senators voted against this highly-qualified nominee. I am at a loss as to why. It appears that Senators decided to ignore Jesse Furman's record and be swayed by mischaracterizations of a brief he had written in a religious freedom case or by something he wrote as an 18-year old freshman in college. I urge Senators, as I have for years, not to listen to the extreme special interests but to make their own judgments. I suspect that in this case it was the last-minute campaign by narrow special interests groups that accounted for the number of negative votes.

Today the Senate will vote on the confirmation of another highly-qualified, consensus nominee to the Federal bench. Margo Brodie has practiced law for 20 years including working as a Federal prosecutor in Brooklyn for the last 12. She has risen from the ranks of Assistant U.S. Attorney to Deputy Chief of General Crimes to Deputy

Chief of the Criminal Division. Ms. Brodie has successfully prosecuted numerous cases on matters ranging from violent crimes and drug offenses to white collar crimes. She has also led public corruption cases, successfully prosecuting criminals who embezzled funds and tried to bribe government agencies in her home state of New York.

Ms. Brodie has the support of both her home state Senators and was reported by the Senate Judiciary Committee on October 6, 2011, without a single dissent. She has demonstrated her commitment to the rule of law, her legal abilities and knowledge of the law. It is past time for the Senate to confirm this outstanding African-American woman to the Federal bench.

Margo Brodie is one of 20 judicial nominations approved by the Senate Judiciary Committee still awaiting a final vote. Fifteen of these nominations have been pending since last year and should have been confirmed before the end of last year. Eighteen of these nominees received strong bipartisan support from the Senate Judiciary Committee.

These nominees should be confirmed without further delay. Now in the fourth year of President Obama's first term, the number of judicial vacancies remains at 85. That is nearly double what they were at this point in President Bush's administration. One hundred and thirty million Americans live in circuits or districts with a judicial vacancy that could be filled if Senate Republicans would vote on judicial nominees that have already been voted on by the Senate Judiciary Committee and are stalled awaiting final Senate consideration.

The Senate is more than 40 confirmations behind the pace we set confirming President Bush's judicial nominees in 2001 through 2004. For the second year in a row, the Senate Republican leadership ignored long-established precedent and refused to allow votes before the December recess on the nearly 20 consensus judicial nominees who had been favorably reported by the Judiciary Committee.

Ultimately, it is the American people who pay the price for Senate Republican's unnecessary and harmful delay in confirming judges to our Federal courts. It is unacceptable for hard-working Americans who are seeking their day in court to find seats on one in 10 of those courts vacant. When an injured plaintiff sues to help cover the cost of medical expenses, that plaintiff should not have to wait for years before a judge hears his or her case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

I, again, urge Senate Republicans to stop the destructive delays that have plagued our nominations process. I urge them to stop the slow-walking of highly-qualified, consensus nominees. The American people deserve no less.

Mr. GRASSLEY. Mr. President, today we turn to the nomination of Margo Brodie to be U.S. District judge for the Eastern District of New York. This will be the 69th judicial nominee of President Obama which the Senate has confirmed during this Congress. Overall, more than 70 percent of President Obama's judicial nominees have been confirmed.

We continue, on the Senate floor and in the Judiciary Committee, to work together to reduce the number of judicial vacancies. We have held 21 nominations hearings during this Congress, with 80 judicial nominees appearing at those hearings. All in all, over 85 percent of President Obama's judicial nominees have received a hearing. We will hear from additional judicial nominees later this week.

So even as we continue to hear concerns about the judicial vacancy rate and claims of obstructionism, I would note we are making progress as we continue to confirm judicial nominees. But let me emphasize again that for more than half of the vacancies, including those designated as "judicial emergencies," the President has failed to submit a nomination. So critics need to look at the beginning of the process when commenting on vacancies.

I would like to say a little about our nominee today. Ms. Brodie earned a BA from St. Francis College in 1988, and her JD from the University of Pennsylvania School of Law in 1991. She began her legal career as an assistant corporation counsel for the City of New York in 1991. In this role, she defended city agencies and officials in the performance of their duty to manage municipal affairs.

In 1994, Ms. Brodie became an associate with Carter, Ledyard & Milburn, representing clients in various types of civil litigation.

Since 1999, Ms. Brodie has served as an assistant U.S. attorney with the Eastern District Court of New York. From May 2005 to March 2006, she served as a legal advisor to the Independent Corrupt Practices and Other Related Offices Commission, ICPC, in Nigeria. From 2006 to 2009, she supervised new AUSAs in the General Crimes Section in roles as deputy chief and chief. In October 2009, she became the counselor to the Criminal Division of the U.S. Attorney's Office. In her current position as deputy chief of the Criminal Division, she supervises over 100 Criminal Division AUSAs in the areas of public corruption, civil rights, terrorism, organized crime, gang violence, narcotics trafficking, and business and securities fraud. She also advises the office on legal policy and management issues.

Ms. Brodie has received a majority: "Qualified;" minority: "Well Qualified" rating from the American Bar Association's Standing Committee on the Federal Judiciary.

Mr. SCHUMER. Mr. President, I rise today in strong support of the historic

confirmation of Margo K. Brodie to the United States District Court for the Eastern District of New York.

Frankly, at this point, all of our nominees deserve special attention. With one out of 10 seats on the Federal bench still vacant, and with 14 nominees with strong bi-partisan support pending since last year, we should be focused today on confirming more than one nominee. However, Margo Brodie's nomination is of singular importance to my fellow New Yorkers, and to this country.

First—to put it simply her presence is desperately needed on one of the busiest benches in the country, one that handles some of our most important cases.

Second, Margo Brodie will be, by all accounts, the first Caribbean-born nominee in our Nation's history to be confirmed to an Article III court.

As I've said many times, I look for three qualities in judicial candidates: excellence, moderation, and diversity. When excellence and moderation are both present in a candidate—as they are with Ms. Brodie—diversity is a bonus: a bonus that benefits the bench, the community, and Americans everywhere who might otherwise think that this kind of public service, or even a law degree, was beyond their reach. In fact, I think that a candidate like Ms. Brodie is especially well-qualified for a lifetime appointment to the court.

She has chosen to make her home in this country, and in the neighborhoods served by this court in the Eastern District of New York—and she has already graced her community with outstanding and dedicated service. In 1996, Ms. Brodie became a citizen of the United States in the very court house where she would serve as a judge. I can't think of a more fitting candidate to serve the people in Brooklyn, Queens, Long Island, and all the communities in between than someone who pledged her allegiance to this country just footsteps from where she will uphold the rule of law in her chosen country.

Ms. Brodie's story is a classic immigrant's story—one that is born from our country's finest and deepest traditions. It's a story that speaks to our acceptance of people from all over the world who want to come to the United States to work hard, prosper, and become a part of our social fabric.

Ms. Brodie was born in St. John, Antigua. She and her brother Euan were raised by a single mother, with the help of her mother's parents and 14 siblings. After graduating from high school at the age of 16, she attended St. Francis College in Brooklyn, where she worked full time and graduated magna cum laude.

She went on to the University of Pennsylvania Law School. After graduating from law school, Ms. Brodie worked for the New York City Law Department for three years, where she learned how to litigate cases. She then spent five years at Carter, Ledyard &

Milburn, founded in 1854 and known for alumni that include Franklin D. Roosevelt.

Ms. Brodie returned to public service in 1999 by joining the United States Attorney's Office in the Eastern District of New York, one of the preeminent U.S. Attorney's offices in the Nation.

She rose to become Deputy Chief and then Chief of the General Crimes Unit, where she trained more than half of the current AUSA's in the Eastern District. Since 2010, she has been the deputy chief of the Criminal Division, supervising all 100-plus criminal AUSAs in cases involving public corruption, civil rights, business and securities fraud, terrorism, organized crime, narcotics, and many other areas.

Ms. Brodie has also lent her considerable talents to training prosecutors and law enforcement officers on the rule of law in many developing countries. She spent 10 months in Nigeria as a legal advisor on behalf of the DOJ's overseas training program, and has conducted and assisted in human trafficking training for prosecutors in the Bahamas, Jordan, Swaziland, and Tanzania.

In a short while, Ms. Brodie will be confirmed as a Federal judge—an honor she deserves and a position that she has more than earned. I am proud to have supported her nomination, and to vote for her today.

Mr. LEAHY. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

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

The question is, Will the Senate advise and consent to the nomination of Margo Kitsy Brodie, of New York, to be United States District Judge for the Eastern District of New York.

The clerk will call the roll.

The assistant editor of the Daily Digest called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Michigan (Ms. STABENOW), are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Ohio (Mr. PORTMAN), and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 86, nays 2, as follows:

[Rollcall Vote No. 23 Ex.]

YEAS—86

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

NAYS—2

DeMint Lee

NOT VOTING—12

| | | |
|--------|------------|-----------|
| Coburn | Kirk | McCaskill |
| Harkin | Landrieu | Portman |
| Inhofe | Lautenberg | Stabenow |
| Inouye | McCain | Vitter |

The nomination was confirmed.

The PRESIDING OFFICER (Mrs. HAGAN). Under the previous order, a motion to reconsider is considered made and laid on the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate shall resume legislative session.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period of morning business up to 60 minutes, equally divided and controlled by Senators PRYOR and ALEXANDER.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent that Senator PRYOR and I and designated Senators be allowed to speak in a colloquy.

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

MAKING THE SENATE WORK

Mr. ALEXANDER. Madam President, some of the Senators on the Republican side have other appointments to make, so I am going to defer my remarks until the end of the colloquy.

What I will do is first state why we are here; second, go to Senator ISAKSON, then we will go to Senator PRYOR, and then back to Senator COLLINS, if we may.

Madam President, our leaders—the Democratic leader, the majority leader and the Republican leader—sometimes get criticized. They have hard jobs, and we recognize that. We also recognize

that they can't do their jobs unless we do our jobs well. So tonight what some of us thought we would do, on the Democratic side and the Republican side, is apply a management principle that is called "catching people doing things right."

We believe the majority leader and the minority leader, Senator INOUE, the chairman of the Appropriations Committee, and Senator COCHRAN, the ranking member, are doing things exactly right when they say it is their intention to try to move all 12 of our appropriations bills through the Appropriations Committee and get them to the floor so we can deal with them before the next fiscal year starts. We are here not just to compliment them but to pledge to them our support in helping them achieve that goal.

There are many important reasons we should do that, but basically it is our constitutional responsibility to appropriate money. It is a time when we need to save every penny we can. This is our best opportunity for oversight, and it is also good management, and it allows the Senate to do what the Senate ought to do, which is consider legislation, have a hearing, ask questions, cut out what ought to be cut out, add what ought to be added, vote on it, bring it to the floor, amend it, debate on it, and pass it or defeat it. That is what we should be doing. Only twice since 2000 has this Senate actually considered every single one of the 12 appropriations bills. Only twice, in 2001 and 2005. So it has been 7 years since we considered every single one of the appropriation bills, which is our most basic responsibility: appropriate and oversight.

That is why we are here tonight. Our leaders have said this is what their intention is. We are here to say: You are right. Congratulations. We compliment you, and we are here to help you succeed. Because it is very difficult for our leaders to succeed if they don't have any followers making it possible for them to achieve their goals.

I would defer to Senator ISAKSON and then to Senator PRYOR.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I thank Senator ALEXANDER for giving me a moment on the floor.

It is ironic that when I received the call last week asking if I would participate in this colloquy, I was traveling my State doing townhall meetings. I was near Ooltewah, TN, on Thursday night, north of Dalton, GA, and Murray County. We had a townhall meeting, and this fellow in the back of the room raised his hand when it came time for questions.

He said: Mr. ISAKSON, I have got a question for you. I said: What is that? He said: Last night, my wife and I amended our budget that we established in December for this year because some things have not gone so well, and we had to recast how we are spending our money so we wouldn't go

any further in debt than we already are. Why can't you all do the same thing? "You all," talking about us.

A few days earlier in Dublin, GA, a great, prosperous town in south Georgia, a similar question was asked by a Chamber of Commerce director who couldn't understand why the Federal Government and the Congress of the United States could not wrap their arms around fiscal responsibility, have a budget, and have appropriations acts that come to the floor, are debated, are amended, and the spending of the United States of America's government is spent like the households of the United States of America have to spend their money.

So I commend Senator ALEXANDER and Senator PRYOR for bringing this to the floor, and I want to commend our leaders for making affirmative statements about the desire to bring the 12 appropriations bills to the floor of the Senate, debate them, let us amend them, and let us bring them together.

If you think about it, in the last 3 years we have had a situation where we either had continuing resolutions or omnibus appropriations. During a difficult period of time where we have had deficits of \$1.3 trillion to \$1.5 trillion, we haven't taken the time to debate how we are spending our money, where we are spending our money, and doing it in the context of what we call on the floor regular order. In fact, it is not hard to understand why only 11 percent of the American people view the Congress as favorable, because they can't understand our inability to do what they have to do themselves. The IRS doesn't take excuses on April 15 if you are not ready. You have got to be ready. If you are a business and you file as an LLC or a sub S corporation, on the 15th of January, the 15th of April, the 15th of June, and the 15th of September, you file a quarterly tax return; and if you don't, you are held accountable.

We are now going into our fourth year, and it looks as though for the first time in the last 3 years we are going to have debate on the floor of how we spend the American people's money. I commend Senator ALEXANDER and Senator PRYOR, and I thank our leadership for making the statement of the desire to do so. I have already seen Senator INOUE and I have already seen Senator COCHRAN working diligently in the basic appropriations subcommittees to see to it that those bills come to the floor. I think it is time we do our business just as the American people do their business, and I commend Senator ALEXANDER and Senator PRYOR for calling for this colloquy tonight.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, since we have other Senators on the floor, what I would like to do is withhold my comments until a few of our other colleagues have a chance to speak, if that would be permissible to Senator ALEXANDER?

Mr. ALEXANDER. Madam President, I appreciate the courtesy of the Senator from Arkansas. The Senator from Maine is here. She has another appointment, and I await hearing what she has to say.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, first let me thank the Senator from Arkansas and the Senator from Tennessee for their usual courtesies but also for organizing this colloquy on the Senate floor this evening. I am very pleased to join my colleagues as we talk about the goal of taking up the fiscal year 2013 appropriations bills in what we in the Senate call the regular order.

What does that mean? As the Presiding Officer is well aware, that means we would bring up each of the individual bills, they would be open to full and fair debate, they would be amended, they would be voted on, and we would avoid having some colossal bill at the end of the year that combines all the appropriations bills. Those bills are often thousands of pages in length. A lot of times some of the provisions have not had the opportunity to be thoroughly vetted. They really are not very transparent. They contribute to the public's concern about the way we do business here in Washington.

I too join in commending the majority leader, the Republican leader, the chairman of the Appropriations Committee, and the vice chairman of the Appropriations Committee for their commitment to try to work together in a bipartisan fashion so each and every one of the appropriations bills can be brought before the full Senate so that we can work our will on each of these bills. I suggest that it is important to the Senate as an institution that we achieve this goal. It is also important for the American people to see that we can carry out our constitutional responsibility. Most of all, it is important for restoring trust in government that we work together in an open and bipartisan manner to establish priorities, to make the tough spending decisions that will be required, and to complete on time the work the Constitution requires of us.

I believe it is important to remember that these bills make important investments in research, economic development, infrastructure, our national defense, education, and health care, and that these bills not only create jobs now when they are needed most but also establish the foundations for future growth.

Just as important to our economic future is the need to rein in Federal spending. Our work must continue toward the goal of getting our national debt under control.

The best way for us to achieve these goals is for each and every one of the appropriations bills to come before the full Senate and for us to work our will on those bills. That is the way the Senate should operate. It is the way we must operate in order to restore the

faith of the American people in this institution.

Let me conclude my remarks by thanking Senator ALEXANDER and Senator PRYOR for initiating this colloquy tonight. This is the way we can come together, and America will be better for it.

Mr. ALEXANDER. Madam President, I see the Senator from Virginia, Mr. WARNER, has arrived. He, with Senator PRYOR, has been very active in the last several months in working across party lines to try to make the Senate function more effectively. I would leave it to Senator PRYOR as to what comes next.

Mr. PRYOR. If it is agreeable with the Senator from Tennessee, I will ask the Senator from Virginia to say a few words. We understand he has a pressing engagement. I don't think there is anything more pressing than when it is your wife's birthday, so he would like to say a few words, if that is agreeable to the Senator from Tennessee.

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

Mr. WARNER. Madam President, I thank the Senator from Arkansas and my good friend from Tennessee for initiating this effort. Again, as a relatively new Senator—in fact, I jumped the line. I apologize. As the Presiding Officer would support, it is only in the interest of family values; if I were not getting to my wife's birthday in about 30 minutes, I would be able to give more extended remarks.

As a Senator who has only had the opportunity to serve in this body for 3 years, I hear my more senior colleagues talk about the old days or the days when the Senate took up in an orderly fashion the business of the people and debated it in vigorous fashion but came to conclusion on issues that confronted the country. We have done some of that in the years when I came in with the Presiding Officer. There were issues of major importance that we have debated. But too often in recent times, we have not had the favor of those kinds of debates.

While we can disagree about many of the grave issues of the day, as a former businessperson, I know there is nothing more important than to give predictability to the enterprise we call the Federal Government. The way we do that is by passing spending bills—the appropriations bills—where hard choices are made about which programs to fund, which programs not to fund.

Like my friend the Senator from Tennessee and both Senators from Arkansas and the Presiding Officer, I have enormous concerns about our debt and deficit. We are going to have to make hard choices. But if we are going to make those choices, we need a full and vigorous debate, a debate where amendments are offered, where procedural tactics are not used to slow that debate, and where the will of the Senate is enacted.

I understand that the majority leader and the Republican leader have reached

some accommodation to try to start a new way of business, and the first step of that business should be having us, in a fair and orderly process, debate appropriations bills, make those hard choices, and move on.

I again thank my colleagues for their courtesy but particularly thank the Senator from Tennessee and the senior Senator from Arkansas for bringing us together on the floor to lend our voices. This might even be like a volunteer fire department where Members of the Senate can rush down on an issue of importance. I heard the call that there were Senators down here talking on this important issue, and I am glad to add my voice to it.

I yield the floor.

Mr. ALEXANDER. I congratulate the Senator from Virginia, who has worked in many different ways to try to get a result here. People say: I see your goal is to try to be more bipartisan. My goal is not to be more bipartisan, my goal is to get a result. I learned in the public schools of Maryville, TN, how to count, and if you need 60 votes to succeed and we have only 47 over here and only 53 over there, we have to find some things we agree on if we are ever going to get a result. We can start with these appropriations bills, which are our basic work.

Not only is the senior Senator from Arkansas here today, having been a part of these discussions to try to help the Senate be a more effective institution, so is the other Senator from Arkansas. I look forward to hearing his remarks. I thank him for his leadership.

Mr. BOOZMAN. Madam President, I am also here tonight to compliment my Senate colleagues, Senators INOUE and COCHRAN, and the members of the Appropriations Committee as well as Majority Leader REID and Republican Leader MCCONNELL as they commit to do their best to pass all 13 appropriations bills. I also thank the senior Senator from Tennessee and my senior Senator from Arkansas for making this possible.

I do think it is very important. Each one of us in this Chamber owes it to the American people to work together to help our country today and build a path for success in the future. Our Founding Fathers laid the foundation that allows the Senate to function effectively and efficiently, but it requires working together. The American people are tired of the finger-pointing that has stalled much of the work they sent us here to do, but today I am hopeful that we are seeing the light at the end of the tunnel which starts with trying to enact all 13 appropriations bills through a regular process this year.

I again applaud Majority Leader REID, Republican Leader MCCONNELL, Senators INOUE and COCHRAN, and also the members of the Appropriations Committee for agreeing to do their very best to move the appropriations bills forward.

Determining how we spend our hard-earned taxpayer dollars is the basic responsibility for Congress. We know tough choices will have to be made on the appropriations bills, but moving forward is the right decision. This is an important step to reducing government spending and helping to balance our budget while investing in programs upon which Americans have come to rely. Moving forward on these bills returns the Senate to its proper function and provides a framework of spending so the American people can see and understand where their hard-earned money is going, as the Senator from Georgia alluded to earlier.

In recent days Members of Congress have worked together to find solutions to the troubles Americans are facing. This level of cooperation was evident in headlines. One newspaper reported that "Washington is talking again." This should not be the exception. This needs to be the rule.

I am hopeful that the agreement on moving forward with the appropriations bills through our regular process sets a new trend that will become a standard. I can see from the people who have spoken before me tonight and those who are waiting to talk that there is widespread bipartisan support for these efforts to continue.

Our leaders' efforts show the proper way for the Senate to function, and I encourage all of my colleagues to come together, not only to help move forward on these bills, but also, as we work through regular order of the Senate, that will help us get our economy and our country back on track.

I again thank our senior Senator from Tennessee and my senior Senator from Arkansas.

Mr. ALEXANDER. Madam President, before we go to the senior Senator from Arkansas, I wish to thank Senator BOOZMAN for his comments and his attitude. I am not a bit surprised that, since he arrived here, he has been a very constructive force in the Senate, interested in results. He was a member of the University of Arkansas football team back in the early 1970s, and he knows what a team is. He knows that if the quarter back calls a play and everybody runs in a different direction, nobody scores.

It is good to have him here. He is an excellent Member of the Senate. I thank him for his participation tonight and yield to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BOOZMAN. The only thing I would say is that Senator PRYOR reminds me that I was a Razorback two stadiums ago.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, I likewise wish to thank Senator BOOZMAN. He keeps calling me the senior Senator. We are partners. He does great work for the State of Arkansas, and I appreciate his leadership. Al-

though he has been here a short time, his presence has definitely been felt in the Senate already, and I look forward to working with him as long as we are both here. I really appreciate him being here tonight because the hour is late in Washington. It is after 6:30 now, and I appreciate him carving out some time.

Article I, section 9 of the U.S. Constitution simply states that "no money shall be drawn from the Treasury, but in consequence of appropriations made by law." Like a lot of things in the Constitution, it is a fairly simple statement, but it is loaded with importance. We can all talk about this clause as a power given to Congress in the Constitution, and I think that is true, but I also classify it as a responsibility.

As a congress, it is our responsibility to write annual appropriations laws to fund the government's commitments to its citizens. It is our responsibility to do that. The principle of an appropriation is a basic rule of governing, and I think a lot of people would agree that we have lost sight of many of the basics around here. I believe the basics are important, and I would like to get back to them, which includes the Senate—and hopefully the House—passing the annual appropriations bills through what we call the regular order.

This is where I wish to thank the two leaders, Senator MCCONNELL and Senator REID, because they have a commitment. They have committed to each other—with the chairman and the ranking member of the Appropriations Committee—that we will try to get back to regular order and do things the way we should be doing them around here and should have been doing them around here all along.

Regular order is something we talk about in this Chamber, but it is something many Members of the Senate, unfortunately, have never experienced. Last year the Senate Appropriations Committee dutifully passed all 12 individual appropriations bills. Yet, when they came to the floor, gridlock struck and the Senate was not able to pass these one by one as we should have. In fact, the last time we passed them one by one was in the year 2006, and even in that year the Congress did not get them done on time.

What the leaders are talking about now is getting them moving through the appropriations subcommittee and the full committee and bringing them to the floor. As we say in regular order, let the Senate debate, amend, and vote on these as we go. Hopefully we will get all of these done on time and in the normal order, as we should. The last time Congress completed all of the appropriations bills one by one and on time was in fiscal year 1995. So we have not done a very good job, and this is one of the things that I think really frustrate the American people. It is beyond time that we get serious about this responsibility.

Here again I wish to thank Senators REID and MCCONNELL for their leader-

ship. I think we see our leaders acting like leaders and trying to get things moving for the fiscal year 2013 appropriations bills, but I must say we all recognize this is easier said than done. We all know that. I want them to know they have many, many of their colleagues who support them in this goal of getting all of the appropriations bills done as we should.

We have two very respected and accomplished Senate leaders here on the floor, but we also have two very accomplished and respected Senators who run the Appropriations Committee. We could all talk a long time tonight about the chairman and ranking member, and I am confident that if as a Chamber we stand behind them and stand behind the two leaders, we can break this cycle of inaction here in the Senate.

The good news for this year is that we have already enacted into law our top-line spending number—in technical terms, people call that a 302 A allocation—so we know how much money we can spend on discretionary programs under the law. We passed that law last year. Even though we didn't pass a budget resolution, we did pass the Budget Control Act, and that total for spending is \$1.047 trillion, and that is \$686 billion for security building and \$361 billion for nonsecurity. This was supported by 74 Members in this Chamber, 269 Members down the hall in the House, and it was signed into law by the President. It is now the law of the land, so we now have our top-line spending numbers in law, and hopefully that will help us jump-start the fiscal 2013 spending appropriations process regardless of what happens to the budget resolution, which, by the way, totally supports getting a budget resolution passed. Nonetheless, we have this already in law for this year.

I would like to end by saying that I believe we can pass all 12 appropriations bills this year, and I think we can do it in a way that gives us ample opportunity for input, debate, and a chance to amend. Whether or not we will pass all 12 spending bills on time this year will depend on whether Members of Congress will have the will to get it done. I think the American people want us to get it done. They want to see us work together.

Madam President, if I could ask a question of the Senator from Tennessee through the Chair, I would like to get his reflections, because Senator ALEXANDER has been around this place for a long time, going back to Senator Howard Baker, who was one of the legends in the Senate, and Senator ALEXANDER was able to work with him and for him and see the Senate as it ran differently back in those days.

Madam President, I would like to ask through the Chair why Senator ALEXANDER thinks it is so important that we get our appropriation bills back on track.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank the Senator from Arkansas for his leadership. I will answer his question to the best of my ability.

I suppose some people may be watching and say what we are talking about is a lot of “inside baseball.” Well, it would be like telling a bunch of people that talking about singing at the Grand Ole Opry is “inside baseball.” This is what we do.

I went out to see Johnny Cash at the House of Cash when I was Governor of Tennessee many years ago, and I didn’t know quite what to say to him, and so I said: Johnny, how many nights do you appear on the road?

With that big-old deep voice of his, he said: Oh, about 200.

I said: My goodness. Why do you do that?

He looked at me and said: That is what I do.

Well, this is what we do or at least what we are supposed to do. I mean, we are elected by the people from Arkansas, Tennessee, North Carolina, and all over this country expecting us to get results. They sent us up here to put the country first, put our States next, and try to lead us in the right direction. We have our partisan differences, but in the end one of the things we are supposed to do is to appropriate dollars. It says in the Constitution, section 9, article I, that “no money shall be drawn from the Treasury, but in consequence of appropriations made by law.” That is us. So this is what we do.

In addition to that, we are supposed to oversee the spending of that money. This is not the whole budget, this is only about 38 percent of it, but it is over \$1 trillion. And at a time when we are borrowing 40 cents of every dollar we spend, maybe the people of this country have a right to expect that we take up each one of these 12 appropriations bills, that we have our hearings on them, and that we oversee the spending. If we want to add to nuclear modernization, we vote on that, and if we want to cut Solyndra, we vote on that, but we do our job of appropriations, and we do our job of oversight.

Now, Senator PRYOR, the senior Senator from Arkansas, asked me what my reflection was upon this Senate. I have seen it for a long time. I came here in January of 1967 as a very young man with a newly elected Republican Senator from Tennessee, Howard Baker, and I watched him for a long time. There are many lessons in having watched the Senate for a long time, but one of the lessons is that the leaders cannot lead without any followers. This is a body that operates by unanimous consent. If one of us wants to grease the tracks, the train runs off the tracks. That is the way it works. So the leaders are not going to be able to complete what their stated intention is, which is to take these 12 appropriations bills, bring them through the committees by late April, early May—the House is doing the same thing, we understand—and then bring them to

the floor so that we have a chance to consider them, to expose them to the light of day, amend them, vote on them, and pass them or reject them. That is what we do, as Johnny Cash said about his 200 nights on the road, and we should be doing it.

The idea that we have not taken these 12 appropriations bills and brought them to the floor but 2 times since the year 2000 is a bad commentary on this body. It means it doesn’t function the way it should function. I do think it functioned better in the 1970s and 1980s. When Senator Byrd and Senator Baker were the Democratic and Republican leaders, they would get unanimous consent agreements to bring bills to the floor. The minority would allow that, and the majority would allow a lot of amendments until people got tired of voting. But they could not have done that just by themselves. Senator Byrd and Senator Baker were very good leaders, but they could not have gotten that done if the Senators themselves didn’t make it possible for the leaders to succeed.

So I am delighted to see this discussion. I see the Senator from North Carolina is here, and I would be interested in her comments. My feeling is that there are a large number of Republicans—and I believe a large number of Democrats—who prefer to see the Senate work together to get results. I mean, we worked pretty hard to get here, and the people of Tennessee, Arkansas, and North Carolina expect us to get results, so here is a chance for us to do that. I believe our leaders are saying: OK, let’s get this done. And we are saying: Senator REID, Senator MCCONNELL, Senator INOUE, Senator COCHRAN, we are going to help. We know it will not always be peaches and cream. There will be problems, but, as Senator WARNER talked about a volunteer fire department, maybe when the bell rings and we all show up, we will make the Senate more effective and we will be more effective.

Let me stop my remarks for a moment and yield to the Senator from North Carolina, who has been a regular participant in the discussions we have had about how we can make the Senate be a more effective institution.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I am pleased to join this colloquy and to hear the Senator from Tennessee and the senior Senator from Arkansas work together on this issue. I think it is something of prime importance. Just as Senator ISAKSON went across Georgia this past week, I was in many cities and communities in North Carolina, and people are concerned, as he said, with such a low approval rating of the Congress. They are asking us: Why can’t you work together? And, as the Senator from Tennessee said, when we have 47 Members in one party and 53 Members in the other party and today we need 60 votes in order to get some-

thing done, we are going to have to work together in this Chamber. That also means the Senate and the House are going to have to come together and have conferences that actually work so we can get legislation passed—in the case we are talking about right now, getting the 12 appropriations bills passed.

When I was in the North Carolina Senate, I was one of the cochairs of the Budget Committee. We know how to do this. We know how to get things done. Obviously this is a much bigger piece of the pie up here, but it is important to the people throughout our country that we work together to get these bills passed. So I am very pleased to hear this debate and colloquy and the commitment we have standing here and talking about and pledging to work together.

I am pleased that Senator INOUE, the chairman of this committee, and the ranking member, Senator COCHRAN, are putting this together and bringing this forward. I applaud both the Senator from Tennessee and the Senator from Arkansas for holding this colloquy and bringing this out so the American people can hear what we are talking about and the commitment to move forward.

I thank the Chair. We are here to make this place work, to make our country work better every day. We are going to have our differences of opinion. The way the Senate is structured, we should bring the bill to the floor and offer amendments. Let’s have a vote. Let’s have our differences of opinion. When we don’t do that, we are not doing our job.

I see the Senator from South Carolina has arrived. I wish to say this to him: For the last 45 minutes, we have had a stream of Democratic and Republican Senators who have come to the floor and who have congratulated the majority leader, the Republican leader, and the chairman and the ranking member of the Appropriations Committee, for saying we should take all 12 appropriations bills this year, bring them through committee properly, have all of our hearings, do our oversight, bring them to the floor, and then let’s pass them.

More than that, we have said we know our leaders can’t be leaders if they don’t have any followers, and it is part of our job to create an environment in which they can succeed. So we have come to the floor to say that, to pledge we are going to do that. It is not just those who come tonight. We represent a preponderance of Senators on our side of the aisle and, I am told, a preponderance of the Democrats as well.

I would say to the Senator from South Carolina that the Senator from Virginia, Mr. WARNER, was here a little earlier and he said the exercise tonight reminded him of a volunteer fire department. I believe I first heard those words from the Senator from South Carolina. The Senator from South

Carolina has seen the House of Representatives and he has seen the Senate and he has seen the condition of our country. I wish to yield to him in this colloquy for his thoughts on what we are doing here tonight.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from South Carolina.

Mr. GRAHAM. Madam President, my first thought is that the American people are not very impressed with what we are doing up here. We have a congressional approval rating of about 10 to 15 percent. I think it would help all of us if we could go back home and say: This coming week we are going to be talking about the Department of Education budget; we are going to be talking about Veterans Affairs; we are going to be talking about Energy and Water.

We want to be able to tell our mayors and people—county council, city council, our constituents—we are going to be debating how much money we will allocate for different parts of the government, even knowing we are broke. I think that would resonate, I say to the Senator from Tennessee.

This whole idea of a volunteer fire department, when we think about it—particularly in the South, and I am sure it is true everywhere—volunteer fire departments have citizens who have a lot of things to do but feel as though if they work together to protect each others' homes from devastation by fire, that would be a good thing. They are all volunteers. They don't get any money. They lower everybody's insurance premiums by having a volunteer fire department. I think a lot of Members of the Senate feel very frustrated, as does the average person on the street. We want to do better. So we are volunteering our services here to the body so that if we will do things that make sense to the American people, count us in to kind of push the ball up the hill.

The good news, I say to my colleague, is our leaderships have committed to this. Without "followship," it doesn't matter what they say. This is going to take discipline in this body. I expect those on the other side of the aisle to take votes they won't like, and I expect those on this side of the aisle to take votes we won't like. But we have to have some discipline about it. We want the bills to get done in an orderly fashion, and we want the Senate to be a Senate.

This comes about because Senator WARNER spent a lot of time getting us all together. This volunteer fire department idea we have, the Senator from Tennessee and Senator WARNER have made this happen. We had several dinners among the people here tonight to try to find a way to get the Senate back to doing business. I am convinced that if we could bring one appropriations bill to the floor, have an honest debate about how much we should spend on that part of the government, have amendments relevant and not rel-

evant but in an orderly fashion, that would be momentum to get the Senate back to being the Senate. That would help us all and it would help the country.

I want to tell Senator REID and Senator MCCONNELL: Don't let this moment pass. We have your back and we want to conduct the Senate in a way that is more traditional than is going on today.

I came here to do things. I think everybody who has spoken here tonight is telling the public and telling each other: Enough is enough. This is a lousy way—to appropriate a couple three trillion dollars at the end of the year in a big bill nobody reads. If you think that is a broken system, we agree. We don't like the idea of passing a bill in the last week of the fiscal year—3,000, 4,000 pages, whatever it is—and nobody knows what is in it, but that is the only way we can run the government if we didn't go back to the normal course of business. So for those who want better government, this will give us better government. If you want to do something constructive, this gives us an opportunity. For those who want to set priorities, this allows you to do it.

To the leaders of the Senate: If you will follow through with this, it will pay enormous dividends for the body. And to Senators ALEXANDER, PRYOR, and others who have been in the volunteer fire department, I think this is a good moment for the Senate and I am proud to be associated with it, and if it happens, it will be because of what they have done.

Mr. ALEXANDER. Madam President, before we go back to the Senator from Arkansas, I have a question I wish to ask the Senator from South Carolina. First, I am not sure he was here when I referred to the Grand Ole Opry. I haven't been doing that because it is in Nashville. But it has occurred to me over the last several months that there is a lot about what we do that is like the Grand Ole Opry. I know a lot of performers of the Opry, members of the Opry. They sing and pick in every little bar in the South for 20 years until finally, by skill and by accident, they get an invitation to join the Grand Ole Opry. What would they think if they joined the Grand Ole Opry and then they weren't allowed to sing?

That is kind of the way we are in the Senate. We are lucky to be here. We are political accidents in a sense. But we worked hard to be here—almost all of us on both sides. So the idea of coming here, working hard to be here, being elected by the people who sent us, and then not being allowed to amend or vote or debate is unacceptable. That is what we want to do with these 12 bills.

The Senator from South Carolina reminded me of a specific example of that—the deep ports in the United States. If we are going to export American-made goods and create more jobs in our country, we are going to have to

have deep ports. We have a real problem in the way we finance that in the Federal Government, and we would be a stronger country if we could discuss that in the Appropriations Committee. If we don't fix it there, we should bring it to the floor and have amendments and have a debate and let people see what is going on.

Would the Senator agree that would be a perfect example of what we should be doing?

Mr. GRAHAM. I think the Senator from Tennessee picked the best example I can think of simply because the Charleston harbor deepening is probably the No. 1 issue for the State of South Carolina.

The Panama Canal is going to be widened and the cargo ships that are going to be on the oceans of the world in the next few years are three times the size of the cargo ships that exist today. Shipping as we know it is going to change. What does that mean? It means harbors such as Savannah and Charleston—just name a harbor on the east coast—are going to have to be deeper to accept these ships.

What does it mean for shipping? Ships that would normally deposit their goods in California can now access the east coast. So east coast ports, based on common sense and merit, have to be deepened. If we brought the Energy and Water appropriations bill through the committee and to the floor, it would make us all think about that. Because when I hear the President say we want to double exports in the next 5 years, count me in. It would be thousands of jobs—millions of jobs—created in America. How do we get those products to the customers overseas if our ports are not modernized to adjust to the change in shipping? Then it is a statement that will not bear fruit. Go to Shanghai, go to Hong Kong and other ports, go to Mideast ports, and we are 20 years behind.

This is a good example of how, if we took the Energy and Water appropriations bill, among ourselves we could create a national vision to deepen ports to adjust to shipping changes. If we keep continuing to appropriate in the last week of the session in a bill that nobody reads, not only will our fellow citizens think poorly of us, we won't have a vision. So this is a good example of why if we took every appropriations bill, put it through committee and brought it to the floor, we could come up with ways to make smart decisions.

I guess what we are talking about is that spending \$2 trillion or \$3 trillion in a week where only four of five people know what is in the bill is not smart. We all did come here to have our say, and I have a thousand ideas about ports.

So, my friend in Arkansas, if the port of Charleston is deepened and other east coast ports are deepened and the cargo containers are three times the volume we have today, what does that mean for the Mississippi River? It means it has to be widened and deepened. Because the cargo we unload on

the east coast has to get to the interior of the country. I want to have a vision for interior ports, because one thing could affect the other. And the only way the Senate can make smart decisions is to break the government into 12 parts, as we have been doing for a long time, and get back to doing business in a more traditional fashion.

This is a classic example: If we brought the Energy and Water appropriations bill to the floor, people other than me would have a say about what to do, given the change in shipping. And if we don't do it in the normal course of business—if we keep doing this in the last week of the session—we are going to be left behind as a Nation.

This is a great example of why we should do appropriations bills in the normal course of business. If we can pull this off in 2012, it will not be a lost year; it will be where we can do some good for the public.

So I thank you very much. I yield the floor.

Mr. PRYOR. Madam President, I have one thing to say in closing while my two colleagues are still on the floor: Today, Senator SHAHEEN read Washington's Farewell Address which we have been doing in the Senate since 1888. One of the reasons we do that is because President Washington calls to us through history to do our best.

We talk about this issue in South Carolina—deepening the port of Charleston. Certainly President Washington knew about the port of Charleston. It was a huge asset for this fledgling Nation of ours. He had no idea about a Panama Canal. He had no idea about goods coming over from China. He certainly had no idea about goods coming in from the west coast because at that point he was hoping we would get to Appalachia. He had no idea what was going to happen here. But he calls to us from history to do our job and accept the challenges that come our way.

The appropriations bills shouldn't be a challenge. That is nuts-and-bolts good government.

This week in Arkansas we had five townhall meetings and they were great. I got lots of good questions; a few pointed questions. My colleagues know how it goes because they have participated in those as well. It was great. It is democracy in action. When people can show up in a community and ask their Senator questions, that means the system is working. It is working back home, but we need to get it to work up here. That is what I heard over and over this week in Arkansas, is the expectations for this Congress are very low for this year. We talk about a 10-percent approval rating. I am sometimes surprised it is that high.

Mr. GRAHAM. Madam President, if the Senator will yield, here is the good news: It wouldn't take much to exceed expectations. But I want to say to the west coast Senators that their ports need to be modernized too. They need transportation hubs around their ports.

The whole infrastructure regarding export opportunities in this country has deteriorated because of a lack of vision.

Wal-Mart is a pretty good model of how business works. They get thousands of millions of products a day out to stores all over the country. They do it in a business fashion: FedEx—Federal Express—UPS. The Federal Government is stuck in the 1950s and we need to change that. I think the appropriations process is the right vehicle to do it.

Mr. PRYOR. That does go back to the appropriations process, because obviously those things require money, they take investment in our future. But the truth is if we are stymied in our appropriations process, there are a lot of good things that we can't get done. But when they go through, we can take care of the challenges that present themselves around the country. We have a lot of need in this country. I am certainly a promoter of investing in infrastructure, and the ports are very important to our Nation.

With that, I yield to the Senator from Tennessee.

Mr. ALEXANDER. Madam President, I wish to thank the Senator from South Carolina for his leadership in helping to make the Senate work and for his good example and for his giving us a specific example—the deep ports—as to why it is important that we set out to do what we are elected to do, which is to say, the Port of Charleston and the Port of Savannah have to be deepwater ports if we want to keep our jobs. That needs to be said in the Senate. It needs to be said in the subcommittee and in the full committee, and it needs to be said on the floor.

It is encouraging to me when Senators such as the Senator from North Carolina and Arkansas and Virginia from that side of the aisle, and the Senator from South Carolina and the Senator from Maine and the junior Senator from Arkansas and the Senator from Georgia on this side of the aisle—I think we would all say firmly that while we are only several Senators, the words we speak are the same feelings that a large number of Senators on both sides of the aisle feel.

We want to get results. We want to do our jobs. We want to create an environment in which our leaders can succeed. We know that if we want to, we can do that. And we should do it because it is our constitutional responsibility, because oversight is our responsibility, because it is lazy management if we allow it to go to the end of the year and end up with a great big pile of bills in an omnibus or a continuing resolution, which is worse.

We need to go over spending item by item. I am on six subcommittees. All three of us are on the Appropriations Committee. We will probably have 30 hearings in the next 2 or 3 months. We will have a good opportunity to go through \$1 trillion of discretionary spending and try to spend it wisely and to save money wherever we can.

One last thing: When these spending bills come to the floor and we debate them and approve them, we can show the American people that discretionary spending is not the biggest problem we have with spending in this country. Discretionary spending is 38 percent of the budget, and according to the Congressional Budget Office it is scheduled to go up over the next 10 years at the rate of inflation. The rest of the budget, which is largely our entitlement programs, is scheduled to grow up to four times the rate of inflation. If it does that, we will be a bankrupt country after about 10 or 12 years. So there is every reason in the world for us to bring these bills to the floor.

My concluding sentence is this: We congratulate the Democratic and Republican leaders and the chairman and ranking member of the Appropriations Committee. We believe our job is to bring all 12 bills through committee and to the floor and pass them before the fiscal year starts. We, on both sides of the aisle—those of us who have spoken and many others who feel the same way—pledge our support to help our leaders achieve that result.

I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Arkansas.

Mr. PRYOR. Mr. President, I thank Senator ALEXANDER from Tennessee for his leadership on this issue. He is the one who wanted to come here and praise the two leaders for their leadership. Again, they are demonstrating leadership by reaching this agreement and trying to change recent practice around here. They want to set a new standard for getting it done as we are supposed to get it done.

So I thank my friend and colleague from Tennessee for all of his hard work, and this is just the tip of the iceberg. He is working on many ways to try to make this institution run better and to make the American people proud of the Senate. So I thank the Senator for that.

TRIBUTE TO THOMAS CULBERTSON

Mr. PORTMAN. Mr. President, I rise to recognize Thomas Culbertson of Fremont, OH, for many years of outstanding leadership and service to The Rutherford B. Hayes Presidential Center. A former college librarian and stockbroker, Mr. Culbertson began his service to the center in 1988 as a manuscripts curator and rose to the position of executive director in 2004.

Mr. Culbertson was instrumental in developing two workshop series for educators. The first series, "History Links: A Partnership to Teach American History," helped 300 area schoolteachers implement State standards for social studies that focused on American history. The second series included three workshops for more than 200 community college faculty that focused on America's Gilded Age. Mr. Culbertson also led the effort to gain

accreditation for the Hayes Museum from the American Association of Museums in 2002.

Of utmost importance to Mr. Culbertson's legacy is the \$1.2 million restoration of the first floor of the Hayes home to how it looked when our 19th President and his wife, Lucy, lived there. With the help of the late U.S. Representative Paul Gillmor, the Hayes Center was awarded a \$400,000 Save America's Treasures grant through the U.S. Department of Interior. In addition, the center received \$500,000 in State capital funding, and Mr. Culbertson helped raise \$300,000 in donations to pay for the restoration. The project included replicating wallpaper, carpets, and other features that had been altered over the years. The home renovation will be completed in July 2012.

For his commitment to public service and the many contributions he has made to the Hayes Presidential Center, I would like to recognize and thank Mr. Culbertson for his years of service and wish him well in his retirement.

ADDITIONAL STATEMENTS

TRIBUTE TO WILLIE O'REE

• Mr. KERRY. Mr. President, Willie O'Ree made history on the night of January 18, 1958, but for too long the significance of what he accomplished that night went largely unacknowledged. Every American should know Willie O'Ree for his rightful place in history: he is the Jackie Robinson of hockey—the first player of African heritage to play in the National Hockey League.

Unlike Jackie Robinson's widely heralded debut with the Brooklyn Dodgers 11 years earlier, Willie O'Ree's appearance on the ice for the Boston Bruins 54 years ago got little notice in the press. The New York Times simply reported: "The Boston Bruins, with a Negro, Billy O'Ree, in the line-up for the first time in National Hockey League history, scored once in every period tonight to beat the first-place Montreal Canadiens for the first time in eight games, 3 0." Sports Illustrated had even less to say in its Scoreboard column: "Boston made history by bringing up Quebec's Billy O'Ree, first Negro to play in NHL."

But it was a milestone for hockey—and a dream come true for the 22-year-old Willie O'Ree, who had spent his boyhood in New Brunswick, Canada—the youngest of 13 children—idolizing such NHL legends as Gordie Howe and Maurice Richard. He liked baseball, too, landing a tryout with the Milwaukee Braves minor league team in Waycross, GA, in 1956. He even got to meet Jackie Robinson on a trip his baseball team made to New York in 1949.

Willie was as good at shortstop as he was at second base. He was good at the plate, too. And with his speed, he stole

a lot of bases. But to him, baseball was just a way to stay in shape for hockey. To him, "there was just something about hockey," he always said. He started skating when he was 2 years old and began playing organized hockey when he was 5.

He explains his love of hockey in words all of us who share his passion for the game can appreciate. "When I put a pair of skates on and a hockey stick in my hand and started maneuvering the puck," he says, "I just became obsessed with it. I had that burning desire within me."

That burning desire—that deep ambition—drove Willie O'Ree through almost two minor league seasons with the Quebec Aces before being called up by the Boston Bruins for that historic game in Montreal against the Canadiens in 1958. But after that memorable night, he would play only one more game with Boston before being sent back to the minors for the rest of the season.

But in 1960, Willie O'Ree was back with the Bruins for 43 games, including one memorable game at the Boston Garden in which he scored the winning goal in a 3 2 victory over Montreal. It came in the third period. Willie broke away from his check, got a perfect pass from Leo Boivin, stick handled past two Canadiens players, then from 10 feet out fired a shot past goaltender Charlie Hodge. More than 13,000 Bruins fans jumped to their feet and gave Willie a 2-minute standing ovation.

That year, Willie had a total of four goals and 10 assists with the Bruins, but that was the end of his NHL career. He spent the next six seasons in the Western Hockey League, then nine more seasons in the Pacific Hockey League until he retired in 1979 at the age of 44. Most seasons were productive despite the fact that at 19 he had suffered an injury that left him blind in his right eye. Doctors said he would never play hockey again. They were wrong. With aggressiveness, fearlessness and speed, he scored nearly 500 goals in his 21 years playing professional hockey.

His own impairment was no obstacle to Willie O'Ree. Neither was the blind bigotry of those who filled his mailbox with anonymous death threats, those who screamed racial epithets at him from the stands, those who even tossed black cats out on the ice, even those players who took countless cheap shots at him, in a time when players did not wear helmets or face shields. Willie responded the same way as Jackie Robinson had in 1947 when he broke the color barrier in baseball—with quiet strength and calm dignity. "I just want to be a hockey player," he said, "and if they couldn't accept that fact, that was their problem, not mine."

It wasn't until 1974 that another black player, Washington's Mike Marson, made it to the NHL. It is undeniable that Willie O'Ree—his talent and his character—opened the NHL to other minorities. But Willie's ground-

breaking days are far from over. For the last 14 years, he has served as the NHL's Director of Youth Development and ambassador for NHL Diversity, part of the NHL Foundation supporting hockey programs for boys and girls throughout North America. He is constantly on the go, running clinics and speaking at schools all across the continent, teaching not only hockey but also how to live life off the ice. He continues to spread the word that "hockey is for everyone."

We have recognized and celebrated ambassadors from all over the world. We should also honor Willie O'Ree who is the ultimate ambassador not just for hockey, but for dignity and respect and even courage in the world of sports. The world weathers so many storms and so much uncertainty, but at the center of each we find people of character who revive our hope and give us strength. Willie O'Ree is such a man, and we are all blessed to have his strength as an example. ●

RECOGNIZING NATIONAL HISTORY DAY

• Mrs. MURRAY. Mr. President, I would like to take this opportunity to recognize National History Day, a yearlong academic program focused on improving the teaching and learning of history for 6th to 12th grade students, for receiving a 2011 National Humanities Medal. The National Humanities medals honor achievements in history, literature, education, and cultural policy. For the first time ever, a K 12 education program has received this prestigious award. National History Day was recognized as "a program that inspires in American students a passion for history."

Each year more than half a million students, encouraged by thousands of teachers nationwide, participate in the yearlong National History Day program. Students choose historical topics related to a theme and conduct extensive primary and secondary research through libraries, archives, museums, oral history interviews, and historic sites. After analyzing and interpreting their sources and drawing conclusions about the significance of their topics in history, students present their work in original papers, Web sites, exhibits, performances, and documentaries. These products are entered into competitions in the spring, at local, State, and national levels where they are evaluated by professional historians and educators. The program culminates in a national competition each June. National History Day programs operate in all 50 States, the District of Columbia, and the U.S. territories, engaging students with its unique approach to the hands-on learning of history.

In addition to discovering the exciting world of the past, National History Day also helps students develop the attributes that are critical to make them college and career ready. This includes:

critical thinking and problem-solving skills, research and reading skills, oral and written communication and presentation skills, self-esteem and confidence, and a sense of responsibility for and involvement in the democratic process. With schools spending more resources and time focusing on English language arts and mathematics education, it is important that programs like National History Day are recognized and supported to ensure students receive a quality history and civics education.

The impact of National History Day is also supported by data. A recent comprehensive study by Rockman et al found that students who participate in National History Day develop a range of college and career-ready skills, and outperform their peers on State standardized tests across all subjects—including science and mathematics.

National History Day is much more than a day, it is an evidence-based history education program that gives our young people skills to succeed in school and post secondary careers as well as a valuable understanding of how the world they live in has been shaped by people and events of the past. National History Day is a unique program that has benefited over 15 million students since 1982. I congratulate them on winning the 2011 National Humanities Medal and wish them many more years of continued success.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of January 5, 2011, the Secretary of the Senate, on February 21, 2012, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore had signed the following enrolled bill:

H.R. 3630. An act to provide incentives for the creation of jobs, and for other purposes.

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

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1173. An act to repeal the CLASS program.

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 5055. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Disclosure to Investor in System-wide and Consolidated Bank Debt Obligations of the Farm Credit System" (RIN3052 AC77) received in the Office of the President of the Senate on Feb-

ruary 15, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5056. A communication from the Acting Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Nutritional Standards in the National School Lunch and School Breakfast Programs" (RIN0584 AD59) received in the Office of the President of the Senate on February 15, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5057. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dairy Product Mandatory Reporting" ((Docket No. AMS DA 10 0089; DA 11 01) (RIN0581 AD12)) received in the Office of the President of the Senate on February 16, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5058. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2011 2012 Marketing Year" (Docket No. AMS FV 10 0094; FV11 985 1A FIR) received in the Office of the President of the Senate on February 16, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5059. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program (NOP); Amendments to the National List of Allowed and Prohibited Substances (Crops and Processing)" ((Docket No. AMS NOP 10 0079; NOP 09 02FR) (RIN0581 AD06)) received in the Office of the President of the Senate on February 16, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5060. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revision of Cotton Futures Classification Procedures" (Docket No. AMS CN 10 0073; CN 10 005) (RIN0581 AD16)) received in the Office of the President of the Senate on February 16, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC 5061. A communication from the Under Secretary of Defense (Intelligence), transmitting, pursuant to law, the report of a request for an extension of the delivery date of an annual report on the current and future military strategy of Iran; to the Committee on Armed Services.

EC 5062. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC 5063. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Removal of the Indian HOME Investment Partnerships Program Regulation" (RIN2577 AC87) received in the Office of the President of the Senate on February 16, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5064. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security,

transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA 2011 0002)) received in the Office of the President of the Senate on February 15, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5065. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA 2011 0002)) received in the Office of the President of the Senate on February 15, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5066. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA 2011 0002)) received in the Office of the President of the Senate on February 15, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5067. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA 2012 0003)) received in the Office of the President of the Senate on February 15, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5068. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA 2012 0003)) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5069. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft; to the Committee on Banking, Housing, and Urban Affairs.

EC 5070. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Libya declared in Executive Order 13566; to the Committee on Banking, Housing, and Urban Affairs.

EC 5071. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendment to Existing Validated End-User Authorizations for Applied Materials (China), Inc., Boeing Tianjin Composites Co. Ltd., CSMC Technologies Corporation, Lam Research Corporation, and Semiconductor Manufacturing International Corporation in the People's Republic of China, and for GE India Industrial Pvt. Ltd. in India" (RIN0694 AF26) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5072. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority To Reflect

Continuation of Emergency Declared in Executive Orders 12947 and 13244" (RIN0694 AF30) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5073. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Investment Advisers Performance Compensation" (RIN3235 AK71) received in the Office of the President of the Senate on February 17, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC 5074. A communication from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Interpretation of Protection System Reliability Standard" ((RIN1902 AE21) (Docket No. RM10 5 000)) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2012; to the Committee on Energy and Natural Resources.

EC 5075. A communication from the Acting Assistant Secretary, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations, Areas of the National Park System, Cape Cod National Seashore" (RIN1024 AD88) received in the Office of the President of the Senate on February 15, 2012; to the Committee on Energy and Natural Resources.

EC 5076. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "International Nuclear and Radiological Event Scale (INES) Participation" (NRC Management Directive 5.12) received in the Office of the President of the Senate on February 17, 2012; to the Committee on Energy and Natural Resources.

EC 5077. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Duty-Free Treatment of Certain Visual and Auditory Materials" (RIN1515 AD75) received in the Office of the President of the Senate on February 17, 2012; to the Committee on Finance.

EC 5078. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Determination of Housing Cost Amounts Eligible for Exclusion or Deduction for 2012" (Notice 2012 19) received in the Office of the President of the Senate on February 15, 2012; to the Committee on Finance.

EC 5079. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Work Opportunity Tax Credit—Vow to Hire Heroes Act" (Notice 2012 13) received in the Office of the President of the Senate on February 14, 2012; to the Committee on Finance.

EC 5080. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act" (RIN0938 AQ74) received in the Office of the President of the Senate on February 14, 2012; to the Committee on Finance.

EC 5081. A communication from the Program Manager, Centers for Medicare and

Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Summary of Benefits and Coverage and Uniform Glossary—Templates, Instructions, and Related Materials; and Guidance for Compliance" (CMS 9982 FN) received in the Office of the President of the Senate on February 14, 2012; to the Committee on Finance.

EC 5082. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Summary of Benefits and Coverage and Uniform Glossary" (RIN1545 BJ94, RIN1210 AB52, and RIN0938 AQ73) received in the Office of the President of the Senate on February 14, 2012; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 179. A bill to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, and for other purposes (Rept. No. 112 149).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 646. A bill to reauthorize Federal natural hazards reduction programs, and for other purposes (Rept. No. 112 150).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 962. A bill to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, and for other purposes (Rept. No. 112 151).

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 2132. An original bill to amend the Internal Revenue Code of 1986 to provide for the extension of highway-related taxes and trust fund expenditures, to provide revenues for highway programs, and for other purposes (Rept. No. 112 152).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 2131. A bill to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, and the Delaware and Lehigh National Heritage Corridor; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 2132. An original bill to amend the Internal Revenue Code of 1986 to provide for the extension of highway-related taxes and trust fund expenditures, to provide revenues for highway programs, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. HARKIN:

S. 2133. A bill to reauthorize the America's Agricultural Heritage Partnership in the State of Iowa; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL:

S. 2134. A bill to amend title 10, United States Code, to provide for certain require-

ments relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 64

At the request of Mr. INOUE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 64, a bill to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, and for other purposes.

S. 296

At the request of Ms. KLOBUCHAR, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 424

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 491

At the request of Mr. PRYOR, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 807

At the request of Mr. ENZI, the names of the Senator from Kansas (Mr. MORAN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 1004

At the request of Mr. HARKIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1004, a bill to support Promise Neighborhoods.

S. 1167

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1167, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1421

At the request of Mr. PORTMAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor 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. 1425

At the request of Mr. DEMINT, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1425, a bill to amend the National Labor Relations Act to ensure fairness in election procedures with respect to collective bargaining representatives.

S. 1577

At the request of Mr. BAUCUS, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1591

At the request of Mrs. GILLIBRAND, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1591, a bill to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

S. 1665

At the request of Mr. BEGICH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1665, a bill to authorize appropriations for the Coast Guard for fiscal years 2012 and 2013, and for other purposes.

S. 1884

At the request of Mr. DURBIN, the names of the Senator from New York (Mr. SCHUMER), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1884, a bill to provide States with incentives to require elementary schools and secondary schools to maintain, and permit school personnel to administer, epinephrine at schools.

S. 1925

At the request of Mr. LEAHY, the names of the Senator from Florida (Mr.

NELSON), the Senator from Delaware (Mr. CARPER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

S. 1930

At the request of Mr. TOOMEY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1930, a bill to prohibit earmarks.

S. 1967

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1967, a bill to amend title XVIII of the Social Security Act to provide for the treatment of certain physician pathology services under the Medicare Program.

S. 1981

At the request of Mr. HELLER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1981, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 1990

At the request of Mr. LIEBERMAN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1990, a bill to require the Transportation Security Administration to comply with the Uniformed Services Employment and Reemployment Rights Act.

S. 2005

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2005, a bill to authorize the Secretary of State to issue up to 10,500 E 3 visas per year to Irish nationals.

S. 2046

At the request of Ms. MIKULSKI, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2046, a bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes.

S. 2084

At the request of Ms. SNOWE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2084, a bill to require the Secretary of Transportation to establish accelerated licensing procedures to assist veterans to acquire commercial driver's licenses, and for other purposes.

S. 2127

At the request of Mr. CASEY, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2127, a bill to protect State and local witnesses from tampering and retaliation, and for other purposes.

S. RES. 380

At the request of Mr. GRAHAM, the names of the Senator from Mississippi

(Mr. WICKER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

AMENDMENT NO. 919

At the request of Mr. ROBERTS, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Indiana (Mr. LUGAR), the Senator from Mississippi (Mr. COCHRAN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mr. JOHANNIS), the Senator from North Dakota (Mr. HOEVEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of amendment No. 919 intended to be proposed to H.R. 872, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

AMENDMENT NO. 1599

At the request of Mr. MERKLEY, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 1599 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1601

At the request of Mr. MERKLEY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of amendment No. 1601 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1606

At the request of Mr. MERKLEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 1606 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1647

At the request of Mr. BROWN of Ohio, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 1647 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1652

At the request of Mr. HARKIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 1652 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENT NO. 1660

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a co-sponsor of amendment No. 1660 intended to be proposed to S. 1813, a bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1736. Mr. PORTMAN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table.

SA 1737. Mr. COBURN (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1738. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1739. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1730 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1740. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1730 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1741. Mr. LEVIN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1736. Mr. PORTMAN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

Subtitle—State Transportation Flexibility**SEC. 01. SHORT TITLE.**

This subtitle may be cited as the "State Transportation Flexibility Act".

SEC. 02. DIRECT FEDERAL-AID HIGHWAY PROGRAM.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code (as amended by section 1115(a)), is amended by adding at the end the following:

"§ 168. Direct Federal-aid highway program

"(a) ELECTION BY STATE NOT TO PARTICIPATE.—Notwithstanding any other provision of law, a State may elect not to participate in any Federal program relating to highways, including a Federal highway program under the SAFETEA LU (Public Law 109 59; 119 Stat. 1144), this title, or title 49.

"(b) DIRECT FEDERAL-AID HIGHWAY PROGRAM.—

"(1) IN GENERAL.—Beginning in fiscal year 2011, the Secretary shall carry out a direct Federal-aid highway program in accordance with the requirements of this section under which the legislature of a State may elect,

not fewer than 90 days before the beginning of a fiscal year—

"(A) to waive the right of the State to receive amounts apportioned or allocated to the State under the Federal-aid highway program for the fiscal year to which the election relates; and

"(B) to receive an amount for that fiscal year that is determined in accordance with subsection (e) for that fiscal year.

"(2) EFFECT.—On making an election under paragraph (1), a State—

"(A) assumes all Federal obligations relating to each program that is the subject of the election; and

"(B) shall fulfill those obligations using the amounts transferred to the State under subsection (e).

"(c) STATE RESPONSIBILITY.—

"(1) IN GENERAL.—The Governor of a State making an election under subsection (b) shall—

"(A) agree to maintain the Interstate System in accordance with the current Interstate System program;

"(B) submit a plan to the Secretary describing—

"(i) the purposes, projects, and uses to which amounts received under the program will be put; and

"(ii) which programmatic requirements of this title the State elects to continue;

"(C) agree to obligate or expend amounts received under the direct Federal-aid highway program exclusively for projects that would be eligible for funding under section 133(b) if the State was not participating in the program; and

"(D) agree to report annually to the Secretary on the use of amounts received under the direct Federal-aid highway program and to make the report available to the public in an easily accessible format.

"(2) NO FEDERAL LIMITATION ON USE OF FUNDS.—Except as provided in paragraph (1), the expenditure or obligation of funds received by a State under the direct Federal-aid highway program shall not be subject to any Federal regulation under this title (except for this section), title 49, or any other Federal law.

"(3) ELECTION IRREVOCABLE.—An election under subsection (b) shall be irrevocable during the applicable fiscal year.

"(d) EFFECT ON PREEXISTING COMMITMENTS.—The making of an election under subsection (b) shall not affect any responsibility or commitment of the State under this title for any fiscal year with respect to—

"(1) a project or program funded under this title (other than under this section); or

"(2) any project or program funded under this title in any fiscal year for which an election under subsection (b) is not in effect.

"(e) TRANSFERS.—

"(1) IN GENERAL.—The amount to be transferred to a State under the direct Federal-aid highway program for a fiscal year shall be the portion of the taxes appropriated to the Highway Trust Fund under section 9503 of the Internal Revenue Code of 1986, other than for the Mass Transit Account, for that fiscal year that is attributable to highway users in that State during that fiscal year, reduced by a pro rata share withheld by the Secretary to fund contract authority for programs of the National Highway Traffic Safety Administration and the Federal Motor Carrier Safety Administration.

"(2) TRANSFERS UNDER PROGRAM.—

"(A) IN GENERAL.—Transfers under the program—

"(i) shall be made at the same time as deposits to the Highway Trust Fund are made by the Secretary of the Treasury; and

"(ii) shall be made on the basis of estimates by the Secretary, in consultation with the Secretary of the Treasury, based on the

most recent data available, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess of, or less than, the amounts required to be transferred.

"(B) LIMITATION.—An adjustment under subparagraph (A)(i) to any transfer may not exceed 5 percent of the transferred amount to which the adjustment relates. If the adjustment required under subparagraph (A)(ii) exceeds that percentage, the excess shall be taken into account in making subsequent adjustments under subparagraph (A)(ii).

"(f) APPLICATION WITH OTHER AUTHORITY.—Any contract authority under this chapter (and any obligation limitation) authorized for a State for a fiscal year for which an election by that State is in effect under subsection (b)—

"(1) shall be rescinded or canceled; and

"(2) shall not be reallocated or distributed to any other State under the Federal-aid highway program.

"(g) MAINTENANCE OF EFFORT.—

"(1) IN GENERAL.—Not later than 30 days after the date on which an amount is distributed to a State or State agency under the State Highway Flexibility Act or an amendment made by that Act, the Governor of the State shall certify to the Secretary that the State will maintain the effort of the State with regard to State funding for the types of projects that are funded by the amounts.

"(2) AMOUNTS.—As part of the certification, the Governor shall submit to the Secretary a statement identifying the amount of funds the State plans to expend from State sources during the covered period, for the types of projects that are funded by the amounts.

"(h) TREATMENT OF GENERAL REVENUES.—For purposes of this section, any general revenue funds appropriated to the Highway Trust Fund shall be transferred to a State under the program in the manner described in subsection (e)(1)."

(b) CONFORMING AMENDMENT.—The analysis for title 23, United States Code (as amended by section 1115(b)), is amended by inserting after the item relating to section 149 the following:

"168. Direct Federal-aid highway program".

SEC. 03. ALTERNATIVE FUNDING OF PUBLIC TRANSPORTATION PROGRAMS.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code (as amended by section 20030), is amended by adding at the end the following:

"§ 5341. Alternative funding of public transportation programs

"(a) DEFINITIONS.—In this section—

"(1) ALTERNATIVE FUNDING PROGRAM.—The term 'alternative funding program' means the program established under subsection (c).

"(2) COVERED PROGRAMS.—The term 'covered programs' means the programs authorized under—

"(A) sections 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340; and

"(B) section 3038 of the Federal Transit Act of 1998 (49 U.S.C. 5310 note).

"(b) ELECTION BY STATE NOT TO PARTICIPATE.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, a State may elect not to participate in all Federal programs relating to public transportation funded under the Mass Transit Account of the Highway Trust Fund, including the Federal public transportation programs under the SAFETEA LU (Public Law 109 59; 119 Stat. 1144), title 23, or this title.

"(2) EFFECT.—On making an election under paragraph (1), a State—

"(A) assumes all Federal obligations relating to each program that is the subject of the election; and

“(B) shall fulfill those obligations using the amounts transferred to the State under subsection (e).

“(C) PUBLIC TRANSPORTATION PROGRAM.—

“(1) PROGRAM ESTABLISHED.—Beginning in fiscal year 2011, the Secretary shall carry out an alternative funding program under which the legislature of a State may elect, not fewer than 90 days before the beginning of a fiscal year—

“(A) to waive the right of the State to receive amounts apportioned or allocated to the State under the covered programs for the fiscal year to which the election relates; and

“(B) to receive an amount for that fiscal year that is determined in accordance with subsection (e).

“(2) PROGRAM REQUIREMENTS.—

“(A) IN GENERAL.—The Governor of a State that participates in the alternative funding program shall—

“(i) submit a plan to the Secretary describing—

“(I) the purposes, projects, and uses to which amounts received under the alternative funding program will be put; and

“(II) which programmatic requirements of this title the State elects to continue;

“(ii) agree to obligate or expend amounts received under the alternative funding program exclusively for projects that would be eligible for funding under the covered programs if the State was not participating in the alternative funding program; and

“(iii) submit to the Secretary an annual report on the use of amounts received under the alternative funding program, and to make the report available to the public in an easily accessible format.

“(B) NO FEDERAL LIMITATION ON USE OF FUNDS.—Except as provided in subparagraph (A), the expenditure or obligation of funds received by a State under the alternative funding program shall not be subject to the provisions of this title (except for this section), title 23, or any other Federal law.

“(3) ELECTION IRREVOCABLE.—An election under paragraph (1) shall be irrevocable during the applicable fiscal year.

“(d) EFFECT ON PREEXISTING COMMITMENTS.—Participation in the alternative funding program shall not affect any responsibility or commitment of the State under this title for any fiscal year with respect to—

“(1) a project or program funded under this title (other than under this section); or

“(2) any project or program funded under this title in any fiscal year for which the State elects not to participate in the alternative funding program.

“(e) TRANSFERS.—

“(1) IN GENERAL.—The amount to be transferred to a State under the alternative funding program for a fiscal year shall be the portion of the taxes transferred to the Mass Transit Account of the Highway Trust Fund under section 9503(e) of the Internal Revenue Code of 1986, for that fiscal year, that is attributable to highway users in that State during that fiscal year.

“(2) TRANSFERS.—

“(A) IN GENERAL.—Transfers under the program—

“(i) shall be made at the same time as transfers to the Mass Transit Account of the Highway Trust Fund are made by the Secretary of the Treasury; and

“(ii) shall be made on the basis of estimates by the Secretary, in consultation with the Secretary of the Treasury, based on the most recent data available, and proper adjustments shall be made in amounts subsequently transferred, to the extent prior estimates were in excess of, or less than, the amounts required to be transferred.

“(B) LIMITATION.—An adjustment under subparagraph (A)(ii) to any transfer may not

exceed 5 percent of the transferred amount to which the adjustment relates. If the adjustment required under subparagraph (A)(ii) exceeds that percentage, the excess shall be taken into account in making subsequent adjustments under subparagraph (A)(ii).

“(f) CONTRACT AUTHORITY.—There shall be rescinded or canceled any contract authority under this chapter (and any obligation limitation) authorized for a State for a fiscal year for which the State elects to participate in the alternative funding program.

“(g) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—Not later than 30 days after the date on which an amount is distributed to a State or State agency under the State Highway Flexibility Act or an amendment made by that Act, the Governor of the State shall certify to the Secretary that the State will maintain the effort of the State with regard to State funding for the types of projects that are funded by the amounts.

“(2) AMOUNTS.—The certification under paragraph (1) shall include a statement identifying the amount of funds the State plans to expend from State sources for projects funded under the alternative funding program, during the fiscal year for which the State elects to participate in the alternative funding program.

“(h) TREATMENT OF GENERAL REVENUES.—For purposes of this section, any general revenue funds appropriated to the Highway Trust Fund shall be transferred to a State under the program in the manner described in subsection (e).”

(b) CONFORMING AMENDMENT.—The analysis for title 49, United States Code (as amended by section 20031(k)), is amended by adding after the item relating to section 5340 the following:

“5341. Alternative funding of public transportation programs”.

SA 1737. Mr. COBURN (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PREVENTING DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.

(a) **SHORT TITLE.**—This section may be cited as the “Preventing Duplicative and Overlapping Government Programs Act”.

(b) **REPORTED LEGISLATION.**—Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking “and (b)” and inserting “(b), and (c)”; and

(2) by redesignating subparagraph (c) and subparagraph (d); and

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

“(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new

program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.”.

(c) **SENATE.**—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

“6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

“(b) The analysis and explanation required by this subparagraph shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

“(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of—

“(1) a significant disruption to Senate facilities or to the availability of the Internet; or

“(2) an emergency as determined by the leaders.”.

SA 1738. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.

Notwithstanding any other provision of law and not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant department and agencies to—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the—

(A) March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 11 318SP); and

(B) February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP);

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the—

(A) March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 11 318SP); and

(B) February 2012 Government Accountability Office report to Congress entitled "2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue" (GAO 12 342SP);

(3) determine the total cost savings that shall result to each agency, office, and department from the actions described in paragraph (1); and

(4) rescind from the appropriate accounts and apply the savings towards deficit reduction the amount greater of—

(A) \$10,000,000,000; or

(B) the total amount of cost savings estimated by paragraph (3).

SA 1739. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1730 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, strike lines 15 through 17, and insert the following:

"(A) in which a substantial portion of each line operates in a separated right-of-way that is semi-dedicated for public transportation use during peak periods;

SA 1740. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1730 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, line 24, insert "and other high occupancy vehicles" before the semicolon at the end.

SA 1741. Mr. LEVIN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION ___—CUT LOOPHOLES

SECTION ___001. SHORT TITLE; ETC.

(a) SHORT TITLE.—This division may be cited as the "Cut Unjustified Tax Loopholes Act" or "CUT Loopholes Act".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this division is as follows:

DIVISION ___—CUT LOOPHOLES

Sec. ___001. Short title; etc.

TITLE I—ENDING OFFSHORE TAX ABUSES

Subtitle A—Deterring the Use of Tax Havens for Tax Evasion

Sec. ___101. Authorizing special measures against foreign jurisdictions, financial institutions, and others that impede United States tax enforcement.

Sec. ___102. Strengthening the Foreign Account Tax Compliance Act (FATCA).

Sec. ___103. Treatment of foreign corporations managed and controlled in the United States as domestic corporations.

Sec. ___104. Reporting United States beneficial owners of foreign owned financial accounts.

Sec. ___105. Swap payments made from the United States to persons offshore.

Sec. ___106. Tax on income of controlled foreign corporation deposited in financial account located in the United States.

Subtitle B—Other Measures to Combat Tax Haven and Tax Shelter Abuses

Sec. ___111. Country-by-country reporting.

Sec. ___112. Penalty for failing to disclose offshore holdings.

Sec. ___113. Deadline for anti-money laundering rule for private funds and venture capital funds.

Sec. ___114. Anti-money laundering requirements for formation agents.

Sec. ___115. Strengthening John Doe summons proceedings.

Sec. ___116. Improving enforcement of foreign financial account reporting.

Subtitle C—Combating Tax Shelter Promoters

Sec. ___121. Penalty for promoting abusive tax shelters.

Sec. ___122. Penalty for aiding and abetting the understatement of tax liability.

Sec. ___123. Prohibited fee arrangement.

Sec. ___124. Preventing tax shelter activities by financial institutions.

Sec. ___125. Information sharing for enforcement purposes.

Sec. ___126. Disclosure of information to Congress.

Sec. ___127. Tax opinion standards for tax practitioners.

Subtitle D—Reformation of U.S. International Tax System

Sec. ___131. Allocation of expenses and taxes on basis of repatriation of foreign income.

Sec. ___132. Excess income from transfers of intangibles to low-taxed affiliates treated as subpart F income.

Sec. ___133. Limitations on income shifting through intangible property transfers.

Sec. ___134. Limitation on earnings stripping by expatriated entities.

TITLE II—ENDING EXCESSIVE CORPORATE TAX DEDUCTIONS FOR STOCK OPTIONS

Sec. ___201. Consistent treatment of stock options by corporations.

Sec. ___202. Application of executive pay deduction limit.

TITLE I—ENDING OFFSHORE TAX ABUSES

Subtitle A—Deterring the Use of Tax Havens for Tax Evasion

SEC. ___101. AUTHORIZING SPECIAL MEASURES AGAINST FOREIGN JURISDICTIONS, FINANCIAL INSTITUTIONS, AND OTHERS THAT IMPEDE UNITED STATES TAX ENFORCEMENT.

(a) IN GENERAL.—Section 5318A of title 31, United States Code, is amended—

(1) by striking the section heading and inserting the following new heading:

"§ 5318A. Special measures for jurisdictions, financial institutions, or international transactions that are of primary money laundering concern or impede United States tax enforcement";

(2) in subsection (a), by striking all before paragraph (1) and inserting the following:

"(a) SPECIAL MEASURES TO COUNTER MONEY LAUNDERING AND EFFORTS TO IMPEDE UNITED STATES TAX ENFORCEMENT.—";

(3) in subsection (c), by striking all before paragraph (1) and inserting the following:

"(c) CONSULTATIONS AND INFORMATION TO BE CONSIDERED IN FINDING JURISDICTIONS, INSTITUTIONS, TYPES OF ACCOUNTS, OR TRANSACTIONS TO BE OF PRIMARY MONEY LAUNDERING CONCERN OR TO BE IMPEDING UNITED STATES TAX ENFORCEMENT.—";

(4) in subsection (a)(1), by inserting "or is impeding United States tax enforcement" after "primary money laundering concern";

(5) in subsection (a)(4)—

(A) in subparagraph (A)—

(i) by inserting "in matters involving money laundering," before "shall consult"; and

(ii) by striking "and" at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph:

"(B) in matters involving United States tax enforcement, shall consult with the Commissioner of the Internal Revenue Service, the Secretary of State, the Attorney General of the United States, and in the sole discretion of the Secretary, such other agencies and interested parties as the Secretary may find to be appropriate; and";

(6) in each of paragraphs (1)(A), (2), (3), and (4) of subsection (b), by inserting "or to be impeding United States tax enforcement" after "primary money laundering concern" each place that term appears;

(7) in subsection (b), by striking paragraph (5) and inserting the following new paragraph:

"(5) PROHIBITIONS OR CONDITIONS ON OPENING OR MAINTAINING CERTAIN CORRESPONDENT OR PAYABLE-THROUGH ACCOUNTS OR AUTHORIZING CERTAIN PAYMENT CARDS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, or 1 or more classes of transactions within or involving a jurisdiction outside of the United States to be of primary money laundering concern or to be impeding United States tax enforcement, the Secretary, in consultation with the Secretary of State, the Attorney General of the United States, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit, or impose conditions upon—

"(A) the opening or maintaining in the United States of a correspondent account or payable-through account; or

"(B) the authorization, approval, or use in the United States of a credit card, charge card, debit card, or similar credit or debit financial instrument by any domestic financial institution, financial agency, or credit card company or association, for or on behalf of a foreign banking institution, if such correspondent account, payable-through account, credit card, charge card, debit card, or similar credit or debit financial instrument, involves any such jurisdiction or institution, or if any such transaction may be conducted through such correspondent account, payable-through account, credit card, charge card, debit card, or similar credit or debit financial instrument.";

(8) in subsection (c)(1), by inserting "or is impeding United States tax enforcement" after "primary money laundering concern";

(9) in subsection (c)(2)(A)—

(A) in clause (ii), by striking "bank secrecy or special regulatory advantages" and inserting "bank, tax, corporate, trust, or financial secrecy or regulatory advantages";

(B) in clause (iii), by striking "supervisory and counter-money" and inserting "supervisory, international tax enforcement, and counter-money";

(C) in clause (v), by striking “banking or secrecy” and inserting “banking, tax, or secrecy”; and

(D) in clause (vi), by inserting “, tax treaty, or tax information exchange agreement” after “treaty”;

(10) in subsection (c)(2)(B)—

(A) in clause (i), by inserting “or tax evasion” after “money laundering”; and

(B) in clause (iii), by inserting “, tax evasion” after “money laundering”; and

(11) in subsection (d), by inserting “involving money laundering, and shall notify, in writing, the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of any such action involving United States tax enforcement” after “such action”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 102. STRENGTHENING THE FOREIGN ACCOUNT TAX COMPLIANCE ACT (FATCA).

(a) REPORTING ACTIVITIES WITH RESPECT TO PASSIVE FOREIGN INVESTMENT COMPANIES.—Section 1298(f) is amended by inserting “, or who directly or indirectly forms, transfers assets to, is a beneficiary of, has a beneficial interest in, or receives money or property or the use thereof from,” after “shareholder of”.

(b) WITHHOLDABLE PAYMENTS TO FOREIGN FINANCIAL INSTITUTIONS.—Section 1471(d) is amended—

(1) by inserting “or transaction” after “any depository” in paragraph (2)(A), and

(2) by striking “or any interest” and all that follows in paragraph (5)(C) and inserting “derivatives, or any interest (including a futures or forward contract, swap, or option) in such securities, partnership interests, commodities, or derivatives.”.

(c) WITHHOLDABLE PAYMENTS TO OTHER FOREIGN FINANCIAL INSTITUTIONS.—Section 1472 is amended—

(1) by inserting “as a result of any customer identification, anti-money laundering, anti-corruption, or similar obligation to identify account holders,” after “reason to know,” in subsection (b)(2), and

(2) by inserting “as posing a low risk of tax evasion” after “this subsection” in subsection (c)(1)(G).

(d) DEFINITIONS.—Clauses (i) and (ii) of section 1473(2)(A) are each amended by inserting “or as a beneficial owner” after “indirectly”.

(e) SPECIAL RULES.—Section 1474(c) is amended—

(1) by inserting “, except that information provided under sections 1471(c) or 1472(b) may be disclosed to any Federal law enforcement agency, upon request or upon the initiation of the Secretary, to investigate or address a possible violation of United States law” after “shall apply” in paragraph (1), and

(2) by inserting “, or has had an agreement terminated under such section,” after “section 1471(b)” in paragraph (2).

(f) INFORMATION WITH RESPECT TO FOREIGN FINANCIAL ASSETS.—Section 6038D(a) is amended by inserting “ownership or beneficial ownership” after “holds any”.

(g) ESTABLISHING PRESUMPTIONS FOR ENTITIES AND TRANSACTIONS INVOLVING NON-FATCA INSTITUTIONS.—

(1) PRESUMPTIONS FOR TAX PURPOSES.—

(A) IN GENERAL.—Chapter 76 is amended by inserting after section 7491 the following new subchapter:

“Subchapter F—Presumptions for Certain Legal Proceedings

“Sec. 7492. Presumptions pertaining to entities and transactions involving non-FATCA institutions.

“SEC. 7492. PRESUMPTIONS PERTAINING TO ENTITIES AND TRANSACTIONS INVOLVING NON-FATCA INSTITUTIONS.

“(a) CONTROL.—For purposes of any United States civil judicial or administrative proceeding to determine or collect tax, there shall be a rebuttable presumption that a United States person (other than an entity with shares regularly traded on an established securities market) who, directly or indirectly, formed, transferred assets to, was a beneficiary of, had a beneficial interest in, or received money or property or the use thereof from an entity, including a trust, corporation, limited liability company, partnership, or foundation (other than an entity with shares regularly traded on an established securities market), that holds an account, or in any other manner has assets, in a non-FATCA institution, exercised control over such entity. The presumption of control created by this subsection shall not be applied to prevent the Secretary from determining or arguing the absence of control.

“(b) TRANSFERS OF INCOME.—For purposes of any United States civil judicial or administrative proceeding to determine or collect tax, there shall be a rebuttable presumption that any amount or thing of value received by a United States person (other than an entity with shares regularly traded on an established securities market) directly or indirectly from an account or from an entity (other than an entity with shares regularly traded on an established securities market) that holds an account, or in any other manner has assets, in a non-FATCA institution, constitutes income of such person taxable in the year of receipt; and any amount or thing of value paid or transferred by or on behalf of a United States person (other than an entity with shares regularly traded on an established securities market) directly or indirectly to an account, or entity (other than an entity with shares regularly traded on an established securities market) that holds an account, or in any other manner has assets, in a non-FATCA institution, represents previously unreported income of such person taxable in the year of the transfer.

“(c) REBUTTING THE PRESUMPTIONS.—The presumptions established in this section may be rebutted only by clear and convincing evidence, including detailed documentary, testimonial, and transactional evidence, establishing that—

“(1) in subsection (a), such taxpayer exercised no control, directly or indirectly, over account or entity at the time in question, and

“(2) in subsection (b), such amounts or things of value did not represent income related to such United States person.

Any court having jurisdiction of a civil proceeding in which control of such an offshore account or offshore entity or the income character of such receipts or amounts transferred is an issue shall prohibit the introduction by the taxpayer of any foreign based document that is not authenticated in open court by a person with knowledge of such document, or any other evidence supplied by a person outside the jurisdiction of a United States court, unless such person appears before the court.”.

(B) The table of subchapters for chapter 76 is amended by inserting after the item relating to subchapter E the following new item:

“SUBCHAPTER F—PRESUMPTIONS FOR CERTAIN LEGAL PROCEEDINGS”.

(2) DEFINITION OF NON-FATCA INSTITUTION.—Section 7701(a) is amended by adding at the end the following new paragraph:

“(51) NON-FATCA INSTITUTION.—The term ‘non-FATCA institution’ means any financial institution that does not meet the reporting requirements of section 1471(b).”.

(3) PRESUMPTIONS FOR SECURITIES LAW PURPOSES.—Section 21 of the Securities Exchange Act of 1934 (15 U.S.C. 78u) is amended by adding at the end the following new subsection:

“(j) PRESUMPTIONS PERTAINING TO CONTROL AND BENEFICIAL OWNERSHIP.—

“(1) CONTROL.—For purposes of any civil judicial or administrative proceeding under this title, there shall be a rebuttable presumption that a United States person (other than an entity with shares regularly traded on an established securities market) who, directly or indirectly, formed, transferred assets to, was a beneficiary of, had a beneficial interest in, or received money or property or the use thereof from an entity, including a trust, corporation, limited liability company, partnership, or foundation (other than an entity with shares regularly traded on an established securities market), that holds an account, or in any other manner has assets, in a non-FATCA institution (as defined in section 7701(a)(51) of the Internal Revenue Code of 1986), exercised control over such entity. The presumption of control created by this paragraph shall not be applied to prevent the Commission from determining or arguing the absence of control.

“(2) BENEFICIAL OWNERSHIP.—For purposes of any civil judicial or administrative proceeding under this title, there shall be a rebuttable presumption that securities that are nominally owned by an entity, including a trust, corporation, limited liability company, partnership, or foundation (other than an entity with shares regularly traded on an established securities market), and that are held in a non-FATCA institution (as so defined), are beneficially owned by any United States person (other than an entity with shares regularly traded on an established securities market) who directly or indirectly exercised control over such entity. The presumption of beneficial ownership created by this paragraph shall not be applied to prevent the Commission from determining or arguing the absence of beneficial ownership.”.

(4) PRESUMPTION FOR REPORTING PURPOSES RELATING TO FOREIGN FINANCIAL ACCOUNTS.—Section 5314 of title 31, United States Code, is amended by adding at the end the following new subsection:

“(d) REBUTTABLE PRESUMPTION.—For purposes of this section, there shall be a rebuttable presumption that any account with a non-FATCA institution (as defined in section 7701(a)(51) of the Internal Revenue Code of 1986) contains funds in an amount that is at least sufficient to require a report prescribed by regulations under this section.”.

(5) REGULATORY AUTHORITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury and the Chairman of the Securities and Exchange Commission shall each adopt regulations or other guidance necessary to implement the amendments made by this subsection. The Secretary and the Chairman may by regulation or guidance provide that the presumption of control shall not extend to particular classes of transactions, such as corporate reorganizations or transactions below a specified dollar threshold, if either determines that applying such amendments to such transactions is not necessary to carry out the purposes of such amendments.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date which is 180 days after the date of the enactment of this Act, whether or not regulations are issued under subsection (g)(5).

SEC. 103. TREATMENT OF FOREIGN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES AS DOMESTIC CORPORATIONS.

(a) IN GENERAL.—Section 7701 is amended by redesignating subsection (p) as subsection

(q) and by inserting after subsection (o) the following new subsection:

“(p) CERTAIN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES TREATED AS DOMESTIC FOR INCOME TAX.—

“(1) IN GENERAL.—Notwithstanding subsection (a)(4), in the case of a corporation described in paragraph (2) if—

“(A) the corporation would not otherwise be treated as a domestic corporation for purposes of this title, but

“(B) the management and control of the corporation occurs, directly or indirectly, primarily within the United States,

then, solely for purposes of chapter 1 (and any other provision of this title relating to chapter 1), the corporation shall be treated as a domestic corporation.

“(2) CORPORATION DESCRIBED.—

“(A) IN GENERAL.—A corporation is described in this paragraph if—

“(i) the stock of such corporation is regularly traded on an established securities market, or

“(ii) the aggregate gross assets of such corporation (or any predecessor thereof), including assets under management for investors, whether held directly or indirectly, at any time during the taxable year or any preceding taxable year is \$50,000,000 or more.

“(B) GENERAL EXCEPTION.—A corporation shall not be treated as described in this paragraph if—

“(i) such corporation was treated as a corporation described in this paragraph in a preceding taxable year,

“(ii) such corporation—

“(I) is not regularly traded on an established securities market, and

“(II) has, and is reasonably expected to continue to have, aggregate gross assets (including assets under management for investors, whether held directly or indirectly) of less than \$50,000,000, and

“(iii) the Secretary grants a waiver to such corporation under this subparagraph.

“(C) EXCEPTION FROM GROSS ASSETS TEST.—Subparagraph (A)(ii) shall not apply to a corporation which is a controlled foreign corporation (as defined in section 957) and which is a member of an affiliated group (as defined section 1504, but determined without regard to section 1504(b)(3)) the common parent of which—

“(i) is a domestic corporation (determined without regard to this subsection), and

“(ii) has substantial assets (other than cash and cash equivalents and other than stock of foreign subsidiaries) held for use in the active conduct of a trade or business in the United States.

“(3) MANAGEMENT AND CONTROL.—

“(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of a corporation is to be treated as occurring primarily within the United States.

“(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that—

“(i) the management and control of a corporation shall be treated as occurring primarily within the United States if substantially all of the executive officers and senior management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States, and

“(ii) individuals who are not executive officers and senior management of the corporation (including individuals who are officers or employees of other corporations in the same chain of corporations as the corporation) shall be treated as executive officers

and senior management if such individuals exercise the day-to-day responsibilities of the corporation described in clause (i).

“(C) CORPORATIONS PRIMARILY HOLDING INVESTMENT ASSETS.—Such regulations shall also provide that the management and control of a corporation shall be treated as occurring primarily within the United States if—

“(i) the assets of such corporation (directly or indirectly) consist primarily of assets being managed on behalf of investors, and

“(ii) decisions about how to invest the assets are made in the United States.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning on or after the date which is 2 years after the date of the enactment of this Act, whether or not regulations are issued under section 7701(p)(3) of the Internal Revenue Code of 1986, as added by this section.

SEC. 104. REPORTING UNITED STATES BENEFICIAL OWNERS OF FOREIGN OWNED FINANCIAL ACCOUNTS.

(a) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 is amended by inserting after section 6045B the following new sections:

“SEC. 6045C. RETURNS REGARDING UNITED STATES BENEFICIAL OWNERS OF FINANCIAL ACCOUNTS LOCATED IN THE UNITED STATES AND HELD IN THE NAME OF A FOREIGN ENTITY.

“(a) REQUIREMENT OF RETURN.—If—

“(1) any withholding agent under sections 1441 and 1442 has the control, receipt, custody, disposal, or payment of any amount constituting gross income from sources within the United States of any foreign entity, including a trust, corporation, limited liability company, partnership, or foundation (other than an entity with shares regularly traded on an established securities market), and

“(2) such withholding agent determines for purposes of titles 14, 18, or 31 of the United States Code that a United States person has any beneficial interest in the foreign entity or in the account in such entity’s name (hereafter in this section referred to as ‘United States beneficial owner’),

then the withholding agent shall make a return according to the forms or regulations prescribed by the Secretary.

“(b) REQUIRED INFORMATION.—For purposes of subsection (a) the information required to be included on the return shall include—

“(1) the name, address, and, if known, the taxpayer identification number of the United States beneficial owner,

“(2) the known facts pertaining to the relationship of such United States beneficial owner to the foreign entity and the account,

“(3) the gross amount of income from sources within the United States (including gross proceeds from brokerage transactions), and

“(4) such other information as the Secretary may by forms or regulations provide.

“(c) STATEMENTS TO BE FURNISHED TO BENEFICIAL OWNERS WITH RESPECT TO WHOM INFORMATION IS REQUIRED TO BE REPORTED.—A withholding agent required to make a return under subsection (a) shall furnish to each United States beneficial owner whose name is required to be set forth in such return a statement showing—

“(1) the name, address, and telephone number of the information contact of the person required to make such return, and

“(2) the information required to be shown on such return with respect to such United States beneficial owner.

The written statement required under the preceding sentence shall be furnished to the United States beneficial owner on or before

January 31 of the year following the calendar year for which the return under subsection (a) was required to be made. In the event the person filing such return does not have a current address for the United States beneficial owner, such written statement may be mailed to the address of the foreign entity.

“SEC. 6045D. RETURNS BY FINANCIAL INSTITUTIONS REGARDING ESTABLISHMENT OF ACCOUNTS IN NON-FATCA INSTITUTIONS.

“(a) REQUIREMENT OF RETURN.—Any financial institution directly or indirectly opening a bank, brokerage, or other financial account for or on behalf of an offshore entity, including a trust, corporation, limited liability company, partnership, or foundation (other than an entity with shares regularly traded on an established securities market), in a non-FATCA institution (as defined in section 7701(a)(51)) at the direction of, on behalf of, or for the benefit of a United States person shall make a return according to the forms or regulations prescribed by the Secretary.

“(b) REQUIRED INFORMATION.—For purposes of subsection (a) the information required to be included on the return shall include—

“(1) the name, address, and taxpayer identification number of such United States person,

“(2) the name and address of the financial institution at which a financial account is opened, the type of account, the account number, the name under which the account was opened, and the amount of the initial deposit,

“(3) if the account is held in the name of an entity, the name and address of such entity, the type of entity, and the name and address of any company formation agent or other professional employed to form or acquire the entity, and

“(4) such other information as the Secretary may by forms or regulations provide.

“(c) STATEMENTS TO BE FURNISHED TO UNITED STATES PERSONS WITH RESPECT TO WHOM INFORMATION IS REQUIRED TO BE REPORTED.—A financial institution required to make a return under subsection (a) shall furnish to each United States person whose name is required to be set forth in such return a statement showing—

“(1) the name, address, and telephone number of the information contact of the person required to make such return, and

“(2) the information required to be shown on such return with respect to such United States person.

The written statement required under the preceding sentence shall be furnished to such United States person on or before January 31 of the year following the calendar year for which the return under subsection (a) was required to be made.

“(d) EXEMPTION.—The Secretary may by regulations exempt any class of United States persons or any class of accounts or entities from the requirements of this section if the Secretary determines that applying this section to such persons, accounts, or entities is not necessary to carry out the purposes of this section.”

(b) PENALTIES.—

(1) RETURNS.—Section 6724(d)(1)(B) is amended by striking “or” at the end of clause (xxiv), by striking “and” at the end of clause (xxv), and by adding after clause (xxv) the following new clauses:

“(xxvi) section 6045C(a) (relating to returns regarding United States beneficial owners of financial accounts located in the United States and held in the name of a foreign entity), or

“(xxvii) section 6045D(a) (relating to returns by financial institutions regarding establishment of accounts at non-FATCA institutions), and”.

(2) PAYEE STATEMENTS.—Section 6724(d)(2) is amended by striking “or” at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH), and by inserting after subparagraph (HH) the following new subparagraphs:

“(II) section 6045C(c) (relating to returns regarding United States beneficial owners of financial accounts located in the United States and held in the name of a foreign entity),

“(JJ) section 6045D(c) (relating to returns by financial institutions regarding establishment of accounts at non-FATCA institutions).”.

(c) CLERICAL AMENDMENT.—The table of sections for subpart B of part III of subchapter A of chapter 61 is amended by inserting after the item relating to section 6045B the following new items:

“Sec. 6045C. Returns regarding United States beneficial owners of financial accounts located in the United States and held in the name of a foreign entity.

“Sec. 6045D. Returns by financial institutions regarding establishment of accounts at non-FATCA institutions.”.

(d) ADDITIONAL PENALTIES.—

(1) ADDITIONAL PENALTIES ON BANKS.—Section 5239(b)(1) of the Revised Statutes (12 U.S.C. 93(b)(1)) is amended by inserting “or any of the provisions of section 6045D of the Internal Revenue Code of 1986,” after “any regulation issued pursuant to.”.

(2) ADDITIONAL PENALTIES ON SECURITIES FIRMS.—Section 21(d)(3)(A) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(d)(3)(A)) is amended by inserting “any of the provisions of section 6045D of the Internal Revenue Code of 1986,” after “the rules or regulations thereunder.”.

(e) REGULATORY AUTHORITY AND EFFECTIVE DATE.—

(1) REGULATORY AUTHORITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall adopt regulations, forms, or other guidance necessary to implement this section.

(2) EFFECTIVE DATE.—Section 6045C of the Internal Revenue Code of 1986 (as added by this section) and the amendment made by subsection (d)(1) shall take effect with respect to amounts paid into foreign owned accounts located in the United States after December 31 of the year of the date of the enactment of this Act. Section 6045D of such Code (as so added) and the amendment made by subsection (d)(2) shall take effect with respect to accounts opened after December 31 of the year of the date of the enactment of this Act.

SEC. 105. SWAP PAYMENTS MADE FROM THE UNITED STATES TO PERSONS OFFSHORE.

(a) TAX ON SWAP PAYMENTS RECEIVED BY FOREIGN PERSONS.—Section 871(a)(1) is amended—

(1) by inserting “swap payments (as identified in section 1256(b)(2)(B)),” after “annuities,” in subparagraph (A), and

(2) by adding at the end the following new sentence: “In the case of swap payments, the source of a swap payment is determined by reference to the location of the payor.”.

(b) TAX ON SWAP PAYMENTS RECEIVED BY FOREIGN CORPORATIONS.—Section 881(a) is amended—

(1) by inserting “swap payments (as identified in section 1256(b)(2)(B)),” after “annuities,” in paragraph (1), and

(2) by adding at the end the following new sentence: “In the case of swap payments, the source of a swap payment is determined by reference to the location of the payor.”.

SEC. 106. TAX ON INCOME OF CONTROLLED FOREIGN CORPORATION DEPOSITED IN FINANCIAL ACCOUNT LOCATED IN THE UNITED STATES.

Section 952(a) is amended by adding at the end the following new sentence: “Notwithstanding section 956(c)(2)(A), any property (as defined in section 317(a)) of such controlled foreign corporation that is deposited and maintained, directly or indirectly, for or on behalf of such corporation in a financial account located in the United States, including in a correspondent account of a financial institution, is a constructive distribution with respect to the stock which such United States shareholder owns.”.

Subtitle B—Other Measures to Combat Tax Haven and Tax Shelter Abuses

SEC. 111. COUNTRY-BY-COUNTRY REPORTING.

(a) IN GENERAL.—Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following new subsection:

“(r) DISCLOSURE OF FINANCIAL PERFORMANCE ON A COUNTRY-BY-COUNTRY BASIS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘issuer group’ shall mean the issuer, each subsidiary of the issuer, and each entity under the control of the issuer;

“(B) the term ‘country of operation’ shall mean each country in which a member of the issuer group is incorporated or organized, or maintains employees or conducts business activities; and

“(C) the term ‘world-wide allocation of group members’ shall mean each member of the issuer group listed according to their country of operation.

“(2) COUNTRY-BY-COUNTRY REPORTING.—The Commission shall issue rules that require each issuer to include in an annual report filed by the issuer with the Commission information indicative of financial performance on a country-by-country basis during the covered period, including—

“(A) a list of each country of operation;

“(B) the world-wide allocation of group members;

“(C) the financial performance of each member of the issuer group in each country of operation, without exception, including, and set forth according to—

“(i) total number of employees physically working in the country of operation;

“(ii) total sales by the member of the issuer group to third parties;

“(iii) total sales by the member of the issuer group to other members of the issuer group and total sales to each such member;

“(iv) total purchases by the member of the issuer group from third parties;

“(v) total purchases by the member of the issuer group from other members of the issuer group and total purchases from each such member;

“(vi) total financing payments made by the member of the issuer group to third parties;

“(vii) total financing payments made by the member of the issuer group to other members of the issuer group and total financing payments made to each such member;

“(viii) pre-tax gross revenues of the member of the issuer group;

“(ix) pre-tax net revenues of the member of the issuer group; and

“(x) such other financial information as the Commission may determine is indicative of the financial performance of the issuer;

“(D) the tax paid by each member of the issuer group in each country of operation, without exception, including, and set forth according to—

“(i) total Federal, regional, local, and other tax assessed against each member of the issuer group with respect to each country of operation during the covered period;

“(ii) after taking into account any tax deductions, tax credits, tax forgiveness, or other tax benefits or waivers, total amount of tax paid from the treasury of the member of the issuer group to the government of each country of operation during the covered period; and

“(iii) such other financial information as the Commission may determine is necessary or appropriate to inform the public of the tax obligations of and payments by each member of the issuer group; and

“(E) such other financial information as the Commission may determine is necessary or appropriate in the public interest or for the protection of investors.”.

(b) RULEMAKING.—

(1) DEADLINES.—Not later than 180 days after the date of the enactment of this Act, the Commission shall issue a proposed rule to carry out this section and, not later than 270 days after the date of the enactment of this Act, shall issue a final rule to carry out this section.

(2) CONSULTATION.—In issuing the rules under this section, the Commission shall consult with the Secretary of the Treasury and the Commissioner of Internal Revenue and, to the extent practicable and in furtherance of its obligation to protect investors, shall issue rules that support Federal efforts to reduce offshore tax evasion and abuses.

(3) INTERACTIVE DATA FORMAT.—The rules issued under this section shall require that the information provided by issuers in their annual reports be submitted in an interactive data format as provided in section 13(q)(2)(D) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(q)(2)(D)), and to the extent practicable, the Commission shall make available online, to the public, a compilation of such information.

(4) AGGREGATE DATA.—The rules may allow issuers to provide the financial information required under section 13(r) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(r)), as added by this section, aggregated at the level of each country of operation instead of with respect to each member of the issuer group individually, provided that the Commission retains the authority, at its discretion, to require further disaggregation.

(5) EFFECTIVE DATE.—Each issuer shall be required to comply with the requirements of section 13(r) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(r)), as added by this section, not later than the date on which the issuer must file with the Commission its first annual report that is due not later than 1 year after the date on which the Commission issues a final rule under this section.

SEC. 112. PENALTY FOR FAILING TO DISCLOSE OFFSHORE HOLDINGS.

(a) SECURITIES EXCHANGE ACT OF 1934.—Section 21(d)(3)(B) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(d)(3)(B)) is amended by adding at the end the following:

“(iv) FOURTH TIER.—Notwithstanding clauses (i), (ii), and (iii), the amount of the penalty for each such violation shall not exceed \$1,000,000 for any person if the violation described in subparagraph (A) involved a knowing failure to disclose any holding or transaction involving equity or debt instruments of an issuer and known by such person to involve a foreign entity, including any trust, corporation, limited liability company, partnership, or foundation that is directly or indirectly controlled by such person, and which would have been otherwise subject to disclosure by such person under this title.”.

(b) SECURITIES ACT OF 1933.—Section 20(d)(2) of the Securities Act of 1933 (15 U.S.C. 77t(d)(2)) is amended by adding at the end the following:

“(D) FOURTH TIER.—Notwithstanding subparagraphs (A), (B), and (C), the amount of

penalty for each such violation shall not exceed \$1,000,000 for any person, if the violation described in paragraph (1) involved a knowing failure to disclose any holding or transaction involving equity or debt instruments of an issuer and known by such person to involve a foreign entity, including any trust, corporation, limited liability company, partnership, or foundation, directly or indirectly controlled by such person, and which would have been otherwise subject to disclosure by such person under this title.”

(c) INVESTMENT COMPANY ACT OF 1940.—Section 9(d)(2) of the Investment Company Act of 1940 (15 U.S.C. 80a 9(d)(2)) is amended by adding at the end the following:

“(D) FOURTH TIER.—Notwithstanding subparagraphs (A), (B), and (C), the amount of penalty for each such violation shall not exceed \$1,000,000 for any person, if the violation described in paragraph (1) involved a knowing failure to disclose any holding or transaction involving equity or debt instruments of an issuer and known by such person to involve a foreign entity, including any trust, corporation, limited liability company, partnership, or foundation, directly or indirectly controlled by such person, and which would have been otherwise subject to disclosure by such person under this title.”

(d) INVESTMENT ADVISERS ACT OF 1940.—Section 203(i)(2) of the Investment Advisers Act of 1940 (15 U.S.C. 80b 3(i)(2)) is amended by adding at the end the following:

“(D) FOURTH TIER.—Notwithstanding subparagraphs (A), (B), and (C), the amount of penalty for each such violation shall not exceed \$1,000,000 for any person, if the violation described in paragraph (1) involved a knowing failure to disclose any holding or transaction involving equity or debt instruments of an issuer and known by such person to involve a foreign entity, including any trust, corporation, limited liability company, partnership, or foundation, directly or indirectly controlled by such person, and which would have been otherwise subject to disclosure by such person under this title.”

SEC. 113. DEADLINE FOR ANTI-MONEY LAUNDERING RULE FOR PRIVATE FUNDS AND VENTURE CAPITAL FUNDS.

(a) IN GENERAL.—

(1) PROPOSED RULE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Chairman of the Securities and Exchange Commission and the Chairman of the Commodity Futures Trading Commission, shall publish a proposed rule in the Federal Register requiring any private fund (as defined in paragraph (29) of section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b 2(a)) or venture capital fund (within the meaning of subsection (1) of section 203 of such Act (15 U.S.C. 80b 3) to establish anti-money laundering programs and submit suspicious activity reports under subsections (g) and (h) of section 5318 of title 31, United States Code.

(2) FINAL RULE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall publish a final rule in the Federal Register on the matter described in paragraph (1).

(b) CONTENTS.—The final rule published under this section shall require, at a minimum, that to safeguard against terrorist financing and money laundering, any such private fund or venture capital fund shall—

(1) use risk-based due diligence policies, procedures, and controls that are reasonably designed to ascertain the identity of any foreign person (including the nominal and beneficial owner or beneficiary of a foreign corporation, partnership, trust, or other foreign entity) planning to supply or supplying funds to be invested with the advice or assistance

of such private fund or venture capital fund; and

(2) be subject to section 5318(k)(2) of title 31, United States Code.

SEC. 114. ANTI-MONEY LAUNDERING REQUIREMENTS FOR FORMATION AGENTS.

(a) ANTI-MONEY LAUNDERING OBLIGATIONS FOR FORMATION AGENTS.—Section 5312(a)(2) of title 31, United States Code, is amended, by—

(1) in subparagraph (Y), by striking “or” at the end;

(2) by redesignating subparagraph (Z) as subparagraph (AA); and

(3) by inserting after subparagraph (Y) the following:

“(Z) persons engaged in the business of forming new corporations, limited liability companies, partnerships, trusts, or other legal entities; or”

(b) DEADLINE FOR ANTI-MONEY LAUNDERING RULE FOR FORMATION AGENTS.—

(1) PROPOSED RULE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Attorney General of the United States, the Secretary of Homeland Security, and the Commissioner of Internal Revenue, shall publish a proposed rule in the Federal Register requiring persons described in section 5312(a)(2)(Z) of title 31, United States Code, as added by this section, to establish anti-money laundering programs under subsections (g) and (h) of section 5318 of that title.

(2) FINAL RULE.—Not later than 270 days after such date of enactment, the Secretary of the Treasury shall publish a final rule in the Federal Register on the matter described in paragraph (1).

(3) EXCLUSIONS.—Any rule promulgated under this subsection shall exclude from the category of persons engaged in the business of forming new corporations or other entities—

(A) any government agency; and

(B) any attorney or law firm that uses a paid formation agent operating within the United States to form such corporations or other entities.

SEC. 115. STRENGTHENING JOHN DOE SUMMONS PROCEEDINGS.

(a) IN GENERAL.—Subsection (f) of section 7609 is amended to read as follows:

“(f) ADDITIONAL REQUIREMENT IN THE CASE OF A JOHN DOE SUMMONS.—

“(1) GENERAL RULE.—Any summons described in subsection (c)(1) which does not identify the person with respect to whose liability the summons is issued may be served only after a court proceeding in which the Secretary establishes that—

“(A) the summons relates to the investigation of a particular person or ascertainable group or class of persons,

“(B) there is a reasonable basis for believing that such person or group or class of persons may fail or may have failed to comply with any provision of any internal revenue law, and

“(C) the information sought to be obtained from the examination of the records or testimony (and the identity of the person or persons with respect to whose liability the summons is issued) is not readily available from other sources.

“(2) EXCEPTION.—Paragraph (1) shall not apply to any summons which specifies that it is limited to information regarding a United States correspondent account (as defined in section 5318A(e)(1)(B) of title 31, United States Code) or a United States payable-through account (as defined in section 5318A(e)(1)(C) of such title) of a financial institution that is held at a non-FATCA institution (as defined in section 7701(a)(51)).

“(3) PRESUMPTION IN CASES INVOLVING NON-FATCA INSTITUTIONS.—For purposes of this section, in any case in which the particular person or ascertainable group or class of persons have financial accounts in or transactions related to a non-FATCA institution (as defined in section 7701(a)(51)), there shall be a presumption that there is a reasonable basis for believing that such person or group or class of persons may fail or may have failed to comply with provisions of internal revenue law.

“(4) PROJECT JOHN DOE SUMMONSES.—

“(A) IN GENERAL.—Notwithstanding the requirements of paragraph (1), the Secretary may issue a summons described in paragraph (1) if the summons—

“(i) relates to a project which is approved under subparagraph (B),

“(ii) is issued to a person who is a member of the group or class established under subparagraph (B)(i), and

“(iii) is issued within 3 years of the date on which such project was approved under subparagraph (B).

“(B) APPROVAL OF PROJECTS.—A project may only be approved under this subparagraph after a court proceeding in which the Secretary establishes that—

“(i) any summons issues with respect to the project will be issued to a member of an ascertainable group or class of persons, and

“(ii) any summons issued with respect to such project will meet the requirements of paragraph (1).

“(C) EXTENSION.—Upon application of the Secretary, the court may extend the time for issuing such summonses under subparagraph (A)(i) for additional 3-year periods, but only if the court continues to exercise oversight of such project under subparagraph (D).

“(D) ONGOING COURT OVERSIGHT.—During any period in which the Secretary is authorized to issue summonses in relation to a project approved under subparagraph (B) (including during any extension under subparagraph (C)), the Secretary shall report annually to the court on the use of such authority, provide copies of all summonses with such report, and comply with the court's direction with respect to the issuance of any John Doe summons under such project.”

(b) JURISDICTION OF COURT.—

(1) IN GENERAL.—Paragraph (1) of section 7609(h) is amended by inserting after the first sentence the following new sentence: “Any United States district court in which a member of the group or class to which a summons may be issued resides or is found shall have jurisdiction to hear and determine the approval of a project under subsection (f)(2)(B).”

(2) CONFORMING AMENDMENT.—The first sentence of section 7609(h)(1) is amended by striking “(f)” and inserting “(f)(1)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses issued after the date of the enactment of this Act.

SEC. 116. IMPROVING ENFORCEMENT OF FOREIGN FINANCIAL ACCOUNT REPORTING.

(a) CLARIFYING THE CONNECTION OF FOREIGN FINANCIAL ACCOUNT REPORTING TO TAX ADMINISTRATION.—Paragraph (4) of section 6103(b) is amended by adding at the end the following new sentence:

“For purposes of subparagraph (A)(i), section 5314 of title 31, United States Code, and sections 5321 and 5322 of such title (as such sections pertain to such section 5314), shall be considered related statutes.”

(b) SIMPLIFYING THE CALCULATION OF FOREIGN FINANCIAL ACCOUNT REPORTING PENALTIES.—Section 5321(a)(5)(D)(ii) of title 31, United States Code, is amended by striking “the balance in the account at the time of

the violation” and inserting “the highest balance in the account during the reporting period to which the violation relates”.

(c) CLARIFYING THE USE OF SUSPICIOUS ACTIVITY REPORTS UNDER THE BANK SECRECY ACT FOR CIVIL TAX LAW ENFORCEMENT.—Section 5319 of title 31, United States Code, is amended by inserting “the civil and criminal enforcement divisions of the Internal Revenue Service,” after “including”.

Subtitle C—Combating Tax Shelter Promoters

SEC. 121. PENALTY FOR PROMOTING ABUSIVE TAX SHELTERS.

(a) PENALTY FOR PROMOTING ABUSIVE TAX SHELTERS.—Section 6700 is amended—

(1) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively,

(2) by striking “a penalty” and all that follows through the period in the first sentence of subsection (a) and inserting “a penalty determined under subsection (b)”, and

(3) by inserting after subsection (a) the following new subsections:

“(b) AMOUNT OF PENALTY; CALCULATION OF PENALTY; LIABILITY FOR PENALTY.—

“(1) AMOUNT OF PENALTY.—The amount of the penalty imposed by subsection (a) shall not exceed 150 percent of the gross income derived (or to be derived) from such activity by the person or persons subject to such penalty.

“(2) CALCULATION OF PENALTY.—The penalty amount determined under paragraph (1) shall be calculated with respect to each instance of an activity described in subsection (a), each instance in which income was derived by the person or persons subject to such penalty, and each person who participated in such an activity.

“(3) LIABILITY FOR PENALTY.—If more than 1 person is liable under subsection (a) with respect to such activity, all such persons shall be jointly and severally liable for the penalty under such subsection.

“(c) PENALTY NOT DEDUCTIBLE.—The payment of any penalty imposed under this section or the payment of any amount to settle or avoid the imposition of such penalty shall not be considered an ordinary and necessary expense in carrying on a trade or business for purposes of this title and shall not be deductible by the person who is subject to such penalty or who makes such payment.”

(b) CONFORMING AMENDMENT.—Section 6700(a) is amended by striking the last sentence.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to activities after the date of the enactment of this Act.

SEC. 122. PENALTY FOR AIDING AND ABETTING THE UNDERSTATEMENT OF TAX LIABILITY.

(a) IN GENERAL.—Section 6701(a) is amended—

(1) by inserting “the tax liability or” after “respect to,” in paragraph (1),

(2) by inserting “aid, assistance, procurement, or advice with respect to such” before “portion” both places it appears in paragraphs (2) and (3), and

(3) by inserting “instance of aid, assistance, procurement, or advice or each such” before “document” in the matter following paragraph (3).

(b) AMOUNT OF PENALTY.—Subsection (b) of section 6701 is amended to read as follows:

“(b) AMOUNT OF PENALTY; CALCULATION OF PENALTY; LIABILITY FOR PENALTY.—

“(1) AMOUNT OF PENALTY.—The amount of the penalty imposed by subsection (a) shall not exceed 150 percent of the gross income derived (or to be derived) from such aid, assistance, procurement, or advice provided by the person or persons subject to such penalty.

“(2) CALCULATION OF PENALTY.—The penalty amount determined under paragraph (1)

shall be calculated with respect to each instance of aid, assistance, procurement, or advice described in subsection (a), each instance in which income was derived by the person or persons subject to such penalty, and each person who made such an understatement of the liability for tax.

“(3) LIABILITY FOR PENALTY.—If more than 1 person is liable under subsection (a) with respect to providing such aid, assistance, procurement, or advice, all such persons shall be jointly and severally liable for the penalty under such subsection.”

(c) PENALTY NOT DEDUCTIBLE.—Section 6701 is amended by adding at the end the following new subsection:

“(g) PENALTY NOT DEDUCTIBLE.—The payment of any penalty imposed under this section or the payment of any amount to settle or avoid the imposition of such penalty shall not be considered an ordinary and necessary expense in carrying on a trade or business for purposes of this title and shall not be deductible by the person who is subject to such penalty or who makes such payment.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to activities after the date of the enactment of this Act.

SEC. 123. PROHIBITED FEE ARRANGEMENT.

(a) IN GENERAL.—Section 6701, as amended by this Act, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively,

(2) by striking “subsection (a).” in paragraphs (2) and (3) of subsection (g) (as redesignated by paragraph (1)) and inserting “subsection (a) or (f).”, and

(3) by inserting after subsection (e) the following new subsection:

“(f) PROHIBITED FEE ARRANGEMENT.—

“(1) IN GENERAL.—Any person who makes an agreement for, charges, or collects a fee which is for services provided in connection with the internal revenue laws, and the amount of which is calculated according to, or is dependent upon, a projected or actual amount of—

“(A) tax savings or benefits, or

“(B) losses which can be used to offset other taxable income,

shall pay a penalty with respect to each such fee activity in the amount determined under subsection (b).

“(2) RULES.—The Secretary may issue rules to carry out the purposes of this subsection and may provide exceptions for fee arrangements that are in the public interest.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fee agreements, charges, and collections made after the date of the enactment of this Act.

SEC. 124. PREVENTING TAX SHELTER ACTIVITIES BY FINANCIAL INSTITUTIONS.

(a) EXAMINATIONS.—

(1) DEVELOPMENT OF EXAMINATION TECHNIQUES.—Each of the Federal banking agencies and the Commission shall, in consultation with the Internal Revenue Service, develop examination techniques to detect potential violations of section 6700 or 6701 of the Internal Revenue Code of 1986, by depository institutions, brokers, dealers, and investment advisers, as appropriate.

(2) IMPLEMENTATION.—Each of the Federal banking agencies and the Commission shall implement the examination techniques developed under paragraph (1) with respect to each of the depository institutions, brokers, dealers, or investment advisers subject to their enforcement authority. Such examination shall, to the extent possible, be combined with any examination by such agency otherwise required or authorized by Federal law.

(b) REPORT TO INTERNAL REVENUE SERVICE.—In any case in which an examination

conducted under this section with respect to a financial institution or other entity reveals a potential violation, such agency shall promptly notify the Internal Revenue Service of such potential violation for investigation and enforcement by the Internal Revenue Service, in accordance with applicable provisions of law.

(c) REPORT TO CONGRESS.—The Federal banking agencies and the Commission shall submit a joint written report to Congress in 2013 on their progress in preventing violations of sections 6700 and 6701 of the Internal Revenue Code of 1986, by depository institutions, brokers, dealers, and investment advisers, as appropriate.

(d) DEFINITIONS.—For purposes of this section—

(1) the terms “broker”, “dealer”, and “investment adviser” have the same meanings as in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c);

(2) the term “Commission” means the Securities and Exchange Commission;

(3) the term “depository institution” has the same meaning as in section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c));

(4) the term “Federal banking agencies” has the same meaning as in section 3(q) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)); and

(5) the term “Secretary” means the Secretary of the Treasury.

SEC. 125. INFORMATION SHARING FOR ENFORCEMENT PURPOSES.

(a) PROMOTION OF PROHIBITED TAX SHELTERS OR TAX AVOIDANCE SCHEMES.—Section 6103(h) is amended by adding at the end the following new paragraph:

“(7) DISCLOSURE OF RETURNS AND RETURN INFORMATION RELATED TO PROMOTION OF PROHIBITED TAX SHELTERS OR TAX AVOIDANCE SCHEMES.—

“(A) WRITTEN REQUEST.—Upon receipt by the Secretary of a written request which meets the requirements of subparagraph (B) from the head of the United States Securities and Exchange Commission, an appropriate Federal banking agency as defined under section 1813(q) of title 12, United States Code, or the Public Company Accounting Oversight Board, a return or return information shall be disclosed to such requestor’s officers and employees who are personally and directly engaged in an investigation, examination, or proceeding by such requestor to evaluate, determine, penalize, or deter conduct by a financial institution, issuer, or public accounting firm, or associated person, in connection with a potential or actual violation of section 6700 (promotion of abusive tax shelters), 6701 (aiding and abetting understatement of tax liability), or activities related to promoting or facilitating inappropriate tax avoidance or tax evasion. Such disclosure shall be solely for use by such officers and employees in such investigation, examination, or proceeding. In the discretion of the Secretary, such disclosure may take the form of the participation of Internal Revenue Service employees in a joint investigation, examination, or proceeding with the Securities Exchange Commission, Federal banking agency, or Public Company Accounting Oversight Board.

“(B) REQUIREMENTS.—A request meets the requirements of this subparagraph if it sets forth—

“(i) the nature of the investigation, examination, or proceeding,

“(ii) the statutory authority under which such investigation, examination, or proceeding is being conducted,

“(iii) the name or names of the financial institution, issuer, or public accounting firm to which such return information relates,

“(iv) the taxable period or periods to which such return information relates, and

“(v) the specific reason or reasons why such disclosure is, or may be, relevant to such investigation, examination or proceeding.

“(C) FINANCIAL INSTITUTION.—For the purposes of this paragraph, the term ‘financial institution’ means a depository institution, foreign bank, insured institution, industrial loan company, broker, dealer, investment company, investment advisor, or other entity subject to regulation or oversight by the United States Securities and Exchange Commission or an appropriate Federal banking agency.”

(b) FINANCIAL AND ACCOUNTING FRAUD INVESTIGATIONS.—Section 6103(i) is amended by adding at the end the following new paragraph:

“(9) DISCLOSURE OF RETURNS AND RETURN INFORMATION FOR USE IN FINANCIAL AND ACCOUNTING FRAUD INVESTIGATIONS.—

“(A) WRITTEN REQUEST.—Upon receipt by the Secretary of a written request which meets the requirements of subparagraph (B) from the head of the United States Securities and Exchange Commission or the Public Company Accounting Oversight Board, a return or return information shall be disclosed to such requestor’s officers and employees who are personally and directly engaged in an investigation, examination, or proceeding by such requester to evaluate the accuracy of a financial statement or report, or to determine whether to require a restatement, penalize, or deter conduct by an issuer, investment company, or public accounting firm, or associated person, in connection with a potential or actual violation of auditing standards or prohibitions against false or misleading statements or omissions in financial statements or reports. Such disclosure shall be solely for use by such officers and employees in such investigation, examination, or proceeding.

“(B) REQUIREMENTS.—A request meets the requirements of this subparagraph if it sets forth—

“(i) the nature of the investigation, examination, or proceeding,

“(ii) the statutory authority under which such investigation, examination, or proceeding is being conducted,

“(iii) the name or names of the issuer, investment company, or public accounting firm to which such return information relates,

“(iv) the taxable period or periods to which such return information relates, and

“(v) the specific reason or reasons why such disclosure is, or may be, relevant to such investigation, examination or proceeding.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures and to information and document requests made after the date of the enactment of this Act.

SEC. 126. DISCLOSURE OF INFORMATION TO CONGRESS.

(a) DISCLOSURE BY TAX RETURN PREPARER.—

(1) IN GENERAL.—Subparagraph (B) of section 7216(b)(1) is amended to read as follows:

“(B) pursuant to any 1 of the following documents, if clearly identified:

“(i) The order of any Federal, State, or local court of record.

“(ii) A subpoena issued by a Federal or State grand jury.

“(iii) An administrative order, summons, or subpoena which is issued in the performance of its duties by—

“(I) any Federal agency, including Congress or any committee or subcommittee thereof, or

“(II) any State agency, body, or commission charged under the laws of the State or a political subdivision of the State with the licensing, registration, or regulation of tax return preparers.”

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to disclosures made after the date of the enactment of this Act pursuant to any document in effect on or after such date.

(b) DISCLOSURE BY SECRETARY.—Paragraph (2) of section 6104(a) is amended to read as follows:

“(2) INSPECTION BY CONGRESS.—

“(A) IN GENERAL.—Upon receipt of a written request from a committee or subcommittee of Congress, copies of documents related to a determination by the Secretary to grant, deny, revoke, or restore an organization’s exemption from taxation under section 501 shall be provided to such committee or subcommittee, including any application, notice of status, or supporting information provided by such organization to the Internal Revenue Service; any letter, analysis, or other document produced by or for the Internal Revenue Service evaluating, determining, explaining, or relating to the tax exempt status of such organization (other than returns, unless such returns are available to the public under this section or section 6103 or 6110); and any communication between the Internal Revenue Service and any other party relating to the tax exempt status of such organization.

“(B) ADDITIONAL INFORMATION.—Section 6103(f) shall apply with respect to—

“(i) the application for exemption of any organization described in subsection (c) or (d) of section 501 which is exempt from taxation under section 501(a) for any taxable year and any application referred to in subparagraph (B) of subsection (a)(1) of this section, and

“(ii) any other papers which are in the possession of the Secretary and which relate to such application,

as if such papers constituted returns.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures and to information and document requests made after the date of the enactment of this Act.

SEC. 127. TAX OPINION STANDARDS FOR TAX PRACTITIONERS.

Section 330(d) of title 31, United States Code, is amended to read as follows:

“(d) The Secretary of the Treasury shall impose standards applicable to the rendering of written advice with respect to any listed transaction or any entity, plan, arrangement, or other transaction which has a potential for tax avoidance or evasion. Such standards shall address, but not be limited to, the following issues:

“(1) Independence of the practitioner issuing such written advice from persons promoting, marketing, or recommending the subject of the advice.

“(2) Collaboration among practitioners, or between a practitioner and other party, which could result in such collaborating parties having a joint financial interest in the subject of the advice.

“(3) Avoidance of conflicts of interest which would impair auditor independence.

“(4) For written advice issued by a firm, standards for reviewing the advice and ensuring the consensus support of the firm for positions taken.

“(5) Reliance on reasonable factual representations by the taxpayer and other parties.

“(6) Appropriateness of the fees charged by the practitioner for the written advice.

“(7) Preventing practitioners and firms from aiding or abetting the understatement of tax liability by clients.

“(8) Banning the promotion of potentially abusive or illegal tax shelters.”

Subtitle D—Reformation of U.S. International Tax System

SEC. 131. ALLOCATION OF EXPENSES AND TAXES ON BASIS OF REPATRIATION OF FOREIGN INCOME.

(a) IN GENERAL.—Part III of subchapter N of chapter 1 is amended by inserting after subpart G the following new subpart:

“Subpart H—Special Rules for Allocation of Foreign-Related Deductions and Foreign Tax Credits

“Sec. 975. Deductions allocated to deferred foreign income may not offset United States source income.

“Sec. 976. Amount of foreign taxes computed on overall basis.

“Sec. 977. Application of subpart.

“SEC. 975. DEDUCTIONS ALLOCATED TO DEFERRED FOREIGN INCOME MAY NOT OFFSET UNITED STATES SOURCE INCOME.

“(a) CURRENT YEAR DEDUCTIONS.—For purposes of this chapter, foreign-related deductions for any taxable year—

“(1) shall be taken into account for such taxable year only to the extent that such deductions are allocable to currently-taxed foreign income, and

“(2) to the extent not so allowed, shall be taken into account in subsequent taxable years as provided in subsection (b).

Foreign-related deductions shall be allocated to currently taxed foreign income in the same proportion which currently taxed foreign income bears to the sum of currently taxed foreign income and deferred foreign income.

“(b) DEDUCTIONS RELATED TO REPATRIATED DEFERRED FOREIGN INCOME.—

“(1) IN GENERAL.—If there is repatriated foreign income for a taxable year, the portion of the previously deferred deductions allocated to the repatriated foreign income shall be taken into account for the taxable year as a deduction allocated to income from sources outside the United States. Any such amount shall not be included in foreign-related deductions for purposes of applying subsection (a) to such taxable year.

“(2) PORTION OF PREVIOUSLY DEFERRED DEDUCTIONS.—For purposes of paragraph (1), the portion of the previously deferred deductions allocated to repatriated foreign income is—

“(A) the amount which bears the same proportion to such deductions, as

“(B) the repatriated income bears to the previously deferred foreign income.

“(c) DEFINITIONS AND SPECIAL RULE.—For purposes of this section—

“(1) FOREIGN-RELATED DEDUCTIONS.—The term ‘foreign-related deductions’ means the total amount of deductions and expenses which would be allocated or apportioned to gross income from sources without the United States for the taxable year if both the currently-taxed foreign income and deferred foreign income were taken into account.

“(2) CURRENTLY-TAXED FOREIGN INCOME.—The term ‘currently-taxed foreign income’ means the amount of gross income from sources without the United States for the taxable year (determined without regard to repatriated foreign income for such year).

“(3) DEFERRED FOREIGN INCOME.—The term ‘deferred foreign income’ means the excess of—

“(A) the amount that would be includible in gross income under subpart F of this part for the taxable year if—

“(i) all controlled foreign corporations were treated as one controlled foreign corporation, and

“(ii) all earnings and profits of all controlled foreign corporations were subpart F income (as defined in section 952), over

“(B) the sum of—

“(i) all dividends received during the taxable year from controlled foreign corporations, plus

“(ii) amounts includible in gross income under section 951(a).

“(4) PREVIOUSLY DEFERRED FOREIGN INCOME.—The term ‘previously deferred foreign income’ means the aggregate amount of deferred foreign income for all prior taxable years to which this part applies, determined as of the beginning of the taxable year, reduced by the repatriated foreign income for all such prior taxable years.

“(5) REPATRIATED FOREIGN INCOME.—The term ‘repatriated foreign income’ means the amount included in gross income on account of distributions out of previously deferred foreign income.

“(6) PREVIOUSLY DEFERRED DEDUCTIONS.—The term ‘previously deferred deductions’ means the aggregate amount of foreign-related deductions not taken into account under subsection (a) for all prior taxable years (determined as of the beginning of the taxable year), reduced by any amounts taken into account under subsection (b) for such prior taxable years.

“(7) TREATMENT OF CERTAIN FOREIGN TAXES.—

“(A) PAID BY CONTROLLED FOREIGN CORPORATION.—Section 78 shall not apply for purposes of determining currently-taxed foreign income and deferred foreign income.

“(B) PAID BY TAXPAYER.—For purposes of determining currently-taxed foreign income, gross income from sources without the United States shall be reduced by the aggregate amount of taxes described in the applicable paragraph of section 901(b) which are paid by the taxpayer (without regard to sections 902 and 960) during the taxable year.

“(8) COORDINATION WITH SECTION 976.—In determining currently-taxed foreign income and deferred foreign income, the amount of deemed foreign tax credits shall be determined with regard to section 976.

“SEC. 976. AMOUNT OF FOREIGN TAXES COMPUTED ON OVERALL BASIS.

“(a) CURRENT YEAR ALLOWANCE.—For purposes of this chapter, the amount taken into account as foreign income taxes for any taxable year shall be an amount which bears the same ratio to the total foreign income taxes for that taxable year as—

“(1) the currently-taxed foreign income for such taxable year, bears to

“(2) the sum of the currently-taxed foreign income and deferred foreign income for such year.

The portion of the total foreign income taxes for any taxable year not taken into account under the preceding sentence for a taxable year shall only be taken into account as provided in subsection (b) (and shall not be taken into account for purposes of applying sections 902 and 960).

“(b) ALLOWANCE RELATED TO REPATRIATED DEFERRED FOREIGN INCOME.—

“(1) IN GENERAL.—If there is repatriated foreign income for any taxable year, the portion of the previously deferred foreign income taxes paid or accrued during such taxable year shall be taken into account for the taxable year as foreign taxes paid or accrued. Any such taxes so taken into account shall not be included in foreign income taxes for purposes of applying subsection (a) to such taxable year.

“(2) PORTION OF PREVIOUSLY DEFERRED FOREIGN INCOME TAXES.—For purposes of paragraph (1), the portion of the previously deferred foreign income taxes allocated to repatriated deferred foreign income is—

“(A) the amount which bears the same proportion to such taxes, as

“(B) the repatriated deferred income bears to the previously deferred foreign income.

“(c) DEFINITIONS AND SPECIAL RULE.—For purposes of this section—

“(1) PREVIOUSLY DEFERRED FOREIGN INCOME TAXES.—The term ‘previously deferred foreign income taxes’ means the aggregate amount of total foreign income taxes not taken into account under subsection (a) for all prior taxable years (determined as of the beginning of the taxable year), reduced by any amounts taken into account under subsection (b) for such prior taxable years.

“(2) TOTAL FOREIGN INCOME TAXES.—The term ‘total foreign income taxes’ means the sum of foreign income taxes paid or accrued during the taxable year (determined without regard to section 904(c)) plus the increase in foreign income taxes that would be paid or accrued during the taxable year under sections 902 and 960 if—

“(A) all controlled foreign corporations were treated as one controlled foreign corporation, and

“(B) all earnings and profits of all controlled foreign corporations were subpart F income (as defined in section 952).

“(3) FOREIGN INCOME TAXES.—The term ‘foreign income taxes’ means any income, war profits, or excess profits taxes paid by the taxpayer to any foreign country or possession of the United States.

“(4) CURRENTLY-TAXED FOREIGN INCOME AND DEFERRED FOREIGN INCOME.—The terms ‘currently-taxed foreign income’ and ‘deferred foreign income’ have the meanings given such terms by section 975(c).

“SEC. 977. APPLICATION OF SUBPART.

“This subpart—

“(1) shall be applied before subpart A, and

“(2) shall be applied separately with respect to the categories of income specified in section 904(d)(1).”

(b) CLERICAL AMENDMENT.—The table of subparts for part III of subpart N of chapter 1 is amended by inserting after the item relating to subpart G the following new item:

“SUBPART H. SPECIAL RULES FOR ALLOCATION OF FOREIGN-RELATED DEDUCTIONS AND FOREIGN TAX CREDITS.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 132. EXCESS INCOME FROM TRANSFERS OF INTANGIBLES TO LOW-TAXED AFFILIATES TREATED AS SUBPART F INCOME.

(a) IN GENERAL.—Subsection (a) of section 954 is amended by inserting after paragraph (3) the following new paragraph:

“(4) the foreign base company excess intangible income for the taxable year (determined under subsection (f) and reduced as provided in subsection (b)(5)), and”

(b) FOREIGN BASE COMPANY EXCESS INTANGIBLE INCOME.—Section 954 is amended by inserting after subsection (e) the following new subsection:

“(f) FOREIGN BASE COMPANY EXCESS INTANGIBLE INCOME.—For purposes of subsection (a)(4) and this subsection:

“(1) FOREIGN BASE COMPANY EXCESS INTANGIBLE INCOME DEFINED.—

“(A) IN GENERAL.—The term ‘foreign base company excess intangible income’ means, with respect to any covered intangible, the excess of—

“(i) the sum of—

“(I) gross income from the sale, lease, license, or other disposition of property in which such covered intangible is used directly or indirectly, and

“(II) gross income from the provision of services related to such covered intangible or in connection with property in which such covered intangible is used directly or indirectly, over

“(ii) 150 percent of the costs properly allocated and apportioned to the gross income

taken into account under clause (i) other than expenses for interest and taxes and any expenses which are not directly allocable to such gross income.

“(B) SAME COUNTRY INCOME NOT TAKEN INTO ACCOUNT.—If—

“(i) the sale, lease, license, or other disposition of the property referred to in subparagraph (A)(i)(I) is for use, consumption, or disposition in the country under the laws of which the controlled foreign corporation is created or organized, or

“(ii) the services referred to in subparagraph (A)(i)(II) are performed in such country,

the gross income from such sale, lease, license, or other disposition, or provision of services, shall not be taken into account under subparagraph (A)(i).

“(2) EXCEPTION BASED ON EFFECTIVE FOREIGN INCOME TAX RATE.—

“(A) IN GENERAL.—Foreign base company excess intangible income shall not include the applicable percentage of any item of income received by a controlled foreign corporation if the taxpayer establishes to the satisfaction of the Secretary that such income was subject to an effective rate of income tax imposed by a foreign country in excess of 5 percent.

“(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the term ‘applicable percentage’ means the ratio (expressed as a percentage), not greater than 100 percent, of—

“(i) the number of percentage points by which the effective rate of income tax referred to in subparagraph (A) exceeds 5 percentage points, over

“(ii) 10 percentage points.

“(C) TREATMENT OF LOSSES IN DETERMINING EFFECTIVE RATE OF FOREIGN INCOME TAX.—For purposes of determining the effective rate of income tax imposed by any foreign country—

“(i) such effective rate shall be determined without regard to any losses carried to the relevant taxable year, and

“(ii) to the extent the income with respect to such intangible reduces losses in the relevant taxable year, such effective rate shall be treated as being the effective rate which would have been imposed on such income without regard to such losses.

“(3) COVERED INTANGIBLE.—The term ‘covered intangible’ means, with respect to any controlled foreign corporation, any intangible property (as defined in section 936(h)(3)(B))—

“(A) which is sold, leased, licensed, or otherwise transferred (directly or indirectly) to such controlled foreign corporation from a related person, or

“(B) with respect to which such controlled foreign corporation and one or more related persons has (directly or indirectly) entered into any shared risk or development agreement (including any cost sharing agreement).

“(4) RELATED PERSON.—The term ‘related person’ has the meaning given such term in subsection (d)(3).”

(c) SEPARATE BASKET FOR FOREIGN TAX CREDIT.—Subsection (d) of section 904 is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

“(6) SEPARATE APPLICATION TO FOREIGN BASE COMPANY EXCESS INTANGIBLE INCOME.—

“(A) IN GENERAL.—Subsections (a), (b), and (c) of this section and sections 902, 907, and 960 shall be applied separately with respect to each item of income which is taken into account under section 954(a)(4) as foreign base company excess intangible income.

“(B) REGULATIONS.—The Secretary may issue such regulations or other guidance as is necessary or appropriate to carry out the

purposes of this subsection, including regulations or other guidance which provides that related items of income may be aggregated for purposes of this paragraph.”.

(d) CONFORMING AMENDMENTS.—

(1) Paragraph (4) of section 954(b) is amended by inserting “foreign base company excess intangible income described in subsection (a)(4) or” before “foreign base company oil-related income” in the last sentence thereof.

(2) Subsection (b) of section 954 is amended by adding at the end the following new paragraph:

“(7) FOREIGN BASE COMPANY EXCESS INTANGIBLE INCOME NOT TREATED AS ANOTHER KIND OF BASE COMPANY INCOME.—Income of a corporation which is foreign base company excess intangible income shall not be considered foreign base company income of such corporation under paragraph (2), (3), or (5) of subsection (a).”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 133. LIMITATIONS ON INCOME SHIFTING THROUGH INTANGIBLE PROPERTY TRANSFERS.

(a) CLARIFICATION OF DEFINITION OF INTANGIBLE ASSET.—Clause (vi) of section 936(h)(3)(B) is amended by inserting “(including any section 197 intangible described in subparagraph (A), (B), or (C)(i) of subsection (d)(1) of such section)” after “item”.

(b) CLARIFICATION OF ALLOWABLE VALUATION METHODS.—

(1) FOREIGN CORPORATIONS.—Paragraph (2) of section 367(d) is amended by adding at the end the following new subparagraph:

“(D) REGULATORY AUTHORITY.—For purposes of the last sentence of subparagraph (A), the Secretary may require—

“(i) the valuation of transfers of intangible property on an aggregate basis, or

“(ii) the valuation of such a transfer on the basis of the realistic alternatives to such a transfer,

in any case in which the Secretary determines that such basis is the most reliable means of valuation of such transfers.”.

(2) ALLOCATION AMONG TAXPAYERS.—Section 482 is amended by adding at the end the following: “For purposes of the preceding sentence, the Secretary may require the valuation of transfers of intangible property on an aggregate basis or the valuation of such a transfer on the basis of the realistic alternatives to such a transfer, in any case in which the Secretary determines that such basis is the most reliable means of valuation of such transfers.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to transfers in taxable years beginning after the date of the enactment of this Act.

(2) NO INFERENCE.—Nothing in the amendment made by subsection (a) shall be construed to create any inference with respect to the application of section 936(h)(3) of the Internal Revenue Code of 1986, or the authority of the Secretary of the Treasury to provide regulations for such application, on or before the date of the enactment of such amendment.

SEC. 134. LIMITATION ON EARNINGS STRIPPING BY EXPATRIATED ENTITIES.

(a) IN GENERAL.—Subsection (j) of section 163 is amended—

(1) by redesignating paragraph (9) as paragraph (10), and

(2) by inserting after paragraph (8) the following new paragraph:

“(9) SPECIAL RULES FOR EXPATRIATED ENTITIES.—

“(A) IN GENERAL.—In the case of a corporation to which this subsection applies which is an expatriated entity, this subsection

shall apply to such corporation with the following modifications:

“(i) Paragraph (2)(A) shall be applied without regard to clause (ii) thereof.

“(ii) Paragraph (1)(B) shall be applied—

“(I) without regard to the parenthetical, and

“(II) by substituting ‘in the 1st succeeding taxable year and in the 2nd through 10th succeeding taxable years to the extent not previously taken into account under this subparagraph’ for ‘in the succeeding taxable year’.

“(iii) Paragraph (2)(B) shall be applied—

“(I) without regard to clauses (ii) and (iii), and

“(II) by substituting ‘25 percent of the adjusted taxable income of the corporation for such taxable year’ for the matter of clause (i)(II) thereof.

“(B) EXPATRIATED ENTITY.—For purposes of this paragraph—

“(i) IN GENERAL.—With respect to a corporation and a taxable year, the term ‘expatriated entity’ has the meaning given such term by section 7874(a)(2), determined as if such section and the regulations under such section as in effect on the first day of such taxable year applied to all taxable years of the corporation beginning after July 10, 1989.

“(ii) EXCEPTION FOR SURROGATES TREATED AS A DOMESTIC CORPORATION.—The term ‘expatriated entity’ does not include a surrogate foreign corporation which is treated as a domestic corporation by reason of section 7874(b).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

TITLE II—ENDING EXCESSIVE CORPORATE TAX DEDUCTIONS FOR STOCK OPTIONS

SEC. 201. CONSISTENT TREATMENT OF STOCK OPTIONS BY CORPORATIONS.

(a) CONSISTENT TREATMENT FOR WAGE DEDUCTION.—

(1) IN GENERAL.—Section 83(h) is amended—

(A) by striking “In the case of” and inserting:

“(1) IN GENERAL.—In the case of”, and

(B) by adding at the end the following new paragraph:

“(2) STOCK OPTIONS.—In the case of property transferred to a person in connection with a stock option, any deduction related to such stock option shall be allowed only under section 162(q) and paragraph (1) shall not apply.”.

(2) TREATMENT OF COMPENSATION PAID WITH STOCK OPTIONS.—Section 162 is amended by redesignating subsection (q) as subsection (r) and by inserting after subsection (p) the following new subsection:

“(q) TREATMENT OF COMPENSATION PAID WITH STOCK OPTIONS.—

“(1) IN GENERAL.—In the case of compensation for personal services that is paid with stock options, the deduction under subsection (a)(1) shall not exceed the amount the taxpayer has treated as compensation cost with respect to such stock options for the purpose of ascertaining income, profit, or loss in a report or statement to shareholders, partners, or other proprietors (or to beneficiaries), and shall be taken into account in the same period that such compensation cost is recognized for such purpose.

“(2) SPECIAL RULES FOR CONTROLLED GROUPS.—The Secretary may prescribe rules for the application of paragraph (1) in cases where the stock option is granted by—

“(A) a parent or subsidiary corporation (within the meaning of section 424) of the taxpayer, or

“(B) another corporation.”.

(b) CONSISTENT TREATMENT FOR RESEARCH TAX CREDIT.—Section 41(b)(2)(D) is amended

by inserting at the end the following new clause:

“(iv) SPECIAL RULE FOR STOCK OPTIONS.—The amount which may be treated as wages for any taxable year in connection with the issuance of a stock option shall not exceed the amount allowed for such taxable year as a compensation deduction under section 162(q) with respect to such stock option.”.

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply to stock options exercised after the date of the enactment of this Act, except that—

(1) such amendments shall not apply to stock options that were granted before such date and that vested in taxable periods beginning on or before June 15, 2005,

(2) for stock options that were granted before such date of enactment and vested during taxable periods beginning after June 15, 2005, and ending before such date of enactment, a deduction under section 162(q) of the Internal Revenue Code of 1986 (as added by subsection (a)(2)) shall be allowed in the first taxable period of the taxpayer that ends after such date of enactment,

(3) for public entities reporting as small business issuers and for non-public entities required to file public reports of financial condition, paragraphs (1) and (2) shall be applied by substituting “December 15, 2005” for “June 15, 2005”, and

(4) no deduction shall be allowed under section 83(h) or section 162(q) of such Code with respect to any stock option the vesting date of which is changed to accelerate the time at which the option may be exercised in order to avoid the applicability of such amendments.

SEC. 202. APPLICATION OF EXECUTIVE PAY DEDUCTION LIMIT.

(a) IN GENERAL.—Subparagraph (D) of section 162(m)(4) is amended to read as follows:

“(D) STOCK OPTION COMPENSATION.—The term ‘applicable employee remuneration’ shall include any compensation deducted under subsection (q), and such compensation shall not qualify as performance-based compensation under subparagraph (C).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to stock options exercised or granted after the date of the enactment of this Act.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Subcommittee on Primary Health and Aging of the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, February 29, 2012, at 10 a.m. in SD 430 Dirksen Senate Office Building to conduct a hearing entitled Dental Crisis in America: The Need to Expand Access.

For further information regarding this meeting, please contact the subcommittee on (202) 224 5480.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, March 1, 2012, at 10 a.m. in SD 430 Dirksen Senate Office Building to conduct a hearing entitled The Key to America's Global Competitiveness: A Quality Education.

For further information regarding this meeting, please contact the committee on (202) 224 5501.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Senate HELP Committee hearing previously scheduled for March 1, 2012, entitled “The Key to America’s Global Competitiveness: A Quality Education” has been postponed until Thursday, March 8, 2012 at 10 a.m. in room 430 of the Dirksen Senate Office Building.

For further information regarding this meeting, please contact the committee on (202) 224 5501.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before Subcommittee on National Parks. The hearing will be held on Wednesday, March 7, 2012, at 2:30 p.m. in room SD 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 29, a bill to establish the Sacramento-San Joaquin Delta National Heritage Area;

S. 1150, a bill to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania;

S. 1191, a bill to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut;

S. 1198, a bill to reauthorize the Essex National Heritage Area;

S. 1215, a bill to provide for the exchange of land located in the Lowell National Historical Park;

S. 1589, a bill to extend the authorization for the Coastal Heritage Trail in the State of New Jersey;

S. 1708, a bill to establish the John H. Chafee Blackstone River Valley National Historical Park;

H.R. 1141, to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

H.R. 2606, to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304

Dirksen Senate Office Building, Washington, DC 20510 6150, or by email to Jake McCook@energy.senate.gov.

For further information, please contact David Brooks (202) 224 9863 or Jake McCook (202) 224 9313.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, Thursday, March 8, 2012, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing on the President fiscal year 2013 Budget for Native Programs.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224 2251.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, March 13, 2012, at 10 a.m., in room SD 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the “Report of the Independent Consultant’s Review with Respect to the Department of Energy Loan and Loan Guarantee Portfolio.”

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510 6150, or by email to Abigail Campbell@energy.senate.gov.

For further information, please contact Michael Carr at 202 224 8164 or Colin Hayes at (202) 224 4797 or Abigail Campbell at 202 224 1219.

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent that Ed Chung, a Department of Justice detailee on my Judiciary Committee staff, be given Senate floor privileges for the duration of the 112th Congress.

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

MEASURE READ THE FIRST TIME—H.R. 1173

Mr. PRYOR. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 1173) to repeal the CLASS program.

Mr. PRYOR. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, FEBRUARY 28, 2012

Mr. PRYOR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Tuesday, February 28, 2012, at 10 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half hour and the Republicans controlling the second half hour; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. PRYOR. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:05 p.m., adjourned until Tuesday, February 28, 2012, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate February 27, 2012:

THE JUDICIARY

MARGO KITSY BRODIE, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

EXTENSIONS OF REMARKS

HONORING EAST TEXAS BAPTIST UNIVERSITY FOR ITS 100TH ANNIVERSARY

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. GOHMERT. Mr. Speaker, tucked away in northeast Texas is the historic city of Marshall, Texas. As the seat of Harrison County, Marshall is also home to East Texas Baptist University, a respected institution of higher learning. In its one hundred year history, student enrollment at ETBU has grown from a few hundred students to a vibrant, bustling campus filled with more than twelve hundred young men and women seeking a college degree. This year marks the one hundredth anniversary of the trustees' application for a charter from the State of Texas in 1912 to begin what was then known as the College of Marshall, and it is a great privilege to recognize this momentous centennial event.

In 1944 the College of Marshall, under the direction of the Baptist General Convention, changed its name to East Texas Baptist College. Then in 1957, the Southern Association of Colleges and Schools granted accreditation to the institution which helped establish its enduring academic credibility. The University Charter was revised in 1984, changing the institutional name to what we now know as East Texas Baptist University.

ETBU boasts a number of notable alumni including two former members of this esteemed body: John Dowdy, Texas, Member of the United States House of Representatives (1967–1973) and Sam B. Hall, Member of the United States House of Representatives (1976–85) and United States District Judge (1985–94).

ETBU stands by its commitment to the “development of intellectual inquiry, social consciousness, wellness, and skills for a contemporary society, global awareness, and Christian character.” Its focus is on “quality academic programs in the humanities, natural and social sciences, fine arts, and selected professional areas.” Staff and faculty of ETBU “affirm that the liberal arts form the surest foundation for education and that the Christian faith provides the surest foundation for life.”

As a Baptist university, ETBU is committed to the integration of learning and Christian faith in the pursuit of truth. The beautiful campus of ETBU is located at the highest elevation in Harrison County, and represents a beacon of higher learning to students who venture to the piney woods of east Texas in pursuit of a quality, upper level, truly Christian based liberal arts education.

It is an enormous honor to represent the students and faculty of ETBU, so it brings me great pride today that to recognize East Texas Baptist University on its century of instilling academic excellence while integrating faith with learning. Following the years of loyal service by Dr. Samuel W. “Dub” Oliver as

President, ETBU is well poised for continued success in the future.

Heartfelt congratulations are extended to the faculty, staff, students and alumni of East Texas Baptist University, as their legacy of distinction is now recorded in the CONGRESSIONAL RECORD that will endure as long as there is a United States of America. Their excellence in faithfully sustaining the ethical, spiritual and intellectual foundations of a God centered education makes it my great honor to be their servant in the United States House of Representatives.

COMMEMORATING THE SUMGAIT POGROMS AGAINST AZERBAIJANI ARMENIANS

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Ms. ESHOO. Mr. Speaker, February 27th marks the 24th anniversary of a violent and horrific attack against Azerbaijani citizens of Armenian descent. The 1988 attacks began in the town of Sumgait in Soviet Azerbaijan. Dozens of Armenians were killed, and hundreds more were wounded. During what even the Soviet government officially described as a “pogrom”—an organized massacre of helpless people—Armenian women and children were raped, and people were set on fire and beaten to death, all while police stood by.

Tragically, the events in Sumgait presaged further pogroms in Kirovabad in November of 1988 and Baku in January of 1990. This violence initiated a broader attack against Azerbaijan's Armenian population, resulting in thousands of deaths. The conflict persists today, and the Azeri military blockade of the Nagorno-Karabakh Republic and other aggression sadly continues.

For me, it is also a very personal remembrance. My own family fled the slaughter of the Armenian Genocide under the Ottomans, and when we learned of the massacres against Armenians in 1988, we saw history repeating itself. These vicious acts of murder targeted at ethnic groups, must be forcefully condemned whenever and wherever we see them. Yet 96 years after the slaughter of Armenians, the U.S. House of Representatives has yet to officially recognize the Armenian genocide.

Without our recognition and our forceful condemnation, the cycle of violence will continue. Today, Christians and other minority groups are being driven from Iraq by extremists, and the once large and diverse ethnic communities are being eradicated. Without our attention and action by the world community, there will be no end to this senseless violence around the world.

Today, let us remember the Armenians who lost their lives in Azerbaijan in 1988, and pray that the world will finally take greater account of these atrocities and work together. Let us

take up the work that our principles demand of us, standing united against ethnic violence, discrimination, extremism and brutality, wherever we find it.

RECOGNIZING THE ACHIEVEMENTS OF JOHN R. BAILEY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. GERLACH. Mr. Speaker, I rise today to congratulate John R. Bailey of Chester County, Pennsylvania on his retirement after 34 years of law enforcement service with the Tredyffrin Township Police Department.

Detective Sergeant Bailey began his law enforcement career with Tredyffrin Township on December 5, 1977. In 1986, he joined the Detective Division and became Detective Supervisor in 1994, eventually being promoted to Detective Sergeant in 2002.

In June 2002, Detective Sergeant Bailey founded the Tri-County Regional Investigators group, a network of law enforcement agencies who work together by sharing information about criminal activity resulting in the successful resolution of crimes that would otherwise remain unsolved. A graduate of the FBI National Academy Session #223, he has served as an Adjunct Professor at Wilmington University, Delaware County Community College and Immaculata University.

Recently elected to the position of Magisterial District Judge after being certified by the Pennsylvania Minor Judiciary Board, Detective Sergeant Bailey holds a Masters Degree in Administrative Science from Farleigh Dickinson University.

Mr. Speaker, in light of his years of exemplary service to his community and litany of sterling accomplishments too long to record, I ask that my colleagues join me today in recognizing Detective Sergeant John R. Bailey for his invaluable contributions to the quality of life of the citizens of Tredyffrin Township, Chester County, Pennsylvania and our entire nation.

REMEMBERING FORMER CONGRESSWOMAN KATIE HALL

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. VISCLOSKY. Mr. Speaker, it is with deep sadness and great respect that I take this time to remember one of Northwest Indiana's most valued citizens and my predecessor, former Congresswoman Katie Beatrice Hall. Throughout her prestigious career, Katie's contributions to the people of Northwest Indiana and across the nation are exemplary, and she is worthy of the highest praise. Mrs. Hall passed away on Monday, February

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

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

20, 2012, but her legacy will live on forever in the hearts and minds of those she served.

Congresswoman Hall grew up in Mound Bayou, Mississippi, during the pre-civil rights era. Segregation laws were strict in the South during that time, and she learned early in life how to succeed despite great opposition. In 1960, Katie earned a bachelor's degree from Mississippi Valley State University. Later, she moved to Indiana and continued her education, earning a master's degree from Indiana University, Bloomington, in 1968.

The Congresswoman's involvement in politics began when she campaigned for former Mayor of Gary Richard Hatcher. Her work on the campaign further fueled her desire to serve others and inspired her to run for elected office. Prior to becoming a Member of Congress, she served in the Indiana House of Representatives from 1974 to 1976 and was then elected to the Indiana Senate, serving from 1976 to 1982. As a member of the Indiana General Assembly, Mrs. Hall was influential in establishing the Genesis Center, Hudson-Campbell Fitness Center, and the Adam Benjamin Metro Center, in Gary. Katie also served as the Chair for the Lake County Democratic Committee from 1978 to 1980 and for the Indiana Democratic Convention in 1980. In 1982, following the untimely passing of United States Congressman Adam Benjamin, Jr., Katie won the special election to complete his term in office and to represent the First Congressional District of Indiana in the 98th Congress, becoming the first African American from Indiana elected to serve in the United States House of Representatives. While in office, Katie served as Chairwoman of the Post Office and Civil Services Subcommittee on Census and Population. During her time in Congress, Representative Hall made a truly historic contribution through her sponsorship of the bill that made Reverend Dr. Martin Luther King, Jr.'s birthday a national holiday. This bill had been stalled in the House for fourteen years, and through her passion and persistence, Katie was successful in establishing this recognition of Dr. King.

Mrs. Hall was a trailblazer for the Civil Rights Movement and a devoted public servant to her community, state, and nation. In the years following her term, Katie continued her life of public service as City Clerk for Gary, Indiana, from 1988 to 2003.

Katie Hall leaves behind a loving family. She is survived by her cherished husband, John Henry Hall, as well as her adoring daughters, Jacqueline and Junifer, and her beloved granddaughter, Kristina. She also leaves behind many other dear friends and family members, as well as a saddened community and a grateful nation.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in remembering the Honorable Katie Hall for her tremendous contributions to the people of her community, the State of Indiana, and the United States of America. Her life of public service is to be admired. Her legacy will serve as an inspiration to us all.

A TRIBUTE TO KALE RYAN
RENDER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Kale Render of Indianola for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the years.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Kale's project included landscaping and renovating Indianola's National Balloon Classic Launch Field. The work ethic Kale has shown in this project, and every other project leading up to his Eagle Scout rank, speaks volumes of his commitment to serving a cause greater than himself.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Kale and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and will wish him continued success in his future education and career.

A TRIBUTE TO GAVINA
GAUDARRAMA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Mrs. Gavina Guadarrama on her 101st birthday. Mrs. Guadarrama has been fortunate that God has graced her with good health and her full faculties to reach this wonderful centennial.

Mrs. Guadarrama was born in Hato Tejas, Puerto Rico on February 19, 1911 as the eldest daughter of Jose and Victoria Acevedo. Raised in a household of 10 siblings, many of the responsibilities fell upon her as her parents worked. Those siblings still alive tell stories of how special she made each one of them feel with the little she had to share.

Mrs. Guadarrama would marry her husband Juan Guadarrama at the age of 29 and begin a life together that would span close to 50 years. They had two lovely daughters—Maria and Honoria—and built a lovely house with a full veranda in their hometown. Years later due to the economy, they would move to Brooklyn, New York where she gave birth to her youngest daughter Rosie. Mrs. Guadarrama would remain in Brooklyn for the rest of her life as she raised and schooled her children.

Mrs. Guadarrama had a true skill for sewing and had always dreamed of being a fashion designer. She created patterns from brown

bags and made designer dresses for herself and her daughters—always receiving high praise and recognition for her talents. Most of her career was as a homemaker, caring for her husband, children, and seven grandchildren.

In 1988, Mrs. Guadarrama lost the love of her life, Juan, to lung cancer. They had a loving relationship that spanned nearly half a century. Even with the loss of her husband, Mrs. Guadarrama continues to maintain the strong familial bonds that have spanned four generations. Mrs. Guadarrama is blessed to have her family and the gracious home attendants that care for her with love and respect.

Mr. Speaker, I would like to recognize Mrs. Guadarrama for her extraordinary strength as the anchor of her family and on the celebration of her 101st birthday.

CONGRATULATORY REMARKS FOR
OBTAINING THE RANK OF EAGLE
SCOUT—TREVOR PHILIP CONTE

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Trevor Philip Conte for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. By applying these concepts to daily life, Trevor has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

CELEBRATING THE 100TH BIRTHDAY OF HADASSAH OF GREATER BALTIMORE

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. SARBANES. Mr. Speaker, I rise today to celebrate the 100th birthday of Hadassah of Greater Baltimore. Hadassah, founded in 1912, is a volunteer women's organization that strives to enhance the quality of American and Jewish life through educational programs, promoting health awareness, and aiding the personal enrichment and growth of its members and surrounding communities.

Established in 1912 by Henrietta Szold, the daughter of a rabbi at Temple Oheb Shalom in Baltimore, Hadassah has over 300,000 members and is the largest Jewish organization in America and one of the largest women's volunteer organizations in the world.

Upon returning from a trip to Israel, Ms. Szold took it upon herself to create an organization that could aid the people of the region who were afflicted with starvation and disease. By 1918, Hadassah had sent an entire medical unit to Israel where they helped to develop the beginning of the Israeli healthcare system.

In 1934, Hadassah helped to create Youth Aliyah, a child rescue program that saved tens

of thousands of children from war torn Eastern Europe. Today Youth Aliyah is helping to re-settle children of the Ethiopian and Russian migrations as well as Israeli children who are living on the streets.

Throughout World War II, the organization sold \$200 million in war bonds and was rewarded with 100 Air Force bombers who were given the names of different Hadassah chapters. By 1942 the U.S. State Department named Hadassah one of the largest contributors to overseas relief, especially due to the efforts of Ms. Szold to rescue thousands of children from Nazi Germany.

Over the years, Hadassah has established itself as a powerful voice for change. They have argued for federal and state funding of stem cell research and called for legislation that supports medical privacy and freedom from genetic discrimination by insurance companies and employers. In Israel, they have established and maintained two state-of-the-art medical centers, created the Hadassah College Jerusalem, and run the country's largest touring and residency program for American Jewish youth.

Today, the hundreds of thousands of women in Hadassah have upheld Henrietta Szold's commitment to improving the world we live in today. I hope my fellow members will join me in congratulating them on their 100th birthday and thanking them for the wonderful contributions they've made in Baltimore and throughout the world.

IN RECOGNITION OF LAVADA
DILLARD

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. GINGREY of Georgia. Mr. Speaker, in celebration of Black History Month, I rise today to recognize Lavada Dillard, an African-American from Georgia's 11th Congressional District who has had a major impact on her community.

At the age of 16, Lavada displayed great courage when she carried out a successful downtown lunch counter sit-in demonstration.

Jailed for 5 days for this act, Ms. Dillard never ceased advocating for equal rights for all individuals.

She has been honored twice by the Southern Christian Leadership Conference and most recently compiled the history of Rome's Civil Rights Movement for the permanent community archives.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Dillard's outstanding accomplishments and her unwavering commitment to civil rights.

HONORING BERTRAND DAVID
MATHIEU

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize Bertrand David Mathieu of Lewiston, Maine for his decades of work in Maine's shoe industry.

Bert was born in 1922 in Lewiston, Maine. By the time he was sixteen years old, he had already started working with heavy industrial equipment in a shoe factory. Bert earned his place in the "Greatest Generation" when he answered the call to service during World War II. Originally joining the Maine National Guard in 1939, he would go on to serve in the European theater and fight in the Battle of the Bulge.

After the war, Bert returned to the shoe manufacturing career that would be a part of his life for more than seven decades. With little formal training, he mastered his craft by listening, asking questions and vigilantly researching the technical aspects of the job. A committed family man, Bert also repaired televisions on the side for nearly fifty years in order to help pay for the schooling of his daughters.

I've always known that Mainers are of sturdy stock, and I strongly suspect that our healthy Maine air and peaceful surroundings have something to do with it. Today at the age of 90, Bert still displays the hard work, creativity and ingenuity which have sustained him throughout his life. You can still find him working at Pamco Shoe Machinery in Lewiston, sorting and organizing machine parts. His energy and his positive attitude remain an inspiration to all who know him.

Mr. Speaker, please join me again in recognizing Bertrand David Mathieu for his many years of good work.

RECOGNIZING PAUL BASCOMB, A
2011 FBI DIRECTOR'S COMMUNITY
LEADERSHIP AWARD RECIPIENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Mr. Paul Bascomb for being named a recipient of the 2011 FBI Director's Community Leadership Award in recognition of his work on crime prevention.

Since 1990, the FBI has honored local leaders and organizations with the Director's Community Leadership Award. Honorees are recognized for their efforts in making extraordinary strides in the areas of crime prevention, violence prevention, and education in their communities. Every year, each FBI field office selects one individual or organization to receive this prominent award.

As the chair of the African-American Community Advisory Council to the Seattle Police Department and a board member for the East Precinct Crime Prevention Coalition, Mr. Bascomb has been a leader for cooperation between the African-American community and local law enforcement. Through open and considerate conversation, Mr. Bascomb and the African-American Community Advisory Council work with the Seattle Police Department to give diverse communities access to the police department and promote cultural competency training for officers.

Mr. Bascomb served as a correctional officer for more than 16 years in the Washington State juvenile justice system. In 2011, he completed the rigorous Citizen's Academy Program, which gives community leaders an overview of the FBI. This in-depth study includes

practical exercises, discussion of case studies and legal issues, and presentations from specialized units.

Mr. Speaker, it is with great honor that I recognize the accomplishments of Mr. Paul Bascomb. His dedication to improving the relationship between law enforcement and local African-American communities sets a positive example for everyone who works for crime prevention.

HONORING WILLARD "BILL"
LINEWEAVER

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. WOLF. Mr. Speaker, today I rise to recognize and honor Willard "Bill" Lineweaver, who served as a mayor and councilman of Warrenton, VA. Mr. Lineweaver passed away on February 15, at the age of 89.

Bill Lineweaver was a great public servant, model citizen and a personal friend of mine. He will be honored and remembered by many, especially his wife, Elizabeth "Bizz", his three daughters Beth, Babs, and Bitsy, his many friends, colleagues and all who knew him.

Mr. Speaker I submit the following obituary.

[From Fauquier.com, Feb. 16, 2012]

FORMER WARRENTON MAYOR LINEWEAVER
DIES AT AGE 89

Retired Warrenton businessman J. Willard "Bill" Lineweaver, who served on the Warrenton Town Council from 1959 until 1974, then was mayor from 1974 until 1998, died Feb. 15.

Lineweaver, 89, had recently fallen at his home on Winchester Street, suffering a head injury. He was taken first to Fauquier Hospital before being transferred to the ICU at the University of Virginia Medical Center in Charlottesville.

He was later taken to a rehabilitation facility in Lexington, Va., near the home of his daughter, Beth Knapp.

News of his death has shocked the community, as there was great hope and expectation for his recovery and return to Warrenton.

Lineweaver's nearly 40 years as a councilman and mayor of Warrenton was unprecedented. In fact, he ran unopposed for his last three terms on town council, as well as all six terms as mayor.

He led the town through periods of great change, and after his last term as mayor, he continued to be involved with other important issues, including the acquisition and reuse of Vint Hill Farms Station, the U.S. Army post east of Warrenton.

Originally from the Shenandoah Valley, Lineweaver came to Fauquier County when he was six years old. His father managed Whitewood Farm near The Plains, and Lineweaver grew up on the farm and attended public schools.

On Dec. 7, 1942, he enlisted in the U.S. Army. After Basic Training, he was sent to Ft. Benning, Ga., where he received training as a communications specialist and was promoted to the rank of sergeant.

Home on leave, Lineweaver married the former Elizabeth "Bizz" Carter of Warrenton in May 1943.

His training complete, Sgt. Lineweaver was assigned to the Antitank Company of the 393rd Infantry Regiment of the 99th Infantry Division, and mid-October 1944, his unit was sent to fight in the European Theater of Operations.

Shortly after arriving, the 99th was positioned along the Seigfried Line near Krinkelt, Belgium, defending a 19-mile front from advancing German forces.

On Dec. 16, 1944, the Germans launched what became known as the Battle of the Bulge, a massive assault on the Allied lines.

Sgt. Lineweaver's unit was pushed back to the hills west of Krinkelt, where they held the line until the weather cleared and Allied airpower stopped the attack.

Later, the 99th was involved in the battle for the Remagen Bridge and the clean up of German resistance in the Rhur Pocket during March and April 1945.

He was awarded the Bronze Star medal with three battle stars and other military decorations for his combat service.

Returning home to Warrenton after the war, Lineweaver got into the retail business, operating the H. B. Carter furniture store on Main Street for many years.

In 1959, he was convinced by then-Mayor Richard Marriott to run for town council and won, beginning a long career representing the people of Warrenton, and later providing vision and leadership as mayor.

In his role as mayor, Lineweaver became well known in the commonwealth, serving on a number of statewide boards and committees, and working with mayors of other towns and cities sharing his response to the problems and opportunities as he encountered in Warrenton.

He served as president of the Virginia Municipal League in 1988–89.

Celebrating their 68th wedding anniversary last May, Mr. and Mrs. Lineweaver were the proud parents of three daughters, six grandchildren and six great-grandchildren.

He was a long-time member of St. James Episcopal Church and served as a vestryman for many years. He also belonged to the Warrenton Rotary Club and the Fauquier Club.

Lineweaver's funeral will be held at 11 a.m., Monday, Feb. 20, at St. James Episcopal Church. The family will receive friends from 1 to 3 p.m., Sunday, Feb. 19, at Moser Funeral Home.

RECOGNIZING THE 65TH COMMEMORATION OF TAIWAN'S "2-28 MASSACRE"

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. GARRETT. Mr. Speaker, I rise today to recognize the 65th commemoration of Taiwan's "2-28 Massacre."

On February 28, 1947, the brutal arrest of a female civilian in Taipei led to large-scale protests by the native Taiwanese against the repression of Chiang Kai-shek's Chinese Nationalists, who occupied Taiwan on behalf of the Allied Forces after Japan's defeat in 1945.

During the following days, Chiang's government sent troops from mainland China to the island. The Chinese soldiers began capturing and executing leading Taiwanese lawyers, doctors, students, and other citizens.

It is estimated that at least 18,000 people lost their lives during the turmoil. During the following four decades, the Chinese Nationalists continued to rule Taiwan under a martial law system that lasted until 1987.

The 2-28 Massacre has had far-reaching implications. Over the next half-century, the Taiwanese democracy movement that grew out of the incident helped pave the way for

Taiwan's momentous transformation from a dictatorship under the Chinese Nationalists to a thriving and pluralistic democracy.

I urge other Members to join me in commemorating this important historical event.

SAN FRANCISCO STATE UNIVERSITY PRESIDENT ROBERT A. CORRIGAN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Ms. PELOSI. Mr. Speaker, on behalf of my constituents in San Francisco, I am proud to honor Dr. Robert A. Corrigan in his final year as President of San Francisco State University. He has been a visionary leader in higher education and has made enormous contributions to San Francisco, California, and indeed, to our entire nation.

During his 24-year tenure, President Corrigan transformed San Francisco State University into a premier urban university that reflects the diversity of the city it serves, works on behalf of social justice, and educates a 21st century workforce.

President Corrigan has studied and taught at a number of prominent universities; how proud we were when he chose to come to San Francisco State University.

President Corrigan was an early pioneer for diversity in education. At San Francisco State, he made a steadfast commitment to diversity of background, ethnicity, and gender in faculty hiring. He established groundbreaking initiatives to incorporate women and minorities into the faculty, resulting in one of the most diverse faculties of any U.S. university.

Under President Corrigan's direction and guidance, San Francisco State evolved into the "College with a Conscience," boasting a multicultural campus, and a faculty and student body that are actively engaged in public service. San Francisco State's Institute for Civic and Community Service is recognized as a national model. In 2001, San Francisco State assumed management of the City's Head Start Program, one of the few universities to do so, serving 1,800 low-income children.

Corrigan made access to a quality education a priority of his presidency. With his wife, he established the Robert and Joyce Corrigan SF Promise Endowed Scholarship Fund that places higher education within reach of students from underserved, low-income neighborhoods. Joining forces with the City of San Francisco, they created an initiative that ensures admission and financial assistance to qualified San Francisco high school graduates, many of whom are the first in their family to attend college. Indeed, San Francisco State boasts one of the highest percentage of first-generation college students in the nation.

President Corrigan's visionary leadership has been recognized by many. Most notably, he was handpicked by President Bill Clinton to chair the Steering Committee of College and University Presidents for the "America Reads Challenge" and "America Counts" initiatives.

President Corrigan has been an educator, a role model, and a dynamic leader. On behalf of many of my constituents, I express gratitude for his 24 years of service at San Francisco State University.

RECOGNIZING THE INNOVATIVE AND LIFE-SAVING EFFORTS OF THE WOODBURY FIRE DEPARTMENT OF WOODBURY, MINNESOTA

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mrs. BACHMANN. Mr. Speaker, I rise today to acknowledge the innovative efforts of the Woodbury Fire Department. Throughout America's history, firefighters have always been our hometown heroes, and I am happy to share with this body the unique efforts of the Woodbury Fire Department.

Woodbury firefighters keep track of their ability to respond to various scenarios in training or real emergencies on a scorecard. Since the department relies on a small number of full-time firefighters as well as crossed-trained police officers to meet their requests, these scorecards allow each individual to have an instant and uniform way of measuring the best practices for each situation. Most importantly, it minimizes the human risk in new and potentially dangerous conditions.

Innovation has always been a priority for firefighters. While prevention is the best way to improve a home's safety, Woodbury firefighters take fire control one step further using a method called Positive Pressure Attack. This method allows fans to generate pressure to remove heat, smoke and dangerous gases before firefighters enter a burning building. Not only is this beneficial for firefighters, it helps to keep hazardous elements away from anyone who may be trapped inside.

The Woodbury Fire Department has consistently won 100 percent approval from its citizens, and it is easy to see why. They are the model of professional development and technological innovation. Mister Speaker, I am proud to represent such a fine group of people in my district and I ask this body to join me in recognizing their achievements.

IN RECOGNITION OF MARVIN WILLIAMS

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. GINGREY of Georgia. Mr. Speaker, in celebration of Black History Month, I rise today to recognize Marvin Williams, an African-American from Georgia's 11th Congressional District who has had a major impact on his community.

Quality teachers are vital to ensuring children are afforded the best education possible. Mr. Williams is one such educator.

For the past 30 years, Mr. Williams has worked as a teacher to inspire children and help them reach their full potential.

Marvin currently serves as the Superintendent of the Polk County School District and I am grateful for his expertise as a member of my Education Advisory Board.

A gifted musician, Mr. Williams also serves as Minister of Music for Thankful Baptist Church in Rome.

Mr. Speaker, I ask my colleagues to join me in recognizing the contributions and accomplishments of this great community and church leader.

HONORING LORRAINE BROWN

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to recognize Lorraine Brown of Leeds, Maine for her years of work in the shoe industry.

Born in 1933, Lorraine grew up with her three siblings between Auburn and Lewiston. Her father had passed away when she was still very young, and as a result Lorraine was primarily raised by her mother, her grandmother and her aunts. At the age of 15, she and her girlfriends started working in the shoe industry to pay for a set of roller skates. Lorraine met her future husband on those roller skates at the Beacon Roller Rink on Park Street.

Lorraine has spent over 50 years in the shoe industry, stitching for Koss, Hammon, Eastland, LL Bean, Knapp, and most recently, Falcon shoes. In a 2010 interview for the Shoe Industry Oral History Project, Lorraine tells the story of what it was like to work for these companies with a particular focus on the people in her life. Whether it was a childhood friend who never missed a birthday card, a boss who lent her his car because they used to skate together, or the new friendships she forged with her coworkers, it is clear that Lorraine has been a special person to a great many individuals.

Before he passed away, Lorraine's husband told her to keep working so she wouldn't go "downhill". Today, she is still stitching fire boots for Falcon Shoes, a company she has been with since the birth of her great granddaughter. Through good times and bad, Lorraine's kindness and energy have been an inspiration to the whole community.

Mr. Speaker, please join me again in recognizing Lorraine Brown for her years of work in the shoe industry.

HONORING THOMAS L. HARVEY

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. TERRY. Mr. Speaker, it is my pleasure to rise during Black History Month to remember the important contributions that African Americans have made to our nation—and to honor the extraordinary people who continue to help shape my community of Omaha. Today, I would like to pay special tribute to Thomas L. Harvey, one of the thousands of successful and talented African Americans in the Second Congressional District of Nebraska.

Thomas Harvey always wanted to be a positive influence in children's lives. He first did so as a fifth grade elementary school teacher in Monroe, Louisiana; later, in addition to teaching, he took on school football and basketball coaching duties. An Omaha Public

Schools Recruiter was encouraged by Teacher Corp's positive evaluation of Thomas, to convince Thomas that his work could be continued in Omaha, where an underserved youth community could truly benefit from his presence.

Mr. Harvey moved to Omaha, and the rest is history. He went on to become the principal of Omaha North High's magnet school. After his time at the magnet school, Mr. Harvey served as a principal at the Omaha area's first magnet middle school, McMillan, and he later returned to North High to serve as the principal of its general student body. Under his guidance and direction, the magnet school programs at these schools quickly went from initial planning stages to implementation and success. These days, Harvey is well known for being a motivational educator who has contributed greatly to his schools' rise to excellence, as well as an inspirational leader in the community.

During Mr. Harvey's tenure as principal of North High School, the school was cited for its excellent academic programs—in both *Newsweek* and *Redbook* magazines—and was featured as a premiere high school on numerous television shows, including NBC's *Nightly News*. Under Mr. Harvey's management, North High was deemed a Magnet School of Excellence in 1997, by the Magnet Schools of America. Mr. Harvey continues to promote excellence in education—currently serving as the Assistant Superintendent of Student and Community Services for Omaha Public Schools.

In addition to his service to students, Mr. Harvey is active in several local, state, and national organizations. He is a board member of Magnet Schools of America, and Communities in Schools of Omaha. He also serves as a member of the Site Visitation Team for the U.S. Department of Secondary Education, and is a member of the Metropolitan Community College Advisory Committee.

I am proud to recognize and honor this highly esteemed and dedicated educator for his four and a half decades of selfless service to the Omaha Community.

CONGRATULATORY REMARKS FOR OBTAINING THE RANK OF EAGLE SCOUT—JACK EHRHARDT, JR.

HON. SANDY ADAMS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mrs. ADAMS. Mr. Speaker, I would like to congratulate Jack Ehrhardt, Jr., for achieving the rank of Eagle Scout.

Throughout the history of the Boy Scouts of America, the rank of Eagle Scout has only been attained through dedication to concepts such as honor, duty, country and charity. For his Eagle Scout Project Jack labeled over 400 storm drains to educate the community about the potential hazards of pollution to local waterways and wetlands. By applying these concepts to daily life, Jack has proven his true and complete understanding of their meanings, and thereby deserves this honor.

I offer my congratulations on a job well done and best wishes for the future.

MR. MIKE DOLAN

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. BARLETTA. Mr. Speaker, I rise today to honor Mr. Mike Dolan as the Elk of the Year for 2011–2012 at Hazleton BPO Elks Lodge #200. The Elks Lodge was founded in 1868 and is one of the leading fraternal orders in the United States, with almost 1 million members. Elks invest in their communities through programs that help children grow up healthy and drug-free, through projects that address unmet needs, and through honoring the service and sacrifice of our veterans.

Mr. Dolan has been a member of Hazleton BPO Elks Lodge #200 for 23 years, and he was its exalted ruler in 2008. He graduated in the last class of St. Gabriel's High School and studied electrical engineering at Temple University where he worked on ENIAC—the world's first computer. After joining the Dryfoos Insurance Agency in 1975, he received the coveted Insurance Designation of Chartered Property Casualty Underwriter from the CPCU Society in San Antonio, Texas, in 1987, and he was named the agency's vice president in 1988.

Mr. Dolan has also served as Lecturing Knight, Loyal Knight, and Leading Knight. The Veteran's and Fallen Heroes Monument at the Hazleton lodge originated during Mike's term as exalted ruler. Mike has chaired the Elks Basketball Hoop Shoot Committee for the past 10 years and serves on the Youth, Veterans, Soccer Shoot, Community Activities, Orientation, DARE, House, and Breakfast committees.

Today, Mr. Dolan is very active with community service groups such as the Hazleton Chapter of the American Red Cross. He is a charter member of the Quinn Foundation, and serves as an usher at Holy Annunciation Parish at St. Gabriel's Church. He is also highly involved in coaching youth sports including Hazle Township Little League for five years, the Greater Hazleton Youth Soccer Association for six years, and the junior high boys' basketball team at Holy Family Academy for 13 years.

Mr. Speaker, Mr. Mike Dolan stands as a pillar of the community in Hazleton, Pennsylvania. I commend him for his years of dedicated service to the Elks Lodge #200, the community, and the country.

HONORING WILT CHAMBERLAIN FOR HIS 100-POINT GAME 50 YEARS AGO

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. FATTAH. Mr. Speaker, I call to the attention of my colleagues—and not just those who are basketball fans—that on March 2 in Philadelphia we will celebrate a once-in-the-universe athletic feat that occurred precisely 50 years ago.

On March 2, 1962, in a game between the Philadelphia Warriors and the New York Knicks on a neutral court in Hershey, Pennsylvania, Wilt Chamberlain—perhaps the greatest

and most influential player in basketball history—scored exactly 100 points. No one had done it before. No one has done it since. No one ever will.

But for Wilton Norman Chamberlain, born in Philadelphia August 21, 1936, and already a national superstar when he played for Overbrook High School in the early 1950s, astonishing feats on the hardwood were the commonplace. Basketball has been utterly and permanently changed since he first attracted notice on—and above—the courts of West Philly in neighborhoods I have been privileged to represent in Congress.

Even in the quintessential big man's game of basketball, Wilt Chamberlain towered over his on-court contemporaries and truly loomed larger than life. These days, "game changer" has become a cliché. Wilt might as well have authored the term. Not just 7-foot-1 but agile, competitive and creative, he transformed "the city game." He invented and perfected a style that has become another cliché: "above the rim."

The Warriors-Knicks game that historic day was otherwise unremarkable. The Knicks were in last place. The "crowd" in Hershey was 4,124. There was no TV or video, and press coverage was scant. The Warriors' statistician Harvey Pollack was drafted to cover the game for the Philadelphia Inquirer and two wire services—and he's the guy who penciled "100" onto scrap paper for the iconic post-game photo that's gone 'round the world. Wilt said later he had been up all night the night before, and was a bit embarrassed to have taken 63 shots to reach 100, with teammates feeding him the ball and Knicks fouling him at every opportunity.

It seemed like no big deal at the time—Wilt scored at least 70 points five other times, and that season averaged 50.4 a game. But it's a big deal now in his home town, the subject of ESPN and NBA-TV specials, and exalted wherever fans gather. Philadelphia's team, the Sixers, will be hosting Wilt's old team, now the Golden State Warriors, on the night of March 2, with an amazing giveaway—two-inch squares of the long abandoned Hershey Sports Arena oak-wood court where Chamberlain scored those 100 points.

Leading the tributes in Philadelphia is Donald Hunt, the respected and tireless sportswriter for the Philadelphia Tribune, who has led efforts to commemorate the game and have Wilt Chamberlain honored on a U.S. postage stamp. Keep putting up those shots, Donald.

Basketball has come a long way since that evening a half century ago. The American game has gone global, from Belarus to China, from Argentina to Zaire, at the Olympics, on aircraft carriers, against garage walls and on a million playgrounds, wherever a hoop can hang and a roundball sent skyward. Its heroes and innovators are figures of historic and cultural import. Wilt Chamberlain, take a bow.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 26, 1995, when the last attempt at

a balanced budget amendment passed the House by a bipartisan vote of 300–132, the national debt was \$4,801,405,175,294.28.

Today, it is \$15,437,987,849,460.91. We've added \$10,636,582,674,166.63 to our debt in 16 years. This is \$10 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

A TRIBUTE TO ATTORNEY ED
HALES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. TOWNS. Mr. Speaker, I rise today to pay tribute and to honor Attorney Ed Hales. A native of Kiskimere, Pennsylvania, Attorney Hales has a long history of mediation and arbitration between unions and other labor groups and their employers. He has also contributed greatly to the administration of higher education and been active in many civic responsibility groups.

It all started when Mr. Hales was a high-schooler at Vandergrift High School, in Vandergrift, Pennsylvania where he was a three letter sports player in football, basketball and baseball for the Vandergrift Lancers. Educationally speaking, it took one of his teachers, Mr. Bernardo to help him realize his talents and potential, thus paving the way for Mr. Hales to attend the historically white "University of Nevada" in Reno on a football scholarship. After the football team was deemphasized, he transferred to Baldwin-Wallace College where he graduated with a bachelor's degree in Government and History. Once seeing what he could accomplish, he went into law school at the University of Wisconsin in Madison where he joined the Alpha Phi Alpha fraternity while earning his law degree. He went on to become a practicing lawyer in Wisconsin and had a long and prodigious career, until his retirement in 2000.

As an attorney, he worked tirelessly to mediate between labor groups and their employers. He filled such roles as Permanent Umpire for the Ford Motor Co. and United Auto Workers, Panel Member for U.S. Steel Corp. and United Steel Workers; Panel Member for U.S. Postal Service and National Association of Letter Carriers; and Panel Member for the City of Los Angeles and Los Angeles Public Employees Union.

In addition to his work as an arbitrator and mediator, he was affiliated with many civic and educational organizations in various capacities. Attorney Hales served as the Chairman of the Board of Regents at the University of Wisconsin in Madison, the Director of the Association of Governing Boards of Universities and Colleges in Washington, D.C. and the Board of Attorneys Professional Responsibility in Madison, WI as well as with several other esteemed organizations.

Mr. Speaker, I would like to recognize Attorney Ed Hales for his lifelong contributions to higher education, civic responsibility, and his work to resolve conflict and mediate difficult issues within the labor industry.

Mr. Speaker, I urge my colleagues to join me in paying tribute to Attorney Ed Hales.

HONORING DR. AND MRS. DICK
C.E. DAVIS

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. TERRY. Mr. Speaker, it is my pleasure to rise during Black History Month—to acknowledge the important contributions that African-Americans have made, and continue to make to American society. Today, I honor some of the extraordinary citizens who have shaped Nebraska's Second District, and our great nation. Let's pay special tribute to Dr. and Mrs. Dick C.E. Davis, two highly respected and successful members of my community of Omaha.

This couple has long been recognized as dedicated supporters of projects and causes that improve the lives of Nebraskans—particularly those hit hardest by poverty and the declining economic heft of our minority communities. Late last year, the couple celebrated the 40th anniversary of Davis Companies: a family business that has long been recognized as a pillar in Omaha's business community, recently being acknowledged as one of the ten fastest-growing Omaha businesses.

Rather than resting on the success of Davis Companies, the Davis family has turned a laser-like focus to restoring a vibrant economic renaissance in Omaha's minority sectors.

In 1989, the Davis family pioneered the State's first public/private funding allocated to addressing the underrepresentation of all minority students—in every sector of public post-secondary education. Since its inception, the Davis-Chambers scholarship fund has grown to a more than 3 million dollar endowment. It has fully funded undergraduate educations for more than 300 of Nebraska's "best and brightest" minority students.

Dr. Davis also helped acquire and disperse more than \$385 thousand dollars in grants—to test a groundbreaking entrepreneurship education program in Omaha's public schools.

On the business front, the couple has spearheaded a private capital fund to provide seed money for minority-owned small businesses. The program identifies promising small businesses, coaches them through growth, provides initial start-up funds, and stands behind them as they grow into their own creditworthiness and financial maturity. More than 86 businesses have gone through the process, and in the initial run, reported a default rate of less than 3 percent—an excellent rate, considering that the national trend shows over half of these type of loans failing.

These are just a sample of the myriad achievements and selfless actions in education, community service, and wealth-building endeavors that the couple has undertaken to leave an indelible mark on the economy and future of my hometown. I am proud to recognize and honor Dr. Dick C.E. Davis and Mrs. Charon Davis for their service to our community, and the nation.

RECOGNIZING THE MT. VIEW-
EDGEWOOD WATER COMPANY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the Mt. View-Edgewood Water Company, of Edgewood, Washington and its General Manager, Marc Marcantonio, for winning the gold medal at the National Great American Water Taste Test and being judged the best tasting water in the United States.

Each year, the National Rural Water Association sponsors the Great American Water Taste Test to honor small community drinking water supplies from across the United States who provide the public with safe, clean, and affordable water. The goal of the competition is to judge great tasting water that comes directly from the tap.

Prior to the national contest, water providers participate in state events. The Mt. View-Edgewood Water Company competed against 19 other water samples from all over the State of Washington to be named the Washington State winner at the Evergreen Rural Water of Washington Fall Conference and Tradeshow. The company was honored for the water's clarity, bouquet, and taste.

The Mt. View-Edgewood Water Company has now earned itself the honor of winning the gold medal at the National competition against 40 other water companies. Judges tasted unidentified samples of water and ranked the samples based on clarity, bouquet, and taste before naming the Mt. View-Edgewood Water Company the 2012 Winner of the Great American Water Taste Test.

Mr. Speaker, it is with great pleasure that I recognize the Mt. View-Edgewood Water Company and Marc Marcantonio for winning this national competition and providing customers with the best tasting water in the United States.

IN RECOGNITION OF TIM HOUSTON

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. GINGREY of Georgia. Mr. Speaker, in celebration of Black History Month, I rise today to recognize Tim Houston, an African-American from Georgia's 11th Congressional District who has had a major impact on his community.

As a native of Acworth and pastor of Joshua Gospel Tabernacle, Tim has dedicated his life to helping others.

In his outreach with the Acworth Community Revitalization program, Tim works to improve his local communities and make Georgia a better place for families to thrive and prosper. In his free time, Tim supports the Acworth Football and Baseball Association, as well as the local after-school enrichment programs.

Mr. Speaker, I ask my colleagues to join me in recognizing Tim Houston's contributions to his community and church.

HONORING THE TOWN OF
PHILLIPS

HON. MICHAEL H. MICHAUD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. MICHAUD. Mr. Speaker, I rise today to celebrate the bicentennial of the town Phillips, Maine. Two hundred years ago, local families petitioned the General Court of the Commonwealth of Massachusetts for the right to become a township and determine their future. Phillips was incorporated on February 25, 1812.

At the time of its incorporation, Phillips was home to more than 50 families. With all the advantages the Sandy River and its valley offered, the town quickly grew and the people of Phillips established a community which flourished. Among other things, Phillips is especially known as being the birthplace of Cornelia "Fly Rod" Crosby, Maine's first registered guide, as well as being the headquarters and hub of the Sandy River and Rangeley Lakes Railroad.

Today, the more than 1,000 proud residents of Phillips celebrate the bicentennial of their town filled with the same spirit and sense of common purpose that filled the founding families as they petitioned to have their community recognized. These individuals embody the hardworking people of Maine who throughout our history have embraced the challenges and opportunities of living in our state.

It is an honor and a privilege to represent the people of Phillips, and I am pleased to have the opportunity to help this community celebrate its 200th anniversary.

Mr. Speaker, please join me in wishing all the citizens of Phillips well on this joyous occasion.

CONGRATULATING COLONEL
DAVID CHESSEY FOR HIS YEARS
OF SERVICE AT FORT MCCOY,
WISCONSIN

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. KIND. Mr. Speaker, I rise today to honor the distinguished service of Colonel David E. Chesser, whose tenure as Garrison Commander at Fort McCoy, Wisconsin, concludes February 29, 2012. Colonel Chesser assumed his duties as Garrison Commander on April 3, 2008.

Colonel Chesser's 30 years of dedicated service in the U.S. Army is noteworthy in every respect. He is a graduate of the Infantry Officer Basic Course, U.S. Army Airborne School, Engineer Officer Advanced Course, Combined Arms and Services Staff School, Command and General Staff Officer Course, the Army Management Staff College Sustaining Base Leadership & Management Course, and the Army War College.

Colonel Chesser has committed his life to serving our country and has received many deserving awards and decorations, including the Bronze Star, Meritorious Service Medal with seven Oak Leaf Clusters, Army Commendation Medal with two Oak Leaf Clusters,

Army Achievement Medal with Oak Leaf Cluster, the Bronze Order of the de Fleury Medal, the Presidents Hundred Tab, the Distinguished Rifleman Badge, the Combat Action Badge, and the Meritorious Unit Citation, as well as various campaign and service medals.

Under Colonel Chesser's outstanding leadership, Fort McCoy became one of the most capable and desirable Reserve Component training installations in the Army, providing stellar base operations support to over 120,000 Soldiers annually. During his tenure, Colonel Chesser launched and led one of the most dramatic community transformations in the installation's history, propelling Fort McCoy to win the FY09 Army Communities of Excellence competition and again in FY10; a direct reflection of his leadership, strategic planning and thinking. He took an installation that had one of the most difficult records for food service and within one year improved it through sound management and leadership technique which led to the Garrison's Connelly Food Service Awards in 2009, 2010 and 2011. Fort McCoy was also recognized as one of the Army's best in maintenance of military equipment, having won the Army Maintenance of Excellence Award in 2009 and achieving first runner-up in 2010. Colonel Chesser transformed an underperforming mobilization training center into one recognized as one of the Army's best and most effective of the seven active Army Power Projection Platforms.

It has been an honor for me to serve as U.S. Representative for Wisconsin's Third Congressional District during Colonel Chesser's tenure at Fort McCoy. I know Colonel Chesser's leadership will be greatly missed at the base and surrounding communities, but I am thankful for his leadership and contributions to ensuring that Fort McCoy remains a shining star in the nation's military training infrastructure.

On behalf of my constituents in Wisconsin and a grateful nation, I would like to thank and commend Colonel David Chesser for his years of dedicated service in the U.S. Army and in particular as Garrison Commander at Fort McCoy.

RECOGNIZING ROBERT FOY

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. HERGER. Mr. Speaker, I rise today to recognize the work and accomplishments of Robert Foy, as he prepares to retire this year as Chairman of the California Water Service Group's Board. The California Water Service Group (CWSG) provides water utility services to over two million people in five states, including the cities of Chico, Marysville and Willows, which are located in the Northern California congressional district I represent.

Mr. Foy is a fourth-generation Californian and was born in San Francisco. He attended San Jose University and served our nation in the U.S. Army. Following the Army he worked for Pacific Storage and Moving where he eventually took over as head. On January 1, 1996, he was named as Chairman of the CWSG where he worked to streamline the utility's operations and improve customer service. One project was the construction and consolidation of the CWSG's customer and operations service center in Chico, which I was

able to tour upon its completion in 2002. The utility's operations were previously spread among multiple facilities. The consolidation benefited the California Water Service Group's customers in Chico by allowing them to go to one central location for resolving their service issues.

Mr. Foy also served as Chairman of the Government Relations Committee for the National Association of Water Companies (NAWC) for four years. In the NAWC's Annual Report to Congress, the organization presents their comments on the numerous issues facing private water utilities across the country.

Mr. Foy continues to be an extraordinary individual who has made significant and lasting contributions to our community through his exemplary leadership and service as Chairman of the California Water Service Group's Board.

I am extremely grateful for Bob Foy's service to our nation and community-at-large. I am pleased to celebrate and honor the accomplishments of this impressive American as he retires this year.

HONORING JANET BALL FOR 30
YEARS OF VOLUNTEER SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I wish to include an article in the Fairfax Times from May 6, 2011, recognizing the tremendous service Janet Ball has given to the Fairfax County community for 30 years. I have known Janet for years, and have seen her dedication to helping others firsthand. She is an unbelievable example of the value of volunteerism.

GREENSPRING RESIDENT HONORED FOR 30
YEARS OF VOLUNTEER SERVICE

(By Kali Shumitz, Staff Writer)

During her 29-year career working for the Department of Defense, Janet Ball said she never did much to give back to her community.

So, soon after retiring, she responded to an ad in the Golden Gazette that said the Fairfax County Juvenile and Domestic Relations Court was looking for volunteers.

Now 90, Ball is still going strong as a volunteer office assistant for the court system. She also volunteers to sort mail at the Greenspring Retirement Village in Springfield, where she now resides, and helps out at her church.

"I'm one that likes to keep busy," she said. "If I had to sit around doing nothing, I would be going to St. Elizabeth's," referring to the psychiatric hospital in Washington, D.C.

Last month, the court staff honored her for 30 years of volunteer service.

Her supervisor at the courthouse, Loida Gibbs, described Ball as "the admin assistant of the century."

Ball also used to volunteer to do office work for U.S. Rep. Gerald Connolly (D-Dist. 11) when he represented the Providence District on the Fairfax County Board of Supervisors.

After he was elected board chairman, she asked him, "Do I get a promotion?" Indeed, she continued to volunteer for Connolly doing office work until he was elected to Congress.

When Ball began volunteering for the court, there were only two judges and the juvenile court operated out of a small building

behind the historic county courthouse building. The Juvenile and Domestic Relations Court now has eight judges and recently moved into the remodeled main court building.

Her first volunteer job was collecting contact information and other details from families as they exited the courtroom, a task designed to save probation officers time.

For the past decade, Ball has volunteered for the Volunteer Interpreter Program, logging the hours and types of cases for which interpreters are requested, and producing a monthly report on volunteer contributions.

"In the courthouse, there is more work than even staff can do," said Gibbs, coordinator of the Volunteer Interpreter Program. "Without [volunteers], it would get done, but it would take double the time."

Ball said the mostly Spanish-speaking volunteers tease her sometimes because she is the only person involved with the program who is not bilingual. But Gibbs sees that as an asset, because her skilled volunteer interpreters often get pulled to other tasks.

"I have told her she's not allowed to learn any other language," Gibbs joked.

When Ball had double bypass surgery about five years ago, Gibbs recalled, court staff and volunteers visited her at the hospital every day. They also threw a big surprise party for her when she turned 90.

"It's my family away from home," Ball said.

TRIBUTE TO DR. WILLIAM F.
OWEN, JR., PRESIDENT AND CEO,
UMDNJ

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. PAYNE. Mr. Speaker, I rise today to offer my best wishes to Dr. William F. Owen as he concludes his tenure at the University of Medicine and Dentistry of New Jersey. It is my distinct pleasure to thank Dr. Owen for all he has done for the students, staff and the Greater Newark community for the past four years in his capacity as President and CEO of UMDNJ. I am proud to add my congratulations to that of his family, friends and colleagues as they celebrate in honor of a man who has been an integral part of the changing landscape of Newark. For all the leadership he has shown and the contributions he has made, Dr. Owen is a worthy recipient of the accolades he received on February 22, 2012 during a reception held in his honor.

Fortunately, my office has always been able to collaborate with Dr. Owen and his staff to bring informative programs to residents of the 10th Congressional District at various events including the bi-annual Health and Wellness Expo hosted by the Congressional Black Caucus Foundation. Dr. Owen's involvement was instrumental in making the 2011 Expo a success. Dr. Owen also guided UMDNJ through a tumultuous period of instability. His leadership was key in bringing the institution back to a prominent position within the Newark Collegiate and Healthcare Community.

Although Dr. Owen was very successful during his tenure at UMDNJ, there was one partner who was an invaluable assistant, his wife Alice Owen. Through their combined efforts, they were able to work with the UMDNJ Hospital Auxiliary to help raise funds for several new rooms. These additions helped patients

and families have a more pleasant and comfortable experience during their time at the hospital. The greater Newark community as well as the UMDNJ family will truly miss this wonderful team.

Mr. Speaker, I know my fellow members of the House of Representatives agree that Dr. William F. Owen has been an integral part of UMDNJ. He has had a stellar career here in Newark and we wish him well in his future endeavors.

SUMGAIT POGROMS

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. BERMAN. Mr. Speaker, two of the least noticed and most dangerous trends of recent years have been Azerbaijan's rapidly growing military budget and its increasing bellicosity toward Armenian-populated Nagorno-Karabakh. Last June, during Azerbaijan's largest military parade since the Soviet era, President Aliyev vowed to avenge the deaths of Azerbaijani soldiers killed during the 1988-1994 Nagorno-Karabakh war and declared that "the war isn't over yet; only the first stage is over." He then boasted that Azerbaijan's defense budget is twenty times larger than it was just eight years previously and larger, in fact, than the entire budget of Armenia.

Mr. Speaker, it is particularly appropriate that today, February 27—the anniversary of the 1988 Azerbaijani pogrom directed against its own Armenian population in Sumgait—that we commit ourselves to stopping these ugly threats. Armenian history is drenched in tragedy. Everybody knows about the Armenian Genocide, even if, sadly, only a minority of my colleagues has been willing to recognize it officially. But fewer know about the hundreds of thousands of Armenians murdered under the Ottoman regime in the nineteenth century. And fewer still, it seems, know about the pogroms and ethnic cleansing that Armenians living in Azerbaijan suffered at the hands of Azerbaijanis as the Soviet Union was breaking up.

The Sumgait pogrom that we recall today lasted three days and resulted in the murder of hundreds of Armenian civilians. Other anti-Armenian pogroms took place in Kirovobad November 21-27, 1988, and in the Azerbaijani capital Baku January 13-19, 1990. During this era, there were media reports of Armenians being hunted down and killed in their homes. The systematic pattern of all these attacks suggested that something even more sinister than a mob uprising was at work.

Mr. Speaker, Azerbaijan seems bent on destroying every last vestige of the Armenian presence in Azerbaijan. For example, there is videotaped evidence of the Azerbaijani government's December 2005 systematic desecration and destruction of an ancient Armenian cemetery, including thousands of intricately-carved grave-stones in Djulfa, in a section of Azerbaijan near the Turkish border. I believe our State Department still has not adequately examined this incident, and I call on it to do so.

Today is a solemn day as we recall this history of murder, displacement, and destruction, but it is this very history that underscores the

importance of self-determination for Nagorno-Karabakh. I call on the Administration to press the Azerbaijani government to cease its belligerent rhetoric and to stop its headlong rush to war now and to adhere strictly to the principled basis of the Minsk Process, namely, the search for a peaceful, negotiated solution for Nagorno-Karabakh. I likewise call on the Administration to redouble its efforts to achieve a solution for Nagorno-Karabakh. And, on this day when we once again reflect on the brutality Armenians have suffered, and endured, for centuries, I once again call on the Administration simply to acknowledge history and to recognize the Armenian Genocide.

RECOGNIZING PAUL JOHN SANDOVAL

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Ms. DEGETTE. Mr. Speaker, I would like to recognize the wonderful life and exceptional accomplishments of a remarkable man in the 1st Congressional District of Colorado. It is both fitting and proper that we recognize this distinguished citizen for his impressive record of civic leadership and invaluable service. It is to commend this eminent citizen that I rise to honor Senator Paul John Sandoval.

Paul John Sandoval says that he is, "just a tamale maker." And indeed, he is a wonderful tamale maker. I have had the opportunity to bring some of those fine tamales to this fair city. But he is much more than just a tamale maker. He has worn so many other hats in his distinguished life: salesman, entrepreneur, politician, elected official, family man, confidant and a person of the utmost integrity. Paul believes, "a person should be true to his word and look after the people." Looking after people is something that Paul has been doing his entire life.

Paul John Sandoval was born on June 29, 1944, to Jerry and Camilla Sandoval, the ninth of 11 children. Born in North Denver, he learned early a strong work ethic. His first enterprise was selling newspapers and his most notable customer was President Eisenhower. Paul, having tracked down the President to get his famous sale, was rewarded with a 5 dollar bill from the President himself. Never one to miss an additional opportunity, Paul asked the President to sign the bill, which he did. Then he promptly sold that five dollar bill for 10 dollars, doubling his money. Paul graduated from high school in 1962 and got a scholarship to Louisiana State University—New Orleans, where he studied Russian, hoping to go into the Foreign Service. He returned to Colorado a year later and earned his degree in international affairs in 1968. Although he never served in the Foreign Service, his life has been dedicated to looking after the people. Among other endeavors, Paul fought for fair housing as part of the federal War on Poverty and with the Chicano Education Project, which pushed for voter registration and bilingual education. Paul's first language growing up was Spanish.

Throughout his whole life, Paul has made many friends and they have become part of his network. As one person put it, "Paul was Facebook before Facebook existed." Paul was

elected to the Colorado State Senate and the Denver School Board, making more friends and connections along the way. Paul's negotiation skills are legendary. Talk to anyone who has worked with him and you will be told stories of Paul's ability to build coalitions and get things done. He is the go-to person for personal and political advice. He has been a mentor to Senators, Governors, Congress people and our own current Secretary of the Interior, Ken Salazar. But his advice is not just to famous or high-elected officials; it is warmly available to anyone who asks.

He is also involved in quiet philanthropy. He has personally been responsible for numerous scholarships for students at local high schools as well as supporting many school events. And he is a family man; he is the one who is there for his 5 children and his brothers and sisters, never giving them less than he gives to his business and his community.

Politics and education are a significant part of his make-up—and that tamale shop. When you talk to Paul, you talk about history, education and politics. In that tamale shop, where everyone gathers to eat, talk and get advice, you can count on getting two things: wonderful tamales and straight-forward advice from a man who will tell you exactly what he thinks, a man who cares about people, a man who is true to his word.

The contributions of Senator Paul Sandoval are numerous, and on behalf of the citizens of the 1st Congressional District of Colorado, I wish to express our gratitude. His service and accomplishments command our respect and admiration. Please join me in paying tribute to Senator Paul Sandoval, a distinguished citizen.

IN RECOGNITION OF DR. KENNETH L. HALL

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. SESSIONS. Mr. Speaker, I rise today to recognize Dr. Kenneth L. Hall as his family, friends, and colleagues gather to celebrate his retirement and 19 years of dedicated service at Buckner International.

After earning his bachelor's degree from the University of Texas at Tyler, Dr. Hall attended Southwestern Baptist Theological Seminary and graduated with Master of Divinity and Doctor of Ministry degrees. Prior to his leadership role at Buckner, Dr. Hall served as Pastor for four churches in Texas. In 1994, he joined Buckner as President and Chief Executive Officer.

Founded in 1879, Buckner International has devoted itself to helping orphans, vulnerable children, and their families. As a global Christian ministry, they annually serve over 400,000 people in 69 countries. They offer a variety of family, empowerment, and community programs, as well as retirement services, and humanitarian aid. Under Dr. Hall's leadership, Buckner extended its reach outside of the borders of Texas for the first time. In 1996, Buckner launched its international ministry, supporting children living in orphanages in other countries. Aside from his duties at Buckner, Dr. Hall has also devoted himself to serving his local community. He has served as

a Board Member for numerous organizations, including Children's Medical Center, the Alliance for Children and Families, and Baylor Specialty Health Centers. Dr. Hall's legacy reflects his selfless service, enduring faith, and commitment to caring for those in need.

Mr. Speaker, I ask my esteemed colleagues to join me in congratulating Dr. Hall on his retirement and 19 years of service to Buckner International. I wish him all the best in his future endeavors.

RECOGNIZING JEFFREY PRIBBLE AS THE 2013 ESCAMBIA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mr. Jeffrey Pribble as the 2013 Escambia County, Florida Teacher of the Year. Mediocre teachers tell, good teachers explain, excellent teachers demonstrate, and the best teachers inspire. As portrayed by today's award and his students' achievements, Mr. Pribble is someone who has been an inspiration to his students, driving them to realize their potential and achieve excellence, and I am proud to recognize the accomplishments that place him among the best of Northwest Florida.

Mr. Pribble has been an educator for 16 years and currently serves his students, parents, and community as the AP English Literature and Composition, Dual Enrollment English, and Multimedia Communications Instructor at Escambia High School. During his tenure at EHS, Mr. Pribble has excelled in teaching students from diverse backgrounds, while also helping to facilitate the publication of the school's yearbook and newspaper. As someone who has the uncanny ability to combine a force of intellect with superb interpersonal, problem solving, and leadership skills, he has exceeded expectations.

With a vast list of accomplishments, it is hard to highlight them all. In the classroom, he increased 2011 Florida Comprehensive Assessment Test (FCAT) scores by 79 percent with his standardized classes and 67 percent with his advanced classes. Outside of the classroom, his yearbook and newspaper staff has received numerous accolades. The National Journalism Education Association awarded Mr. Pribble and his multimedia students 18 National Edition and Featured Video Awards for their work. Mr. Pribble and his students have also produced and screened films. Last May, he organized a formal screening of one of his class's student films, Never Miss a Beat, where over 300 students, parents, teachers, and community members attended.

On a personal level, Mr. Pribble does not believe in settling, and he strives to constantly evolve as a teacher, mentor, and motivator. While some are defensive to constructive criticism, Mr. Pribble welcomes it as a way to improve his efficacy. Likewise, while some teachers are unwilling to take academic risks, Mr. Pribble attributes some of his greatest successes to the use of a novel approach. He incorporates innovative teaching practices such as the use of technology and multimedia

tools to supplement daily lessons. Mr. Pribble's ambition and willingness to accept challenges motivates his students to strive for excellence in their academic life.

Mr. Pribble's greatness lies well beyond his title as Escambia County Teacher of the Year—it lies in the hearts and minds of those who have been deeply affected. Teachers such as Mr. Pribble leave a perpetual impact on their schools, and due to Mr. Pribble's ambition and success, Escambia High School is initiating a multimedia academy for 2012–2013. The multimedia academy will help ensure that his legacy will continue to be felt by Escambia High students for years to come. Great teachers are an invaluable asset to our nation's students, and to be honored as Teacher of the Year is a reflection of Mr. Pribble's inexorable dedication to the students of Escambia County. He has proven himself to be among the most exceptional teachers in our nation.

Mr. Speaker, on behalf of the United States Congress, I take great pride in recognizing Jeffrey Pribble's enthusiasm for teaching, talent for inspiring, and commitment to excellence. My wife Vicki joins me in congratulating Mr. Pribble, and we wish him all the best as he continues to be an exemplary role model to others who follow in his footsteps.

TRIBUTE TO THE NATIONAL ASSOCIATION OF REAL ESTATE BROKERS (NAREB) ON THEIR 65TH ANNUAL MID-WINTER CONFERENCE

HON. FEDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to pay tribute to the National Association of Real Estate Brokers (NAREB) on their 65th Annual Mid-Winter Conference.

The National Association of Real Estate Brokers was formed in 1947 by twelve pioneer African American real estate professionals from seven states across the country: Nanie Black, Detroit, Michigan; Macco Crutcher, Detroit, Michigan; Carleton Gains, Detroit, Michigan; W.D. Morrison, Jr., Detroit, Michigan; O.B. Cobbins, Jackson, Mississippi; W.H. Hollins, Birmingham, Alabama; George W. Powell, Jacksonville, Florida; J.R. Taylor, Miami, Florida; F. Henry Williams, Jacksonville, Florida; Horrace Sudduth, Cincinnati, Ohio; J.W. Sanford, Oklahoma City, Oklahoma; A. Maceo Smith, Dallas, Texas. NAREB was formed out of a need to secure the right to equal housing opportunities regardless of race, creed, or color.

The goal of NAREB is to bring together the Nation's minority professionals in the real estate industry to promote the meaningful exchange of ideas about their business and how best to serve the community. NAREB strives to create an environment where creativity flourishes in both the workplace and the marketplace.

NAREB is the oldest minority trade association in America. Since 1948, when the first Conference was held in Atlantic City, New Jersey, NAREB has continued to voice their opinions and take stands against inequity and injustice in housing.

This year's conference theme, "A New Era of Leadership" signifies NAREB's commitment to creating a better tomorrow for the real estate industry and for our economy as a whole. It is exciting to know that this year's conference will be held in sunny South Florida. I thank them for their advocacy over the years and wish NAREB a successful conference.

RECOGNIZING PAUL KREBBS

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mrs. LOWEY. Mr. Speaker, I rise today to recognize Mr. Paul Krebbs for a life's work in Catholic education that has had a significant impact on countless students, families, and fellow educators. On Wednesday, January 25, 2012, Mr. Krebbs was honored by the White House as a "Champion of Change," and today it is our privilege to echo this commendation.

For nine years, Paul Krebbs has served his community with distinction as the President of All Hallows High School in the Bronx, New York. In his capacity as President, Mr. Krebbs has also served as the institution's CEO and has worked tirelessly to maintain the standards of excellence that have come to be associated with All Hallows High School. All Hallows routinely places its entire graduating class, which is 98% students of color, into four-year colleges.

During Mr. Krebbs's tenure at All Hallows, the school's academic standards and Catholic identity have been maintained while enrollment has steadily increased. Meanwhile, the school has become financially stable and self-sufficient.

Beyond All Hallows, Mr. Krebbs has contributed his passion for education by founding the Office of Educational Development at the Archdiocese of New York. As the White House declared last month, champions like Mr. Krebbs, "inspire all of us to build up our communities and our Nation's young people."

Mr. Speaker, I am proud to recognize my constituent, Paul Krebbs, for his remarkable service to All Hallows High School and his lifelong commitment to enriching the lives of others through education and self-betterment. I urge my colleagues to join me in honoring his accomplishments and thanking him for his tremendous contributions.

PAYING TRIBUTE TO THE LIFE OF UNA MULZAC

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. RANGEL. Mr. Speaker, it is with great sadness that I rise to honor the life of Una Mulzac, a small business owner and political activist from my district. Una was a civil rights leader and an active educator in her community.

Born in Baltimore on April 19, 1923, Una inherited a fighting spirit from her father, Hugh Mulzac, who became the first African American to command a ship in the United States merchant marines. In 1961, Hugh's political

beliefs were investigated by the House Committee on Un-American Activities.

After graduating from Girls High School in Brooklyn, Una worked as a secretary at Random House and developed a strong passion for publishing. She combined a love of books with a commitment to political activism, and moved to Guyana in 1963 to open a bookstore and to help with the revolution. While in her store one day, Una was severely wounded when a package containing a bomb exploded, killing a colleague.

Una eventually returned to New York, and in 1967 opened Liberation Bookstore in Harlem to promote causes aimed at ending South African apartheid. Her establishment quickly became a Harlem landmark, and provided the community with a vast collection of literature. For four decades, Una was an inspiration to the people of Harlem and her bookstore became the destination for generations of people interested in race. On one side of the door to her bookstore, a sign stated, "If you don't know, learn." On the other side: "If you know, teach."

Mr. Speaker, I ask that you and my colleagues join me in paying tribute to the life of this very honorable woman. She is the definition of a true Harlemit, and her presence will be missed in my district.

RECOGNIZING HARDYSTON TOWNSHIP, NEW JERSEY

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. GARRETT. Mr. Speaker, today I recognize Hardyston Township, New Jersey, in beautiful Sussex County, upon the momentous occasion of the Township's 250th anniversary.

In late October, 1761, a ship traveling from Europe ended its trans-Atlantic voyage in New York. On that ship was Josiah Hardy, eldest son of Sir Charles Hardy and his wife, Elizabeth Burchett, and brother to five siblings. Just a few months earlier, Josiah had been "appointed Captain General and Governor in Chief of His Majesty's Province of New Jersey. . . ." Hardy would hold this position for fewer than two years, yielding his title to William Franklin in February 1763 and setting sail for England in September of that same year. While Governor Hardy's tenure was brief, it saw the formation by Royal Charter of Hardyston Township in 1762.

Today, little is known of Josiah Hardy, but his name and legacy live on in the Township of Hardyston.

Throughout its history, Hardyston has played a central role not only in the story of Sussex County but also in the story of America. During the Revolutionary War, General George Washington and the Continental Army camped in Hardyston. And in the Township's earliest days, the work of farmers, millers, and blacksmiths signaled the building of the nascent nation.

Today, Hardyston Township residents contribute in areas ranging from finance, education, and construction to health care, entertainment, and retail services, to name just a few. The Township offers diverse recreational opportunities and is home to scenes of pristine beauty that undoubtedly mirror the beauty of

Hardyston's earliest days. Additionally, Hardyston holds the distinction of being the discovery place of Hardystonite, a fluorescent mineral discovered in 1899 in the Franklin Furnace Mine.

Two hundred fifty years after its formation, Hardyston Township continues to be a vibrant community that invites residents and visitors alike to enjoy all that it offers and to become a part of its ongoing history.

As Hardyston Township Celebrates its 250th Anniversary, I offer my congratulations and my heartfelt wish for a future for Hardyston Township that is as bright as—and even brighter than—its rich and notable past.

HONORING THE LIFE OF NORTHWEST FLORIDA'S BELOVED JOSEPH CRONA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress it is an honor for me to rise today to recognize the life of Northwest Florida's beloved Joseph Crona.

Mr. Crona was a native of Pensacola, Florida and a longtime leader in the Northwest Florida community. He was a true patriot. After graduating from Pensacola High School, Mr. Crona answered the call of duty, serving with honor and distinction during World War II in the European Theater. When he returned home, Mr. Crona attended Florida State University, where he played offense, defense, and special teams on Florida State University's inaugural football team. He continued to follow his beloved Seminoles, taking in games around the country, and he was honored by the University as part of a special ceremony recognizing the Fiftieth Anniversary of the school's first football team.

After graduating from FSU with a degree in economics, Mr. Crona moved back to his hometown where he translated his success in the classroom and on the football field to the boardroom. He began working in the Trust Department at Citizens and Peoples National Bank, rising to become a Trust Officer. In 1971, he joined Commercial National Bank as Executive Vice-President, and shortly thereafter, Mr. Crona became President of Commercial National Bank. He went on to serve as President of Charter National, Century National and finally Sun Bank, where he worked as President/CEO until his retirement in 1994.

Mr. Crona was an avid sportsman, and he pursued his passion for the outdoors through years hunting and fishing. As an active member of the Pensacola Sports Association, Mr. Crona helped to bring world class sporting events to Northwest Florida. He served as President and Tournament Director of the Pensacola Open, which saw world class PGA golfers, including legendary winners such as Arnold Palmer, Gary Player and Pensacola's own Jerry Pate, compete at the highest level in front of Northwest Florida's passionate fans.

In addition to his tireless efforts promoting sports throughout the area, Mr. Crona was an active member of Northwest Florida's civic society. He was a member of the Pensacola Chamber of Commerce, the United Way, Navy League and numerous Mardi Gras organiza-

tions. He served as President of the Fiesta of Five Flags, which commemorates Pensacola's founding as the first European settlement in America, and in 1989 he wore the mask of Don Tristan De Luna, as the ceremonial head of the festivities.

As a patriot and a veteran, Mr. Crona also recognized the importance of honoring and thanking the brave men and women who sacrifice so much so that we may be free, and he was a part of a small group who secured financing and oversaw the construction of the World War II Memorial at Veterans Memorial Park in Pensacola.

Mr. Crona is survived by Diane, his wife of 57 years; his daughter, Susan Smart; as well as two grandchildren, Joseph and Sydney Smart. To some Joseph Crona will be remembered as a patriot and a leader in the Northwest Florida community. To others he will be remembered as a lifelong Florida State Seminole. To his friends and family, he will most fondly be remembered as a loving and devoted family man. His tireless work and immense contributions to his community cannot be overstated. Northwest Florida has truly suffered a great loss with his passing.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life of Joseph Crona. My wife Vicki joins me in extending our most sincere condolences to the entire Crona family.

RECOGNIZING JEANNE MILSTEIN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the retirement of Connecticut's Child Advocate, Jeanne Milstein, and celebrate her years of service to the State and, more importantly, to Connecticut's children and their families.

For over a decade, Jeanne has headed the Office of the Child Advocate (OCA), which oversees the protection and care of the State's most vulnerable children. Under Jeanne's leadership, the OCA has reviewed and acted on thousands of requests for assistance ranging from safety and health to education. Most recently, the OCA participated in the Children and Recession Task Force, leading an effort on transitioning young adults leaving the care of the state Department of Children and Families. OCA has also led oversight on children in congregate care settings and transitional supports for confined youth. Beyond overseeing the care and protection of Connecticut's children, Jeanne and the OCA have been fierce watchdogs of taxpayer resources.

Jeanne's hard work and dedication have been an invaluable resource for Connecticut and should serve as an example for all those in public service. Again, I ask that my colleagues join me in applauding Jeanne's service and recognizing her retirement.

CONGRATULATING SERGEANT FIRST CLASS CHRISTINE K. TULLOCH ON HER RETIREMENT FROM THE UNITED STATES ARMY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. HASTINGS of Florida. Mr. Speaker, I rise today and ask my colleagues to join me in congratulating SFC Christine K. Tulloch for her retirement from the United States Army after 22 years of devoted service. She has also been nominated for the Legion of Merit Award to commemorate her faithful and courageous service. I am honored to recognize SFC Tulloch today for these accomplishments and also take a moment to acknowledge her birthday she recently celebrated on February 17th.

During her distinguished career, SFC Tulloch displayed thrift and foresight in her position as a Movement Supervisor conducting rail, airport, and sea operations. This position required SFC Tulloch to oversee supply chains in order to facilitate the movement of goods and services across significant distances. This work is a vital component of any successful military operation. She performed this duty from 2001 to 2002 in Fort Eustis, Virginia; from 2002 to 2004 in Bamberg, Germany; and from 2004–2005 in Tallahassee, Florida, where she also served as Training NCO.

Throughout her career, SFC Tulloch demonstrated an admiral commitment to the efficiency and effectiveness of military activities. For example, in December 2002 when her team was deployed as an advanced party in support of Operation Iraqi Freedom, she administered the safe receipt and transit of more than 5,000 containers. In a conflict as hazardous as the war in Iraq, this was a logistical feat and one that she would repeat many times. In March 2003, her team would preside over the reception, staging and movement of over 40,000 combat and support troops. This would be an influential movement just prior to the second invasion.

SFC Tulloch also served in the U.S. Army Human Resources department where she administered assignments for as many as 12,000 soldiers. It was also necessary to coordinate the Joint Domicile and Married Couple's Program in which SFC Tulloch demonstrated her compassion as well as a high level of competence in arranging over 1,300 personal assignments a year. From 2009 to 2010, SFC Tulloch was promoted to Chief Movement Supervisor for the U.S. Armed forces in CENTCOM in Doha, Qatar. Her performance was such that she meticulously managed the transfer of millions of dollars worth of resources without waste or inaccuracy.

What made the work of SFC Tulloch exceptional was her ability to see opportunities to eliminate excessive bureaucracy in order to maximize the impact of expenditures. For instance, during her time in Iraq, SFC Tulloch was able to investigate some 2,000 overdue invoices and credit card purchases which meant that more than \$3 million dollars was refunded to the U.S. Government. While being posted in Afghanistan, SFC Tulloch was placed in charge of equipment and vehicles valued above \$24.6 million dollars. She was

able to direct the movement of these resources in a timely manner, even when given limited notice in which to organize herself and her team.

Mr. Speaker, on June 1, 2012 Sergeant First Class Christine K. Tulloch will retire from the United States Army. She should be proud of the fact that her record of accomplishments is truly commendable. Throughout her career, SFC Tulloch was able to execute the tasks assigned to her in a capable manner in spite of conditions that were often pressurized and hostile. It is my great honor to recognize SFC Tulloch and I wish her all the best in her retirement and hope that she may continue to use her talents to the betterment of those around her.

RESEARCH WORKS ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mrs. MALONEY. Mr. Speaker, I rise today to offer the following statement along with my colleague from California, Rep. DARRELL ISSA:

The introduction of H.R. 3699 has spurred a robust, expansive debate on the topics of scientific and scholarly publishing, intellectual property protection, and public access to federally funded research. Since its introduction, we have heard from numerous stakeholders and interested parties on both sides of this important issue.

As the costs of publishing continue to be driven down by new technology, we will continue to see a growth in open access publishers. This new and innovative model appears to be the wave of the future. The transition must be collaborative, and must respect copyright law and the principles of open access. The American people deserve to have access to research for which they have paid. This conversation needs to continue and we have come to the conclusion that the Research Works Act has exhausted the useful role it can play in the debate. As such, we want Americans concerned about access to research and other participants in this debate to know we will not be taking legislative action on H.R. 3699, the Research Works Act. We do intend to remain involved in efforts to examine and study the protection of intellectual property rights and open access to publicly funded research.

HONORING THE VICTIMS OF SUMGAI

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. SCHIFF. Mr. Speaker, I rise today to commemorate the scores of Armenian lives lost in the vicious attacks perpetrated by Azerbaijani pogroms against Armenian civilians in the town of Sumgait, Azerbaijan 24 years ago. Beginning on February 27, 1988 and for three days, Azerbaijani mobs assaulted and killed Armenians. Hundreds of Armenians were wounded, women and young girls were brutally raped, and victims of all ages were beat-

en and tortured and eventually burned to death. Thousands were driven from their homes and forced to become refugees. Armenian homes and businesses were left to be looted and destroyed.

In the years that followed this heinous event, Armenians living in Kirovabad and Baku suffered a similar fate. These pogroms were only part of a pattern of anti-Armenian activities occurring throughout Azerbaijan, setting the stage for two decades of aggression during which the Azerbaijani government initiated a war against the people of Nagorno-Karabakh. Thousands of people lost their lives and hundreds of thousands of Armenians were displaced as a result of the fighting. A once thriving population of 450,000 Armenians living in Azerbaijan virtually disappeared.

A cease-fire agreement, brokered in 1994, remains in place today. However, Azerbaijan's continued war-mongering, recent cease-fire violations, and dramatic increase of its military budget threaten to destabilize the Nagorno-Karabakh peace talks. In January 2008, Azerbaijani President Ilham Aliyev warned Armenians living in Nagorno-Karabakh, "We are re-enforcing our army because we must be ready to free our lands . . . at any moment and by any means." Such rhetoric is detrimental to the peace process and is further evidence that this conflict is ongoing and must be resolved. It is my sincerest hope that a democratic and peaceful resolution can be reached, and Nagorno-Karabakh's right to self-determination affirmed.

This April will mark the 97th anniversary of the Armenian Genocide, an event the Turkish government, Azerbaijan's closest ally, goes to great and tragic lengths to deny. We must not let such crimes against humanity go unrecognized. Today, let us pause to remember the victims of the atrocities of the Sumgait pogroms. Mr. Speaker, it is our moral obligation to condemn crimes of hatred and to remember the victims, in hope that history will not be repeated.

RECOGNIZING DUSCHA ROSS AS THE 2012 OKALOOSA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Ms. Duscha Ross as the 2012 Okaloosa County, Florida Teacher of the Year. Good teachers educate, but the best teachers make a difference and inspire. For eleven years, Ms. Ross has made a significant impact in the lives of her students, colleagues, and community. I am proud to recognize her achievements.

Ms. Ross joined the Okaloosa County, Florida School District in 2002, with a background in Political Science and Military Studies from Pennsylvania State University. Her career as a teacher and mentor began at the Department of Juvenile Justice in Okaloosa County where she taught Language and Reading. Since then she has served the Okaloosa County School District in various capacities as a 3rd, 4th, and 5th grade teacher and a Remedial and Advanced Reading teacher at Northwood Ele-

mentary School. Ms. Ross has proudly served as a 5th grade teacher at Mary Esther Elementary School for the past two years.

Ms. Ross makes a difference by never settling for mediocrity. While some are afraid of change and are unwilling to take risks, Ms. Ross attributes some of her greatest successes in the classroom to the use of a novel approach. She incorporates innovative teaching practices, such as the use of the Balanced Literacy Model, Discovery Education Assessment (DEA) Probes, and technology to supplement daily lessons. Using these methods, she is able to better address the needs of her students and provide them a pathway to success. She strives to share teaching methods with her colleagues to ensure that all can benefit from these successful techniques. She also combines education with community involvement and often invites various community members, including members of the military and local Kiwanis Clubs, to participate in her lessons and interact with other members of Mary Esther Elementary School.

Out of her passion for teaching and her love for children, Ms. Ross sets high standards for all of her students and works with them to achieve their goals and the desired results of the overall academic performance of the class. She is the positive force behind each student's growth of mind, by giving them the confidence, knowledge, and inspiration needed to succeed. Teachers like Ms. Ross leave a perpetual impact on their schools and community.

Mr. Speaker, on behalf of the United States Congress, I take great pride in recognizing Ms. Duscha Ross as one of Northwest Florida's finest educators, and I congratulate her on her recent accolade as Okaloosa County, Florida Teacher of the Year. This is an outstanding achievement, and her service to the area should stand as an example to those who follow in her footsteps. My wife Vicki joins me in wishing her all the best for continued success.

HONORING DR. EDUARDO JOSE PADRON

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Ms. WILSON of Florida. Mr. Speaker, on the occasion of the Greater Miami Chamber of Commerce's Sand In My Shoes Commitment to the Community award ceremony tonight, I rise to recognize and honor one of our nation's top education leaders, Dr. Eduardo Jose Padron. For nearly 20 years, Dr. Padron has served as the president of Miami Dade College, MDC, the nation's largest higher education institution. He has garnered recognition for his leadership from six American presidents and from organizations throughout the world.

Dr. Padron was born on June 26, 1944, in Santiago, Cuba. After arriving in the United States as a refugee at the age of 15, Dr. Padron capitalized on his educational opportunities by earning a Ph.D. in Economics from the University of Florida. A decade later, Dr. Padron would become the president of Miami Dade College's Wolfson Campus. There, he implemented revolutionary initiatives that earned him a stellar reputation and propelled

him to the presidency of our nation's largest higher education institution.

President Padron's transformational undertakings at Miami Dade College, resulting in 174,000 students enrolled, greater student access, retention, graduation and overall achievement, have been hailed as the model for innovation in higher education. Currently, MDC enrolls the most minorities nationally—including the most African Americans and Hispanics. The recent list of awards applauding MDC's achievements includes the 2011 Council for Higher Education Accreditation "Award for Outstanding Institutional Practice in Student Learning Outcomes" and the "U.S. President's Higher Education Community Service Honor Roll."

President Padron's achievements in higher education have earned him hundreds of coveted awards, commendations and appointments. Six American presidents have nominated him to nationally prominent posts. Recently, President Obama selected him to represent the United States at the UNESCO's World Conference on Higher Education and appointed him as chair of the White House Commission on Educational Excellence for Hispanic Americans. President Clinton named him one of America's foremost educators and President George W. Bush nominated him to the National Institute for Literacy Advisory Board and the National Economic Summit. Among his list of prestigious awards are the "2008 Charles Kennedy Equity Award," "2008 Reginald Wilson Diversity Leadership Award," and the "2008 Innovator of the Year" from the League for Innovation.

Please join me in honoring Miami Dade College President Eduardo J. Padron for his commitment to making quality education accessible to minorities and for his revolutionary contributions to higher education.

RESEARCH WORKS ACT

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. ISSA. Mr. Speaker, I rise today to offer the following statement along with my colleague from New York and the original cosponsor of H.R. 3699, Representative CAROLYN B. MALONEY:

The introduction of H.R. 3699 has spurred a robust, expansive debate on the topics of scientific and scholarly publishing, intellectual property protection, and public access to federally funded research. Since its introduction, we have heard from numerous stakeholders and interested parties on both sides of this important issue.

As the costs of publishing continue to be driven down by new technology, we will continue to see a growth in open access publishers. This new and innovative model appears to be the wave of the future. The transition must be collaborative, and must respect copyright law and the principles of open access. The American people deserve to have access to research for which they have paid. This conversation needs to continue and we have come to the conclusion that the Research Works Act has exhausted the useful role it can play in the debate. As such, we want Americans concerned about access to

research and other participants in this debate to know we will not be taking legislative action on H.R. 3699, the Research Works Act. We do intend to remain involved in efforts to examine and study the protection of intellectual property rights and open access to publicly funded research.

H.R. 1433, THE PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2012

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. BLUMENAUER. Mr. Speaker, I strongly oppose H.R. 1433, the "Private Property Rights Protection Act of 2012." This bill is a solution in search of a problem. Its sweeping prohibition against the use of eminent domain for economic development that would cripple community efforts at a time when they're needed more than ever.

There are time honored principles for the exercise of eminent domain by State and local governments. I support the Constitutional protections already in place to prevent taking of private property without fair compensation. Governments should certainly exercise great care in using eminent domain.

Many major economic and ecological initiatives would be difficult, if not impossible, without eminent domain. I believe economic development is a legitimate use of this tool; my community has used it for a number of critical developments, including key high tech projects that have laid the foundation for decades of prosperity.

I would support action to prevent abuse and capricious use of eminent domain. But this bill would make it nearly impossible for communities to use it. This bill is too restrictive and will become an impediment to economic development. Its financial penalties could bankrupt communities and even the risk of potential future violation of the law could affect a jurisdiction's borrowing power today.

I urge my colleagues to reject this bill.

PATRICK H. DALY, JR.

HON. ANDY HARRIS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. HARRIS. Mr. Speaker, today I offer my sincerest thanks and appreciation to my District Director, Patrick H. Daly, Jr., for his seven years of service to me. Pat has been a vital part of my staff from before I was even elected to Congress, serving in my Maryland State Senate office as a Legislative Assistant. As District Director to a House freshman, he took on the many logistical challenges of setting up my three district offices in Kent Island, Salisbury, and Bel Air. He also oversaw my case-work operations, which provided help to 1,200 constituents in the last year. He coordinated many constituent events and town hall meetings to keep me in tune with my District and hear the voice of the people. Simply put, Pat has always been there to see that the job is done, no matter how large or small the task may be. Pat has crossed the First Congress-

sional District too many times to count in the name of constituent service, and provided goodwill among its residents that is immeasurable. I offer my very best wishes to Pat and his family for his bright future ahead.

RECOGNIZING JEFFREY BAUGUS AS THE 2013 SANTA ROSA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Jeffrey A. Baugus as the 2013 Santa Rosa County, Florida Teacher of the Year and the first Santa Rosa County Middle School teacher to ever win the award.

Benjamin Franklin once said, "Tell me, and I forget. Teach me, and I remember. Involve me, and I learn." It is with great honor that I recognize Jeffrey Baugus for his ability to not only teach, but to involve and inspire those around him. The best teachers are those who not only educate, but those who strive every day to actively engage their pupils. Mr. Baugus embodies this spirit. By supplementing lessons with humor and advanced technology, Mr. Baugus gives mathematics a whole new meaning to his students. Through his innovative teaching practices, he gives his students the tools to succeed.

Mr. Baugus's impact is felt both inside and outside the classroom. He proves that education is never ending, and teaches his students there is always room for improvement. Following this mantra, in 2010, Mr. Baugus completed a Masters in Education in Curriculum and Instruction with an emphasis in Middle School Mathematics. In addition to his role teaching Algebra I, he is also an active member of the National Council of Teachers of Mathematics, the Florida Council of Teachers of Mathematics, the Air Force Association, and the Santa Rosa County Council of Teachers of Mathematics, where he serves as President. Today's award is not Mr. Baugus's first, and I am sure it will not be his last. Over the last few years, he was awarded the 2009 Air Force Association (Hurlburt Chapter) Teacher of the Year, the 2009 Santa Rosa County Middle School Math Teacher of the Year, the 2009 QWBMS Rookie of the Year, and 2012 Teacher of the Year for Woodlawn Beach Middle School.

The title of Teacher of the Year is an immense honor and is evidence of Mr. Baugus's tireless work and dedication to his students and his profession. Mr. Baugus has proven himself to be among Northwest Florida's finest teachers. The Santa Rosa County, Florida School District is honored to have him as one of its own.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize Jeffrey Baugus on this achievement and his exemplary service in the Santa Rosa County School District. My wife Vicki joins me in congratulating Mr. Baugus, and we wish him and his family all the best.

HONORING COMMANDER PAUL B.
SPOHN, USN

HON. LARRY BUCSHON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. BUCSHON. Mr. Speaker, I rise today to offer my most heartfelt congratulations to Commander Paul B. Spohn, United States Navy, for a distinguished career. Commander Spohn recently retired as the Commanding Officer, Naval Support Activity Crane, one of the many command posts throughout his career. I would like to especially recognize Commander Spohn for his leadership at NSA Crane, the world's third largest Naval Installation, based in Indiana's 8th Congressional District.

Commander Spohn began his 35 year career by enlisting in the Navy as a Boiler Technician in January 1977 and received his commission in June 1990 through the Limited Duty Officer Program.

His many achievements in academics and the Navy have made him an officer that all sailors and citizens should emulate. His dedication to our nation has spanned many decades and many posts and for that I would like to thank Commander Spohn.

HONORING THE ESTABLISHMENT
OF THE USO CENTER AT THE
TAMPA INTERNATIONAL AIR-
PORT

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. NUGENT. Mr. Speaker, on January 18th, 2012 the USO Board of Governors voted to approve the establishment of the USO Center at the Tampa International Airport.

This has been a long process, but thanks to a hardworking team of volunteers, the USO in Tampa is excited about serving the roughly 40,000 active military and their families living in the Tampa Bay area that may use Tampa International Airport as well as the approximately 300,000 that fly in and out of the Tampa International Airport on a yearly basis.

As both a Congressman and a father of three sons in the U.S. Army, I know how important the USO services are to our men and women in uniform. When I visit with the veterans in my district, I hear their stories of watching Bob Hope in the USO Concerts and receiving packages with urgent supplies from the USO on Christmas. Today's USO centers give our active duty heroes a place to relax, if only for a few minutes.

The new facility in the Tampa International Airport will allow members of our local communities the opportunity to recognize the service and sacrifice of this Nation's proud active duty servicemembers and their families.

I am a proud supporter of this outstanding institution and welcome its arrival in the Tampa International Airport.

AZERBAIJAN

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Ms. FOXX. Mr. Speaker, since declaring its independence from the Soviet Union, Azerbaijan has been a valuable ally to the United States in a turbulent region. In the true spirit of friendship, it seems appropriate for Congress to note the 20th anniversaries of two important events in their country's history which take place in late-February.

February 26 marked the 20th anniversary of the Khojaly Tragedy which is the largest of Azerbaijani civilians in the country's history.

The town of Khojaly is located in the Nagorno-Karabakh region of Azerbaijan and was then home to some 7,000 Azerbaijani citizens. On February 25–26, 1992, in a period of less than 12 hours, 613 citizens were slain at the hands of Armenian forces.

In the wake of these atrocities, Human Rights Watch described the advancing forces as committing "unconscionable acts of violence against civilians as they fled." Given our deepening ties with Azerbaijan it is important for American citizens to remember this event.

February 28 is the 20th anniversary of the establishment of Azerbaijani-American diplomatic relations, which is an event forming a partnership which of importance to both countries.

The initial focus of these relations was on trade between the two countries and, in particular, Azerbaijan's abundant natural resources. Today, Azerbaijan is a full partner to the United States, working with us and our allies to safeguard our combined security and prosperity.

One of the most telling examples of their commitment to this partnership came in the wake of the terrorist attacks of September 11, 2001, when Azerbaijan pledged to stand by the United States as in our efforts to secure the homeland and bring justice to the perpetrators of this tragedy.

True to its word, Azerbaijan has supported allied efforts in the War on Terror by allowing unrestricted access to its territory for American aircraft, troops and supplies, as well as committing its own troops to fight alongside our own.

As these two important anniversaries come to pass, I join Azerbaijan in mourning those who died in Khojaly, celebrating 20 years of shared diplomatic relations, and hoping for the continued security and prosperity of our nations in an ever-more dangerous world.

HONORING DWIGHT AND SHARON
POAGE AND THE MAYAN FAMI-
LIES

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. STIVERS. Mr. Speaker, I rise today to honor and thank Dwight and Sharon Poage and the Mayan Families for their extraordinary passion for causes that have made enduring positive differences in people's lives in the Lake Atitlan region of Guatemala.

This record recognizes the Mayan Families' strong partnership with the Upper Arlington Rotary Club in jointly creating sustainable humanitarian focused projects that provide opportunities, hope and a future for the indigenous and impoverished people in Guatemala.

Your commitment to potable water, children and adult nutrition, education and improving basic essential living conditions in the underserved communities has had a profound impact. On behalf of the citizens of Ohio's 15th Congressional District I commend your dedicated efforts for the families of Guatemala.

HONORING THE LIVES OF CAPTAIN
RYAN P. HALL OF COLORADO
SPRINGS, COLORADO; CAPTAIN
NICHOLAS S. WHITLOCK OF
NEWNAN, GEORGIA; FIRST LIEU-
TENANT JUSTIN J. WILKENS, OF
BEND, OREGON; AND SENIOR
AIRMAN JULIAN S. SCHOLTEN
OF UPPER MARLBORO, MARY-
LAND

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mr. MILLER of Florida. Mr. Speaker, it is with deep sympathy and solemn gratitude that I rise to pay tribute to four of our nation's fallen heroes: Captain Ryan P. Hall of Colorado Springs, Colorado; Captain Nicholas S. Whitlock of Newnan, Georgia; First Lieutenant Justin J. Wilkens, of Bend, Oregon; and Senior Airman Julian S. Scholten of Upper Marlboro, Maryland.

These four brave, young men paid the ultimate price in defense of our nation's freedom when their U-28 aircraft went down near Djibouti, Africa on Saturday, February 18, 2012. They were members of the United States Air Force Special Operations Command. Of their dedication to duty, courage of heart, and commitment to their nation, there can be no doubt. They were living examples of the Airman's Creed, "I am an American Airman, guardian of freedom and justice, my nation's sword and shield, its sentry and avenger. I defend my Country with my life." Upon the altar of freedom, they have fulfilled their vow to defend their country and paid the ultimate price.

The report of this tragic incident pierced the hearts of their families, friends, and the AFSOC community. It reminds us that there is no greater sacrifice than that in which one gives his life for others.

While there are no words that we can say here on the floor today that will bring back Ryan, Nicholas, Justin, and Julian to those who love them and know them best, we can and will honor their service and sacrifice. We have heard many times and know in our hearts the truth that Freedom often demands of us a heavy and at times unbearable price. It is a burden of loss that rests heavily upon those who love them.

Mr. Speaker, on behalf of a grateful United States Congress, I stand here today to honor these four men and all of the heroes we have lost. My wife, Vicki joins me in offering our deepest, most sincere condolences and prayers to their families and friends. May God continue to bless them, the AFSOC community, and the United States Armed Forces.

HONORING THE LIFE OF DAVID N.
BODDIE

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Ms. EDWARDS. Mr. Speaker, I rise to pay tribute and honor the life of David N. Boddie, a resident of Bowie in the Fourth Congressional District of Maryland, who passed away on February 16th. As he is interred at Arlington National Cemetery today, I want to remember the legacy he leaves behind.

For more than 40 years, Dave—as he was affectionately known to his colleagues—was an employee of the U.S. Government Printing Office (GPO), which supplies us with the CONGRESSIONAL RECORD and the documents to conduct the business of this House.

Before arriving at the GPO, Dave Boddie served as a U.S. Marine in Vietnam, where he was seriously wounded in combat and received the Purple Heart. After returning home, he worked at the Afro-American Newspaper Company in Baltimore.

Dave joined the GPO in 1970 as an apprentice and three years later was converted to a career employee. In 1976, he was promoted to a new position as a Photocomposition Machine Operator, taking his place within one of the greatest technology changes in the GPO's history, as the agency converted from hot metal typesetting to electronic photocomposition. Two years later, Dave entered the management and supervisory ranks at GPO, and he became a Foreperson in 1987. In August 1999, Dave was named Foreperson-in-Charge, and in 2003, he was promoted to Assistant to the Production Manager, Night Operations, on the second shift. He continued to rise through the management ranks, becoming Printing Officer and Assistant Production Manager in December 2005.

In 2006, Dave was named the third-shift Assistant Production Manager, effectively becoming GPO's Night Production Manager, with the key responsibility for ensuring the completion of the CONGRESSIONAL RECORD and other congressional work by morning. Dave was the first African American employee ever named to this position in GPO's 150-year history of service to Congress and this Nation. He retired from Federal service in 2011.

Dave Boddie's record of service to our country, both as a Marine and through his accomplished career as a Federal employee at GPO, was characterized by sacrifice, by hard work and dedication to duty, and most of all by achievement, which was recognized by his promotions leading ultimately to one of the most critically important positions of leadership within GPO. He leaves behind a legacy of service that others can aspire to.

Now that his time on earth has come to an end, it is my hope that David N. Boddie has found the peace he has earned. On behalf of this House, I extend our sincere condolences to his wife, Kim and daughter Monica, and the thanks of a grateful Nation.

TRIBUTE TO DR. SUNEDRA KUMAR
KAUSHIK

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Mrs. LOWEY. Mr. Speaker, I rise today to pay tribute to Dr. Sunedra Kumar Kaushik, the founder and chairman of the Mrs. Helena Kaushik Women's College in Rajasthan, India, and a constituent in the 18th Congressional district of New York. On March 2, Dr. Kaushik will be honored by the Indian Consul General in New York after receiving the Pravasi Bharatiya Diwas Samman Award, India's highest honor for natives living overseas, from President Pratibha Patil. For decades, Dr. Kaushik's work as a Professor of Finance at Pace University and his exceptional leadership at Mrs. Helena Kaushik Women's College have made an extraordinary impact at home, in the Lower Hudson Valley, and abroad, in his native India.

For more than 35 years, Dr. Kaushik has led a distinguished academic career, shaping the minds of generations of young Americans at Pace, Boston University, Northeastern University, Babson College and other institutions. Over this period of time, Dr. Kaushik has published an impressive number of academic works in economics and finance.

While completing his PhD at Boston University, Dr. Kaushik met the love of his life, Helena Pokotnicki, of Detroit, Michigan, and the two were married in September of 1973. For decades, Mrs. Kaushik employed her skills as a health professional to promote children's health and education issues in India. On her very first day in India, Mrs. Kaushik wasted no time making her voice heard, lobbying the head of the World Health Organization in Delhi on the need to improve health conditions in India and to mitigate the adverse effects of open sewers on the Indian population at large.

In 1991, Mrs. Kaushik tragically suffered a devastating stroke and since has been cared for by her husband at their home in Westchester County, New York. Inspired by his wife's commitment and work on behalf of the children and women of India, Dr. Kaushik founded the Mrs. Helena Kaushik Women's College in Rajasthan, India, in 1999. Watching his wife in action, Dr. Kaushik understood the tremendous impact hard-working women could have on their communities across the globe. In his native Rajasthan, one of the most poverty-stricken regions of India, Dr. Kaushik was concerned by the lack of educational opportunities for women. He was especially upset by the fact that his hometown of Malsisar, Rajasthan, lacked even a male or co-ed college within a 35 kilometer radius.

For over a decade, the Mrs. Helena Kaushik Women's College has empowered countless women from rural India, training them to become integral parts of the Indian economy and Indian society. Since its establishment, over 900 of the college's graduates have gone on

to serve their communities as teachers and civil servants, and in an array of other critical professions. Moreover, by operating solely on generous private donations and not charging any tuition fees, the Mrs. Helena Kaushik Women's College has made obtaining a higher education possible for numerous low-income women.

Given Dr. Kaushik's inspiring work, it comes as no surprise that President Patil has awarded him one of India's highest honors and that his achievements have been celebrated by both the New York State Assembly and the New Jersey General Assembly. It is time for Congress to also recognize Dr. Kaushik's extraordinary efforts both at home and abroad, and I urge my colleagues to join me in doing so.

TRIBUTE TO CLARENCE LEONARD
EDWARDS

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 27, 2012

Ms. WILSON of Florida. Mr. Speaker, I rise today to pay tribute to Mr. Clarence Leonard Edwards, a lifelong South Florida community activist, U.S. Soldier, entrepreneur, pioneer, beloved son, husband, father, neighbor and friend.

Mr. Edwards was born in Jacksonville, Florida on March 3rd, 1930. After attending Edward Waters College in Jacksonville, he moved to Miami. At the age of twenty, he began a career of community service that spanned decades.

Following his service in the U.S. Army, during the Korean War, Mr. Edwards and his first wife of 38 years, Olivia Love, settled in Overtown and became instrumental in community organizing, voter registration and mentoring youth. For thirty six years, they ran a community pharmacy that served as a long-standing community gathering place.

Mr. Edwards had a forty year career with the Seaboard Coastline Railroad (Amtrak). He is also noted for pioneering blacks in the sport of race car driving. He has received numerous local, state and national awards for community and political service including: Governors recognition for his service during Hurricane Andrew, Florida Annual Civil Rights Conference Community Relations award, Proclamation of Clarence Edwards Day from Dade County Mayor, Stephen Clark and City of Opa Locka Mayor, Robert Ingram. Mr. Edwards has also received several letters of appreciation from Presidents, Congressmen and State Representatives.

We, the citizens of the 17th Congressional District, pay tribute to Mr. Clarence Leonard Edwards for his stellar service to the people of Miami-Dade County.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 28, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED
FEBRUARY 29

- 9:30 a.m.
Appropriations
Department of the Interior, Environment, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Interior. SD-124
- 10 a.m.
Budget
To hold hearings to examine putting health care spending on a sustainable path. SD-608
Health, Education, Labor, and Pensions
Primary Health and Aging Subcommittee
To hold hearings to examine dental crisis in America, focusing on the need to expand access. SD-430
Judiciary
To hold hearings to examine the "Due Process Guarantee Act", focusing on banning indefinite detention of Americans. SD-226
Veterans' Affairs
To hold hearings to examine the President's proposed budget request for fiscal year 2013 for Veterans' Programs. SR-418
- 10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Army. SD-192
- 11 a.m.
Foreign Relations
To receive a closed briefing on the crisis in Syria. SVC-217
- 2:30 p.m.
Judiciary
To hold hearings to examine the nominations of Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit, Gershwin A. Drain, to be United States District Judge for the Eastern District of Michigan, and Robin S. Rosenbaum, to be United States District Judge for the Southern District of Florida. SD-226

MARCH 1

- 9:30 a.m.
Armed Services
To hold hearings to examine U.S. European Command and U.S. Africa Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session. SH-216
- 10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the semi-annual Monetary Policy Report to the Congress. SD-538
Budget
To hold hearings to examine tax reform to encourage growth, reduce the deficit, and promote fairness. SD-608
Commerce, Science, and Transportation
To hold an oversight hearing to examine the cruise ship industry, focusing on if current regulations are sufficient to protect passengers and the environment. SR-253
Foreign Relations
To hold hearings to examine Syria, focusing on the crisis and its implications. SD-419
Judiciary
Business meeting to consider S. 1002, to prohibit theft of medical products, and the nominations of Andrew David Hurwitz, of Arizona, to be United States Circuit Judge for the Ninth Circuit, Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Jeffrey J. Helmick, to be United States District Judge for the Northern District of Ohio, Mary Geiger Lewis, to be United States District Judge for the District of South Carolina, Timothy S. Hillman, to be United States District Judge for the District of Massachusetts, and Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement, Department of Justice. SD-226
Appropriations
Transportation and Housing and Urban Development, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Housing and Urban Development. SD-138
- 2:30 p.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year for 2013 for the Office of the Architect of the Capitol, the Library of Congress, the Office of Compliance, and the Open World Leadership Center. SD-138
Intelligence
To hold closed hearings to examine certain intelligence matters. SH-219
- 9:30 a.m.
Armed Services
To hold hearings to examine U.S. Central Command and U.S. Special Operations Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed

session in SVC-217 following the open session. SH-216

- 10 a.m.
Budget
To hold hearings to examine perspectives on the President's proposed budget request for fiscal year 2013 for the Department of Defense. SD-608
Energy and Natural Resources
To hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Forest Service. SD-366
Finance
To hold hearings to examine tax reform options, focusing on incentives for capital investment and manufacturing. SD-215
- 10:30 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission. SD-342
- 2:30 p.m.
Foreign Relations
To hold hearings to examine the President's proposed budget request for fiscal year 2013 for international development priorities. SD-419
Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board, and Roy Wallace McLeese III, to be an Associate Judge of the District of Columbia Court of Appeals. SD-342

MARCH 7

- 9:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine healthy food initiatives, local production, and nutrition. SH-216
- 10 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine risk management and commodities in the 2012 farm bill. SH-216
Veterans' Affairs
To hold joint hearings to examine a legislative presentation from the Veterans of Foreign Wars (VFW). SD-G50
- 2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 29, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 1150, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 1191, to direct the Secretary of the Interior to carry out a study regarding the suitability and feasibility of establishing the Naugatuck River Valley National Heritage Area in Connecticut, S. 1198, to reauthorize the Essex National Heritage Area, S. 1215, to provide for the exchange of land located in the Lowell National Historical Park, S. 1589, to extend the authorization for the Coastal Heritage Trail in the State of New Jersey, S. 1708, to establish the John H. Chafee Blackstone River Valley National Historical Park, H.R. 1141, to authorize the Secretary of

MARCH 6

- 9:30 a.m.
Armed Services
To hold hearings to examine U.S. Central Command and U.S. Special Operations Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed

the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System, and H.R. 2606, to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area.

SD-366

MARCH 8

9:30 a.m.

Armed Services

To hold hearings to examine the Department of the Army in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

SD-106

10 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine the key to America's global competitiveness, focusing on a quality education.

SD-430

2:15 p.m.

Indian Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2013 for Native Programs.

SD-628

MARCH 13

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Southern Command and U.S. Northern Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

10 a.m.

Energy and Natural Resources

To hold hearings to examine the report of the Independent Consultant's Review with Respect to the Department of Energy Loan and Loan Guarantee Portfolio.

SD-366

10:30 a.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold hearings to examine contractors, focusing on how much they are costing the government.

SD-342

Judiciary

To hold hearings to examine the Freedom of Information Act, focusing on safeguarding critical infrastructure information and the public's right to know.

SD-226

MARCH 14

10 a.m.

Veterans' Affairs

To hold hearings to examine ending homelessness among veterans, focusing on Veterans' Affairs progress on its five year plan.

SR-418

2 p.m.

Armed Services

Personnel Subcommittee

To hold hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

SR-232A

MARCH 15

9:30 a.m.

Armed Services

To hold hearings to examine the Department of the Navy in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine Indian water rights, focusing on promoting the negotiation and implementation of water settlements in Indian country.

SD-628

MARCH 20

9:30 a.m.

Armed Services

To hold hearings to examine the Department of the Air Force in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SD-G50

MARCH 21

10 a.m.

Veterans' Affairs

To hold joint hearings to examine the legislative presentations of the Military Order of the Purple Heart, Iraq and Afghanistan Veterans of America (IAVA), Non Commissioned Officers Association, American Ex-Prisoners of War, Vietnam Veterans of America, Wounded Warrior Project, National Association of State Directors of Veterans Affairs, and The Retired Enlisted Association.

SD-G50

2 p.m.

Judiciary

Antitrust, Competition Policy and Consumer Rights Subcommittee

To hold hearings to examine Verizon and cable deals.

SD-226

MARCH 22

10 a.m.

Veterans' Affairs

To hold joint hearings to examine the legislative presentations of the Paralyzed Veterans of America, Air Force Sergeants Association, Blinded Veterans Association, American Veterans (AMVETS), Gold Star Wives, Fleet Reserve Association, Military Officers Association of America, and the Jewish War Veterans.

345, Cannon Building

MARCH 28

10 a.m.

Veterans' Affairs

To hold hearings to examine the nominations of Margaret Bartley, of Maryland, and Coral Wong Pietsch, of Hawaii, both to be a Judge of the United States Court of Appeals for Veterans Claims.

SR-418

2 p.m.

Armed Services

Personnel Subcommittee

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program.

SR-232A

Daily Digest

HIGHLIGHTS

Senator Shaheen read Washington's Farewell Address.

Senate

Chamber Action

Routine Proceedings, pages S1029–S1062

Measures Introduced: Four bills were introduced, as follows: S. 2131–2134. **Page S1049**

Measures Reported:

S. 179, to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary. (S. Rept. No. 112–149)

S. 646, to reauthorize Federal natural hazards reduction programs, with an amendment in the nature of a substitute. (S. Rept. No. 112–150)

S. 962, to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits. (S. Rept. No. 112–151)

S. 2132, to amend the Internal Revenue Code of 1986 to provide for the extension of highway-related taxes and trust fund expenditures, to provide revenues for highway programs. (S. Rept. No. 112–152)

Page S1049

Nomination Confirmed: Senate confirmed the following nomination:

By 86 yeas to 2 nays (Vote No. EX. 23), Margo Kitsy Brodie, of New York, to be United States District Judge for the Eastern District of New York.

Pages S1039–41, S1062

Messages from the House: **Page S1048**

Measures Read the First Time: **Page S1048**

Executive Communications: **Pages S1048–49**

Additional Cosponsors: **Pages S1049–51**

Additional Statements: **Pages S1047–48**

Amendments Submitted: **Pages S1051–61**

Notices of Hearings/Meetings: **Pages S1061–62**

Privileges of the Floor: **Page S1062**

Record Votes: One record vote was taken today. (Total—23) **Page S1041**

Adjournment: Senate convened at 2 p.m. and adjourned at 7:05 p.m., until 10 a.m. on Tuesday, February 28, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1062.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 4 public bills, H.R. 4089–4092, and 3 resolutions, H. Res. 562, 564–565, were introduced. **Pages H965–66**

Additional Cosponsors: **Pages H966–67**

Reports Filed: Reports were filed today as follows: H.R. 665, to establish a pilot program for the expedited disposal of Federal real property, with an amendment (H. Rept. 112–402);

H.R. 1837, to address certain water-related concerns on the San Joaquin River, and for other purposes, with an amendment (H. Rept. 112–403); and H. Res. 563, providing for consideration of the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965 (H. Rept. 112–404).

Page H965

Speaker: Read a letter from the Speaker wherein he appointed Representative Denham to act as Speaker pro tempore for today. **Page H951**

Recess: The House recessed at 2:14 p.m. and reconvened at 4 p.m. **Page H953**

Suspensions: The House agreed to suspend the rules and agree to the following measure:

Federal Restricted Buildings and Grounds Improvement Act: Concurred in the Senate amendment to H.R. 347, to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, by a $\frac{2}{3}$ yea-and-nay vote of 388 yeas to 3 nays, Roll No. 73.

Pages H953–54, S954–55

Recess: The House recessed at 4:14 p.m. and reconvened at 6:30 p.m. **Page H954**

Moment of Silence: The House observed a moment of silence in memory of Katie Hall, former Member of Congress.

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on pages 954–55. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 8:40 p.m.

Committee Meetings

LEGISLATIVE MEASURE

Committee on the Judiciary: Subcommittee on Courts, Commercial, and Administrative Law held a hearing on H.R. 4078, the “Regulatory Freeze for Jobs Act

of 2012”. Testimony was heard from public witnesses.

PROTECTING ACADEMIC FREEDOM IN HIGHER EDUCATION ACT

Committee on Rules: Full Committee held a hearing on H.R. 2117, the “Protecting Academic Freedom in Higher Education Act”. The Committee granted, by voice vote, a structured rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as original text for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Foxx and Hinojosa.

BUILDING BRIDGES FOR VETERANS

Committee on Veterans’ Affairs: Subcommittee on Health held a hearing entitled “Building Bridges between VA and Community Organizations to Support Veterans and Families”. Testimony was heard from Andy Davis, Director, Saratoga County Veterans Service Agency, New York; John J. Morris, Joint Force Headquarters, Minnesota National Guard; E. Terri LaVelle, Director, Center for Faith-based and Neighborhood Partnerships, Office of the Secretary, Department of Veterans Affairs; Michael McCoy, Sr., Associate Director, National Chaplain Center, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

ONGOING INTELLIGENCE ACTIVITIES

Permanent Select Committee on Intelligence: Full Committee held a hearing on ongoing intelligence activities. Testimony was heard from departmental witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D124)

H.R. 3630, to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline. Signed on February 22, 2012. (Public Law 112-96)

COMMITTEE MEETINGS FOR TUESDAY,
FEBRUARY 28, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine strengthening conservation through the 2012 farm bill, 10 a.m., SH-216.

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of State and Foreign Operations, 10 a.m., SD-192.

Committee on Armed Services: to hold hearings to examine U.S. Pacific Command and U.S. Transportation Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session, 9:30 a.m., SD-106.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the state of the housing market, focusing on removing barriers to economic recovery, part II, 10 a.m., SD-538.

Committee on the Budget: to hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Department of Defense, 9:30 a.m., SD-608.

Committee on Energy and Natural Resources: to hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Department of the Interior, 10 a.m., SD-366.

Committee on Environment and Public Works: Subcommittee on Water and Wildlife, to hold hearings to examine local government perspectives on water infrastructure, 10 a.m., SD-406.

Committee on Foreign Relations: to hold hearings to examine national security and foreign policy priorities in the fiscal year 2013 International Affairs Budget, 2 p.m., SH-216.

Committee on Veterans' Affairs: to hold joint hearings to examine a legislative presentation from the Disabled American Veterans (DAV), 2:30 p.m., 345, Cannon Building.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine clarifying the fate of missing persons in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on locating and identifying persons missing as a result of conflicts, trafficking in humans and human rights violations, as well as natural or manmade disasters, 2 p.m., 2172, Rayburn Building.

CONGRESSIONAL PROGRAM AHEAD

Week of February 28 through March 2, 2012

Senate Chamber

On Tuesday, Senate will be in a period of morning business until 12:30 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)

Committee on Agriculture, Nutrition, and Forestry: February 28, to hold hearings to examine strengthening conservation through the 2012 farm bill, 10 a.m., SH-216.

Committee on Appropriations: February 28, Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of State and Foreign Operations, 10 a.m., SD-192.

February 29, Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Interior, 9:30 a.m., SD-124.

February 29, Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of the Army, 10:30 a.m., SD-192.

March 1, Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2013 for the Department of Housing and Urban Development, 10 a.m., SD-138.

March 1, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year for 2013 for the Office of the Architect of the Capitol, the Library of Congress, the Office of Compliance, and the Open World Leadership Center, 2:30 p.m., SD-138.

Committee on Armed Services: February 28, to hold hearings to examine U.S. Pacific Command and U.S. Transportation Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session, 9:30 a.m., SD-106.

March 1, Full Committee, to hold hearings to examine U.S. European Command and U.S. Africa Command in review of the Defense Authorization request for fiscal year 2013 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session, 9:30 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: February 28, to hold hearings to examine the state of the housing market, focusing on removing barriers to economic recovery, part II, 10 a.m., SD-538.

March 1, Full Committee, to hold hearings to examine the semiannual Monetary Policy Report to the Congress, 10 a.m., SD-538.

Committee on the Budget: February 28, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Department of Defense, 9:30 a.m., SD-608.

February 29, Full Committee, to hold hearings to examine putting health care spending on a sustainable path, 10 a.m., SD-608.

March 1, Full Committee, to hold hearings to examine tax reform to encourage growth, reduce the deficit, and promote fairness, 10 a.m., SD-608.

Committee on Commerce, Science, and Transportation: March 1, to hold an oversight hearing to examine the cruise ship industry, focusing on if current regulations are sufficient to protect passengers and the environment, 10 a.m., SR-253.

Committee on Energy and Natural Resources: February 28, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for the Department of the Interior, 10 a.m., SD-366.

Committee on Environment and Public Works: February 28, Subcommittee on Water and Wildlife, to hold hearings to examine local government perspectives on water infrastructure, 10 a.m., SD-406.

Committee on Foreign Relations: February 28, to hold hearings to examine national security and foreign policy priorities in the fiscal year 2013 International Affairs Budget, 2 p.m., SH-216.

February 29, Full Committee, to receive a closed briefing on the crisis in Syria, 11 a.m., SVC-217.

March 1, Full Committee, to hold hearings to examine Syria, focusing on the crisis and its implications, 10 a.m., SD-419.

Committee on Health, Education, Labor, and Pensions: February 29, Subcommittee on Primary Health and Aging, to hold hearings to examine dental crisis in America, focusing on the need to expand access, 10 a.m., SD-430.

Committee on the Judiciary: February 29, to hold hearings to examine the "Due Process Guarantee Act", focusing on banning indefinite detention of Americans, 10 a.m., SD-226.

February 29, Full Committee, to hold hearings to examine the nominations of Richard Gary Taranto, of

Maryland, to be United States Circuit Judge for the Federal Circuit, Gershwin A. Drain, to be United States District Judge for the Eastern District of Michigan, and Robin S. Rosenbaum, to be United States District Judge for the Southern District of Florida, 2:30 p.m., SD-226.

March 1, Full Committee, business meeting to consider S. 1002, to prohibit theft of medical products, and the nominations of Andrew David Hurwitz, of Arizona, to be United States Circuit Judge for the Ninth Circuit, Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Jeffrey J. Helmick, to be United States District Judge for the Northern District of Ohio, Mary Geiger Lewis, to be United States District Judge for the District of South Carolina, Timothy S. Hillman, to be United States District Judge for the District of Massachusetts, and Thomas M. Harrigan, of New York, to be Deputy Administrator of Drug Enforcement, Department of Justice, 10 a.m., SD-226.

Committee on Veterans' Affairs: February 28, to hold joint hearings to examine a legislative presentation from the Disabled American Veterans (DAV), 2:30 p.m., 345, Cannon Building.

February 29, Full Committee, to hold hearings to examine the President's proposed budget request for fiscal year 2013 for Veterans' Programs, 10 a.m., SR-418.

Select Committee on Intelligence: February 28, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

March 1, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

House Committees

Committee on Agriculture, February 29, full Committee, hearing entitled "The Commodity Futures Trading Commission 2012 Agenda", 10 a.m., 1300 Longworth.

Committee on Appropriations, February 28, Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on FY 2013 Budget for the Department of Justice, 9 a.m., 2359 Rayburn.

February 28, Subcommittee on Interior, Environment, and Related Agencies, on FY 2013 Budget for Indian Health Service, 9:30 a.m., B-308 Rayburn.

February 28, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2013 Budget for Food, Nutrition, and Consumer Services, USDA, 10 a.m., 2362-A Rayburn.

February 28, Subcommittee on Homeland Security, hearing on FY 2013 Budget for the Transportation Security Administration, 11 a.m., 2362-B Rayburn.

February 28, Subcommittee on Interior, Environment, and Related Agencies, hearing on FY 2013 Budget for Bureau of Indian Affairs, 1 p.m., B-308 Rayburn.

February 28, Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget for the Department of Energy, 2 p.m., 2359 Rayburn.

February 29, Subcommittee on State, Foreign Operations, and Related Programs, hearing on FY 2013 Budget for the Department of State, 10 a.m., 2359 Rayburn.

February 29, Subcommittee on Homeland Security, hearing on FY 2013 Budget for Customs and Border Protection Agency, 10 a.m., B-318 Rayburn.

February 29, Subcommittee on Energy and Water Development, and Related Agencies, hearing on FY 2013 Budget for National Nuclear Security Administration, Department of Energy, Weapons Activities; and National Nuclear Security Administration, 10 a.m., 2362-B Rayburn.

February 29, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2013 Budget for the Department of Health and Human Services, Food and Drug Administration, 10 a.m., 2362-A Rayburn.

February 29, Subcommittee on Interior, Environment, and Related Agencies, hearing on FY 2013 Budget for the Environmental Protection Agency, 1 p.m., 2359 Rayburn.

February 29, Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on FY 2013 Budget for the Office of Science and Technology Policy, 2 p.m., H-309, Capitol.

February 29, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2013 Budget for the Department of Agriculture, 2 p.m., 2362-A Rayburn.

March 1, Subcommittee on Homeland Security, hearing on FY 2013 Budget for National Protection and Programs Directorate, 9:30 a.m. This is a closed hearing.

March 1, Subcommittee on Interior, Environment, and Related Agencies, hearing on FY 2013 Fish and Wildlife Service Budget, 9 a.m., B-308 Rayburn.

March 1, Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on FY 2013 Budget for the U.S. Patent and Trademark Office, 10 a.m., H-309, Capitol.

March 1, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on FY 2013 Budget for Military Construction, 10 a.m., 2359 Rayburn.

March 1, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2013 budget for the Department of Agriculture, 10:30 a.m., 2362-A Rayburn.

March 1, Subcommittee on Defense, hearing on FY 2013 Budget for the Navy/Marine Corps, 1 p.m., H-140, Capitol.

Committee on Armed Services, February 28, full Committee, hearing on the Fiscal Year 2013 National Defense Authorization Budget Request from the Department of the Air Force, 10 a.m., 2118 Rayburn.

February 28, Subcommittee on Military Personnel, hearing on Military Personnel Budget Overview—Office of the Secretary of Defense Perspective, 1:30 p.m., 2118 Rayburn.

February 29, Subcommittee on Emerging Threats and Capabilities, hearing on Department of Defense Fiscal Year 2013 Science and Technology Programs, 3 p.m., 2212 Rayburn.

February 29, full Committee, hearing on Fiscal Year 2013 National Defense Authorization Budget Request

from U.S. European Command and U.S. Africa Command, 10 a.m. 2118 Rayburn.

March 1, full Committee, hearing on Fiscal Year 2013 National Defense Authorization Budget Request from U.S. Pacific Command, 10 a.m., 2118 Rayburn.

Committee on the Budget, February 28, full Committee, hearing entitled “Strengthening Health and Retirement Security”, 10 a.m., 210 Cannon.

February 29, full Committee, hearing entitled “The Department of Defense and the Fiscal Year 2013 Budget”, 2 p.m., 210 Cannon.

Committee on Education and the Workforce, February 28, full Committee, markup of the following: H.R. 3989, the “Student Success Act” and H.R. 3990, the “Encouraging Innovation and Effective Teachers Act”, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, February 28, Subcommittee on Energy and Power and Subcommittee on Environment and the Economy, joint hearing entitled “The FY 2013 EPA Budget”, 10 a.m., 2123 Rayburn.

February 28, Subcommittee Oversight and Investigations, hearing entitled “Critical Infrastructure Cybersecurity: Assessments of Smart Grid Security”, 10:15 a.m., 2322 Rayburn.

February 29, Subcommittee on Health, markup of H.R. 452, the “Medicare Decisions Accountability Act of 2011”, 10 a.m., 2123 Rayburn.

March 1, Subcommittee on Health, hearing entitled “The FY 2013 HHS Budget”, 10 a.m., 2123 Rayburn.

March 1, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled “Prescription Drug Diversion: Combating the Scourge”, 10:15 a.m., 2322 Rayburn.

Committee on Financial Services, February 28, Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled “Oversight of the Department of Housing and Urban Development”, 10 a.m., 2128 Rayburn.

February 29, full Committee, hearing entitled “Monetary Policy and the State of the Economy”, 10 a.m., 2128 Rayburn.

March 1, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled “Understanding the Effects of the Repeal of Regulation Q on Financial Institutions and Small Businesses”, 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, February 29, full Committee, hearing entitled “Assessing U.S. Foreign Policy Priorities Amidst Economic Challenges: The Foreign Relations Budget for Fiscal Year 2013”, 1:30 p.m., 2172 Rayburn.

March 1, Subcommittee on Terrorism, Nonproliferation, and Trade, markup of H.R. 3783, the “Countering Iran in the Western Hemisphere Act of 2012”, 10:30 a.m., 2127 Rayburn.

Committee on Homeland Security, February 28, Subcommittee on Counterterrorism and Intelligence, hearing entitled “Federal Government Intelligence Sharing with State, Local and Tribal Law Enforcement: An Assessment Ten Years After 9/11”, 10 a.m., 311 Cannon.

February 29, Subcommittee on Emergency Preparedness, Response and Communications, hearing entitled

“The President’s FY 2013 Budget Request for the Federal Emergency Management Agency”, 10 a.m., 311 Cannon.

March 1, Subcommittee on Oversight, Investigations, and Management, hearing entitled “Building One DHS: Why Can’t Management Information be Integrated?”, 10 a.m., 311 Cannon.

Committee on the Judiciary, February 28, full Committee, markup of the following: H.R. 4086, the “Foreign Cultural Exchange Jurisdictional Immunity Clarification Act”; H.R. 3992, to allow otherwise eligible Israeli nationals to receive E-2 nonimmigrant visas if similarly situated United States nationals are eligible for similar nonimmigrant status in Israel; and H.R. 511, to amend title 18, United States code, to prohibit the importation of various injurious species of constrictor snakes”, 10 a.m., 2141 Rayburn.

February 28, full Committee, hearing entitled “Executive Overreach: The HHS Mandate Versus Religious Liberty”, 2:30 p.m., 2141 Rayburn.

February 29, Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled “The U.S. Department of Justice Community Oriented Policing Services Office”, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, February 28, Subcommittee on National Parks, Forests and Public Lands, hearing entitled “FY 2013 budget requests from the National Park Service and the Bureau of Land Management”, 10 a.m., 1324 Longworth.

March 1, Subcommittee on Indian and Alaska Native Affairs, hearing on H.R. 1272, the “Minnesota Chippewa Tribe Judgment Fund Distribution Act of 2011”, 11 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, February 28, full Committee, hearing entitled “Government 2.0: GAO Unveils New Duplicative Program Report”, 9:30 a.m., 2154 Rayburn.

February 29, Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy, hearing entitled “Honoring George Washington’s Legacy: Does America Need a Reminder?” 10 a.m., 2247 Rayburn.

February 29, Subcommittee on National Security, Homeland Defense and Foreign Operations, hearing entitled “Preventing Stolen Valor: Challenges and Solutions”, 10 a.m., 2154 Rayburn.

March 1, Subcommittee on Government Organization, Efficiency and Financial Management, hearing entitled “The Status of Government Financial Management: A Look at the FY 2011 Consolidated Financial Statements”, 10 a.m., 2154 Rayburn.

Committee on Rules, February 28, full Committee, hearing on H.R. 1837, the “San Joaquin Valley Water Reliability Act”, 3 p.m., H-313, Capitol.

Committee on Science, Space, and Technology, February 28, Subcommittee on Research and Science Education, hearing entitled “An Overview of the National Science Foundation Budget for Fiscal Year 2013”, 10 a.m., 2318 Rayburn.

February 29, Subcommittee on Technology and Innovation, hearing entitled “Promoting Innovation, Competition, and Economic Growth: Principles for Effective Domestic and International Standards Development”, 10 a.m., 2318 Rayburn.

February 29, Subcommittee on Investigations and Oversight, hearing entitled “NASA Cybersecurity: An Examination of the Agency’s Information Security”, 2 p.m., 2318 Rayburn.

March 1, full Committee, hearing entitled “An Overview of the Department of Energy Research and Development Budget for Fiscal Year 2013”, 9:30 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, February 28, Subcommittee on Water Resources and Environment, hearing entitled “Review of Innovative Financing Approaches for Community Water Infrastructure Projects—Part I”, 10 a.m., 2167 Rayburn.

February 29, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled “A Review of Cruise Ship Safety and Lessons Learned from the COSTA CONCORDIA Accident”, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, February 28, full Committee, hearing on President Obama’s Fiscal Year 2013 Budget Proposal for the Department of Health and Human Services, 1 p.m., 1100 Longworth.

February 29, full Committee, hearing on President Obama’s trade policy agenda, 10 a.m., 1100 Longworth.

House Permanent Select Committee on Intelligence, February 29, full Committee, hearing on ongoing intelligence activities, 3 p.m., HVC-304. This is a closed hearing.

Joint Meetings

Commission on Security and Cooperation in Europe: February 28, to hold hearings to examine clarifying the fate of missing persons in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on locating and identifying persons missing as a result of conflicts, trafficking in humans and human rights violations, as well as natural or manmade disasters, 2 p.m., 2172, Rayburn Building.

Next Meeting of the SENATE
10 a.m., Tuesday, February 28

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Tuesday, February 28

Senate Chamber

Program for Tuesday: Senate will be in a period of morning business until 12:30 p.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

House Chamber

Program for Tuesday: (Consideration of H.R. 2117—Protecting Academic Freedom in Higher Education Act (Subject to a Rule).

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